

197. N.W.

April Term 1834.

B.P.

In the name of God Amen I Jeph Tolley being low  
of body but by Gods dispensing mind and memory do make  
and ordain this my last will and testament in manner  
of form following this

In plimis, It is my sole & desire that all my just debts shall  
be paid. And for this purpose it is my will and desire that  
all my land be sold, by my Executor herein after mentioned,  
in such manner as he may think best, to cut the Estate in  
two, the tract called the Glade tract joining George Pollard  
and others, & my two lots in the town of Williamson.

Secondly, after paying off all my just debts, I give & bequeath  
all the remainder of my property to my beloved wife Cherry  
Tolley & her full blood children.

Thirdly, I hereby nominate and appoint my beloved friend  
Hardy Sather, Executor to this my last Will & Testament.

In testimony whereof I hereunto subscribe my hand &  
seal this 16<sup>th</sup> day of January A.D. 1834.

Signed Sealed & Acknowledged  
in the presence of us  
James B. Stoddard  
Seth Smithwick

Jeph Tolley Seal

State of N.C. County of Pearl & Quarto Superior  
Court Martin County April Term 1834.

The foregoing paper writing purporting to be  
the last Will and Testament of Jeph Tolley Esq. was  
produced in open Court by Hardy Sather the Executor  
named therein and proved by the both of Seth Smithwick  
one of the subscribing witnesses thereto his due form of Law  
whom for or motives it was ordered to be recorded.  
Hardy Sather the Executor appeared in open Court and  
qualified as the Law directs.

Test. Mr. D. Biggs C.R.

July Term 1834

198

In the name of God Amen I Daniel Biggs  
of the State of North Carolina and County of Martin  
being in my sound mind and memory do make and  
declare this to be my Last Will and Testament,

First, of all I desire to commit my soul to God and my  
body to be buried in a Christian like manner.

As for the things of this life which it has pleased God  
to give me with the disposal of them in the following manner is,

I give unto my son Martin Biggs the following tract of  
land, beginning at the mouth of a small Branch of the  
Mtn. Top, running up the Branch to a fork there and  
to have a corner thereof a straight line to David Gurganus  
line thence along David Gurganus line to Turkey Creek  
thence down the stream to the beginning. Also one year old  
Cattle.

I give unto my son Malisha B. Biggs the following tract of  
land beginning at a new made corner, on the side of Branch  
there above the Branch to the fork thereof at the right hand  
fork to Dennis Plat line there along Dennis Plat line to  
David Gurganus line, thence along David Gurganus line to a  
new made corner thereof along a new made line to the beginning  
also one Guy House.

I give unto my Daughter Anna Gurganus one cow, one pig  
and furniture.

I give unto my Daughter Linda Biggs one bed and furniture  
Also unto my beloved wife, all within doors and without that  
has not been mentioned her lifetime or widowhood and at her  
death or on marriage to be sold and equally divided between  
my three small children Harry, Bright & Nancy Biggs  
It is my desire and wish for Harry and Bright to have  
all the residue of my Land that I have not mentioned  
Early it is my desire and wish that Brother Joseph D.  
Biggs to be my Executor April the 17<sup>th</sup> 1834.

Signed Sealed & Acknowledged

In presence of us  
David B. Garrison  
Neal Gurganus

State of North Carolina County of Pearl & Quarto Superior  
Court Martin County July Term 1834.

The foregoing instrument purporting to be the last  
Will and Testament of Daniel Biggs was exhibited in open Court & proven  
by the oath of Neal Gurganus abjuring perjury, whereupon  
said D. Biggs the testator named herein appeared before the Chairman  
of the Court & took the oath qualifying her death & testacy and protestation  
to be record.

Test. Mr. D. Biggs C.R.

October Term 1834

In the name of God Amen I Mary Taylor of the State of North Carolina Master County Duke of Orange mind & memory before God do this the 7<sup>th</sup> day of October in the year of our Lord 1834 make and publish this my last will & testament in manner following that is to say First I give and bequeath to my niece Caroline B. Lewis one negro Boy named Caesar, One negro Girl named Louisa, one Girl named ~~Estelle~~, One Girl named Nancy, One Girl named Lydia, One Boy named Simon, One Girl named Judy, One Boy named Gabriel, One dentell Pig and Harnap, One Pheasant and one Boy Mare secondly I give and bequeath to my niece Harriet L. Taylor One negro Girl named Sally, One Boy named Washington Thirdly I give and bequeath to my niece Charity Dawson Taylor One negro Girl Viney and one named Easter Fourthly I give and bequeath to my niece Maria Augusta Gugher One negro man named Luke, One negro woman and four Children, Mary Peter, Nancy, Luendas and Hardy and Baby Fifthly I give to my nephew Christopher D. Taylor One Negro Boy Charles & one named George Sixthly I give to Richard Taylor Jr. One Boy named George Seventhly I give to Richard Taylor Sen. Five dollars to be paid to money Eighthly I give to Joshua Taylor all of my landed Estate. Ninthly I give to Elizabeth Taylor Five dollars to be paid in money Tenthly I give to Henry Taylor Five dollars to be paid in money Eleventhly all of the rest of my perishable property not given away sold and all my just debts paid and what is left I give to William H. Williams for the use of my old negroes I do hereby nominate and appoint William H. Williams and James Gaskins to this my last Will and Testament given under my hand and seal the day and year before written

Signed in presence of

W. W. Ward

Sam'l W. Hyman

The said date was intellid by me signed —

W. W. Ward

Sam'l W. Hyman

October Term 1834

State of Carolina County of Mecklenburg  
Dated this 10<sup>th</sup> Oct.

The foregoing paper writing purporting to be the last Will and Testament of Mary Taylor, was produced in open Court and proven to be the act and deed of said Mary by William Ward one of the subscribing witnesses thereto in due form of Law, who signed William H. Williams and John C. Jones the executors therein named came forward & took the oath of qualification & were sworn to be record

*Dr. D. Riggs Esq.*