

April Term 1836

In the name of God Amen:

I John Myatt of the State of North Carolina and County of Martin being in perfect mind and sound memory but on a very low of health at this present period but calling unto mind that it is appointed for all men once to die, do make here establish this my last will and Testament in manner following. First of all I recommend my soul into the hands of Almighty God, whom first gave it me, and my body to be decently buried in a Christian like manner, and as for my worldly property I dispose of that as I shall hereafter mention.

First it is my will and desire that all of my just debts be paid out of my estate —

Next I stand unto my daughter Mirial Baby (a short young lady) the house and land whereon she now lives during her natural life and at her death to be equally divided between all her children by reason of her body to them and their heirs forever. — and it is further my will and desire that the above land property shall not be sold to pay the debts of the said Mirial Baby or the debt of John Baby or any other persons whatsoever —

Item I give and bequeath unto my Grandson James Ward all my Land lying in the left hand of the road leading from Milledgeville to Richmond known by the name of the Peter Swart Land to him and his heirs forever. —

Item I stand unto my dear beloved wife Lydia Myatt all the balance of my property during her natural life or widowhood and at her death or widowhood it is my will and desire that the said property land to my said wife shall be sold by my Executor hereinafter named with the exception of one acre of Land out of my Tennessee tract lying in the Road leading from Milledgeville to Washington and the monies arising from the sale of said property to remain in the possession of my Executor hereinafter named in trust nevertheless for the benefit of my said daughter Mirial Baby during her natural life to be furnished to the said Mirial Baby at such times and at all times at the discretion of my Executor hereinafter named and at her death to be equally divided between all her children by reason of her body to them and their heirs forever —

Item I give and bequeath unto Nancy Myatt the Lord of Land that I have not heretofore disposed of in the Tennessee tract, and it is my will and desire that the said Nancy Myatt have her share to say where she will take the said Lord of Land out of the said Tennessee tract to her and her heirs forever.

Item it is my will and desire that my Executor hereinafter named shall have a small and convenient house built on the

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an of Land that I have heretofore given to Nancy Myatt at the death or widowhood of my wife Lydia Myatt and she may to hold the said house to be paid out of my said estate money it is my will and desire that if my Executor hereinafter named should die before this my will is completed and settled by said Executor then and in that case it is my will and desire that whosoever is the Executor or Administrator of my said Executor hereinafter named shall be authorized to carry this my said will into execution and settle the same in the same manner and form as if my said Executor hereinafter named should have died and settled the same himself.

Lastly I do hereby nominate constitute and appoint my friend Lawrence Cherry Executor to this my last will and Testament.

I witness whereof I the said John Myatt have hereunto set my hand and seal this the 10th day of January 1836.

signed sealed and acknowledged
in the presence of us

John Myatt Seal
mark

W. L. L.
Seal
mark

State of N. Carolina Clerk of Pleas & Justice of the Peace
Martin County April Term 1836

The foregoing paper writing purporting to be the last will and Testament of John Myatt and produced in open Court, and proved in due form of Law by the oath of W. L. L. a subscribing witness thereto and ordered to be recorded. — at the same time Lawrence Cherry the Executor named therein appeared in open Court and qualified to execute the same.

Test. J. D. Pigeon Clerk