

Benjamin Leggett's Will Continued

One Chest, One Clock, One Cart, three ploughs, one Bridle & saddle, two
Hocks, Bess, and Kitchen furniture, the above articles, to be selected
by herself.

Item 5th I give and bequeath to my sons William Leggett, Ino B
Leggett and Joseph B Leggett my Mill & mill fixtures & wood
equally, and to their heirs forever.

Item 6th I give and bequeath to my son John B Leggett the fol-
lowing tract or parcel of land, bounded as follows, Beginning
at the Mill, running thence with the Mill Path to Gum Branch
to Richard Apple Tree, thence along Apple Tree to the swamp, thence
along the Swamp to the various places, to the Swamp to the beginning
to have and hold the same and his heirs forever.

Item 7th I give and bequeath to my son Joseph B Leggett and
his heirs forever, all my land that lies in the North Side of
his heirs forever, all my land that lies in the North Side of
Franklin Creek and on the west side of Turkey Swamp.

Item 8th I give and bequeath unto my son William Leggett and
his heirs forever a tract of land Batted & bounded as follows.
Beginning at an Oak, William Leggett, Corner along the Mill, run-
ning thence down Turkey Swamp to the New Road, thence along said
Road to William Leggett's Corner, thence along William Leggett's line
to the Beginning.

Item 9th The Negroes, Ben, Vice and Jones I leave to my wife and the rest
of the property mentioned in Item 4th after the death of my wife I give
and bequeath to be equally divided between my children now living
and their heirs forever.

Item 10th I give and bequeath to my three Grand Children, Benjamin
Swain, Emma Eliza Swain and John Ransom Swain my negro
Cherry, and her increase to be equally divided between them and
in case either of them should die, leaving no child or children,
then the same or her increase equally, and in case they should all die
without issue then the said Negro and increase to be equally divided
between my children now living and their heirs forever by Emma
Roberson, William Leggett, Ino B Leggett, Ino B Leggett & Mary Child.

Item 11th It is my will and desire that all the balance of my Negroes
not heretofore mentioned together with the residue of my estate of every
kind and description shall be divided equally among my children
now living and to their heirs forever.

And lastly, I do hereby constitute and appoint my two sons John B
Leggett and Joseph B Leggett my lawful executors to all intents
and purposes, to execute this my last will and testament according
to the true and intent and meaning of the same - hereby revoking and
declaring all other wills and testaments by me heretofore
made.

In witness whereof I the said Benjamin Leggett do herewith
set my hand and seal this 25th day of January, 1869.

Benjamin Leggett
Signed and published solemnly by the said Benjamin Leggett
to his last will and testament in the presence of

Benjamin Leggett, Will Continued

us who at his request and in his presence
do subscribe our names as witnesses thereto

"John Nally

"Saml W Nally State of North Carolina
Marion County

Feb. Term 1864

Then was the foregoing
paper according purporting to be the last will and testament of Benjamin
Leggett exhibited in open Court for probate by Ino B Leggett
and the Executors therein named, and the due execution thereof, the
said Benjamin Leggett proved by the Oath and examination of John
Nally, one of the subscribing witnesses thereto. It is therefore Ordered
and ruled by the Court that the said paper according and every part and
clause thereof is the last will and testament of the said Benjamin
Leggett and the same is Ordered to be recorded & filed, and
thereupon the said John B Leggett Executor of said and duly
qualified as such by taking the Oath required by Law.

J. H. Harrell Clerk

Mattha Cushing's Will

State of North Carolina } I know all men by their
Marion County } presents that I Mattha Cushing

being in sound mind and memory thanks to God for the
same but knowing the certainty of death do make and
ordain this my last will and Testament as follows to wit
after paying all my just debts

1st I lend to my niece Louisa S. Harrell one negro woman by the
name of Malotia also one negro girl by the name of Margaret
during her life and at her death to her children to them and their
heirs forever them and all their increase

2nd I lend to my niece Louisa S. Harrell all my land
during her life and at her death to her children them
and their heirs forever I also give to my niece Louisa S.

Harrell one bed and furniture and one chest, I also give
to my niece Louisa S. Harrell's daughter Viola S.
Harrell one bed and furniture and one trunk, and to the
said Louisa's other daughter Delah J. Harrell one Bed and
furniture and one trunk it is my desire that my
negro man George be sold among death and the
proceeds be equally divided between Viola S. Harrell
Delah J. Harrell.

I do hereby constitute and appoint
my friend William R. Brown Executor to this my
last will and Testament revoking all other

Martha Cushing's Will Confirmed

That I may have made known to this date writing whereoff
I have herunto set my hand and affixed my seal this the
Thirtieth day of May in the year of our Lord one thousand
Eight Hundred and fifty nine—

Signed in the presence of ^{her} Martha Cushing
Archibald Watson
Benj. Martin

Revenue Stamps
and DOLLAR

Attest County in Probate Court—
A paper purporting to be the last Will and Testament of
Martha Cushing doth is exhibited before me the undersigned
Judge of Probate for said County by Thomas M. Harrell Deceased to
his interest therein named and the due execution thereof by
Martha Cushing by the oath and examination of
Archibald Watson and Benj. Martin the Subscribing
witnesses thereto who being duly sworn do each depose and
say and each for himself depose and say that he is a
Subscribing witness to the paper writing now shown him
purporting to be the last will and Testament of Martha
Cushing, That the said Martha Cushing in the presence
of this deponent Subscribed her name at the end of said paper
writing, which is now shown as aforesaid and which
heard date on the 20th day of May 1858. And deponent further
saith that said Martha Cushing attested aforesaid will
at the time of her Subscribing her name as aforesaid declare said
paper writing so subscribed by her, and exhibited to be his last Will
and Testament and this deponent did thereto subscribe his name
at end of said will as and attesting witnesses thereto and at
the request and in the presence of said testator, And this
deponent further saith that at the said time, and when the
said testator subscribed her name to said last will as
aforesaid and at the time of the deponent subscribing his
name as an attesting witness thereto as aforesaid the
said Martha Cushing was of sound mind and memory,
of full age to execute a will and was not under any restraint
to the knowledge information or belief of this deponent.
And further these deponent say not Archibald Watson
Sworn to and subscribed before me this Benj. Martin
21st day of Decr 1868, let the said will and affidavits
be removed with this certificate
J. H. Dyer, Probate Judge

Joshua Wayles Will

State of North Carolina and the County of Martin—Know
all me by these presents that J. Joshua Wayles of the County
and State aforesaid, being of sound and disposing memory
do make and ordain this my last will and Testament in
manner and in form as follows viz—
Item 1st I give and bequeath to my two daughters Charity
Ellen and Florida three four hundred acres of land,
beginning at the dividing line between said Joshua Wayles
and T. M. Parris running out to the road leading from
Hamilton to Hellawinstown, thence up the road to a bridge
over the Chapel Branch running down said branch to
nearly opposite a persimmon tree standing in the upper
end of the cotton patch line run by Right Sherrod this
year, thence across to the main run of the Concho Creek, so
as to include all of the mile field—
Item 2^d If either of the girls die before arriving at the
age twenty one years, the other shall have her part of said
lands, I also give to my daughter Charity Ellen my bureau
and silver cup and a set of silver tea spoons and table
spoons, And I give to my daughter Florida Ann my
wardrobe, a set of silver tea and table spoons, one
set of China Ware, I also give to Charity Ellen one
pic of China,
Item 3^d The balance of my lands I give to my two sons
William K. and Franklin Wayles, It is my will and
desire that my stock shall be kept on the farm also farming
implements and be owned by all my children for their mutual
benefit. Item 4th It is my will and desire that my
executors shall manage the whole farm, educate and pay
the expenses of my sons Franklin and Wm K. Wayles and my
daughters Charity Ellen and Florida Ann Wayles and the
balance of the property shall belong to all my children
Item 5th On Franklin's arriving at the age of twenty one
years he can draw his share of land if he thinks proper
Item 6th I give to my son Joshua three hundred Dollars to be
raised out of the cotton on hand,
Item 7th I give to my son Hannibal Dawson Wayles
one hundred Dollars to be paid out of the cotton on hand
Item 8th I give to my son Franklin my large bed
also ten dollars in cash when my coffin is sold,
Item 9th I give to my two daughters twenty dollars in
gold apiece when they are nearly grown and also
my parlor furniture and two of my best beds—
(over)