

164 & testament. Hereby recollecting & making well
all former wills made by me, ratifying &
confirming this & no other to be my last will
& testament — I subscribe whereof I have here
unto set my hand & seal this day & year first
above written — and sealed
& delivered in presence of Thomas Simril — ^{EB}
James Simril & Thomas Wilson
J. McCair

~~THE WILL OF~~ ^{THE} WILL OF JESSE M. M.
Thomas Lewis of the county of Mecklenburg &
State of Va. being to mind the mortality
of body and be through the mercy of God
of sound & disposing mind and memory do
make & ordain this my last will & testament
in manner & form following (W 13)
I commend my soul to God who gave it & my
body to the grave to be buried at the discretion
of my executors herein after named
I give & bequeath unto the property where with God has been
pleased to bless me I will & dispose of it as follows
1st I will & direct that all my just debts be paid
fulfill my just debts.
2nd I will & bequeath my gold mine running from a
Y to C & E Division across my plantation &
commencing on David's place line and extending
to Edmund's place line including all the gold
including all the gold there may within
fifty rods on each side of principle vein be
gathered with appropriate timber as may be
necessary for working the same in cutting

165 Tunneling and building buildings for their hands
that my wife the mine and shall timber
to be cut as near to the mine as it can
be got and also five acres top and forced
- eye of the water of the gold mine bound
to my beloved wife Mary Lewis to my
daughters Jane Hookers and Martha & H.
Mewart and to my son Robert Lewis & his
Lewis and Thomas & Newton Lewis and my daughter
Mary Van Lewis to them & theirs forever
to have & to hold the said gold mine &
the ridge on which it runs in common
interest and to use & to enjoy all the profit
and proceed of said mine. To be equally divided
my above named wife and seven children
share & share alike and each of the said
holders having an equal interest in said
mine shall bear an equal part in the
necessary expenses included in making the
the mine and shall furnish an equal amount
of the labor

Then the quantity of labor to be employed on
the mine and amount of expense, that shall
be incurred

in working said mine shall be so made and
no more than shall be agreed to and
determined on by two thirds of the above named
joint holders and owners of said mine

Then to one of the above named joint holders and owners
of the said mine shall be at liberty to
lease all or transfer his or his interest in the
said mine unless by the consent and approbation
of all the other joint holders and owners

I will & bequeath to my beloved wife & being dower
 as her dower of my lands, the dwelling house in
 which I now live with all the improvements and
 appurtenances there unto and that her said dower
 including the same shall be land of room my
 other land by lines as follows viz beginning at
 a pine corner near the road leading from
 David Phelps to the wagon road and running
 thence across the creek to the mouth of
 the spring stream out of which I formerly
 used (and having in said dower the out of
 which I now use) thence crossing the branch
 in the field next my son Roberts at the mouth
 of a spring stream thence up the hollow of
 said stream to the fence next my son Roberts
 thence out side the fence to David Phelps
 line to house and to bed and enjoy all
 the benefits and proceeds of said dower during
 the term of her natural life

I will & bequeath to my beloved wife as the bed
 and bedding now in the house to be hers at
 her own disposal and my personal effects
 & beaureaux to be hers during the term of
 her natural life or as long as she remains
 my widow

I will & bequeath to my beloved wife two cows
 and a calf her choice of the stall one horse
 worth sixty dollars and her saddle
 & bridle and one year's provisions and her
 clothes & cards also my cupboard & table
 furniture

I will & bequeath to my son Robert Lewis
 a piece of land adjoining his own land

163 on the 1st M. to be laid off my other land
by a line beginning at a post oak tree upon
corner and running in a straight line to
white oak to a white oak on the creek my
corner and also David Philips corner which
piece of land shall be valued by the sworn by two
distinct men and he shall take it at the
valuation paying the price after own mind
as one of my legacies is taken out of said valuation
to my other six children each to receive an
equal share the of said land on said condition
I will & bequeath to him Robert and also here
forever

Item I will & bequeath to my beloved wife my negro
girl named Bena, during the term of her natural
life or as long as she remains my widow after
which the said Bena and her increase shall be
sold and equally divided amongst my children

Item I will & bequeath all my land not above mentioned
and devised to my two sons Charles Lewis &
Thomas Lewis including the dower bequeath
to my wife and my land including said
dower shall be equally divided between my
said two sons my wife notwithstanding to
have her dower as above & also during
her natural life

Item I will & bequeath my son Robert Jonathan Edin
and Thomas & jointly my smith tools and
crop eat &c &c

Item I will & bequeath to my daughter Mary Ann
one horse worth sixty dollars & her saddle & bridle
and wheel & cow do and one cow & calf &
one do & & furniture

Item I will & bequeath to my son Edwin my Wells gun
shot powder & powder horn

Item I will & bequeath my negroes Bell Phillis & Clay to
my seven children to be equally divided among
them either by sale and division of the price
or by valuation and those of my children that
get the said negroes to pay the other legacies who
do not get their proportion parts of the value

Item I will & bequeath to my daughter Meartha McArthur
two hundred dollars and to my daughter Mary
Ann Lewis two hundred dollars and to my daughter
Sarah Harkness one hundred & fifty dollars
not making her share equal to the share of
my other daughter in consequence of fifty dollars
taken of me by her husband Ely Harkness in
sale of the land on which my son Walter now
lives and this money to be paid to the said
Meartha, Mary, Ann, & Sarah by my Executors
out of the money on hand and sales of my
property within one year after my decease.
& this is to make my daughters equal for the
lands I have given my sons

Item It is my will & direct that all my property
except ~~as aforesaid~~ not above specified and divided
in this my will sold publicly by my Executors at
at a credit of one year & that the amount
arising from such sale to gether with all money
found on hand at my decease and all my
outstanding debts (after the above spe-
cified legacies are paid as directed in this my
will) shall be equally divided between my wife
& seven children above named Edwin
& Sarah & Ann

Last I constitute my sons Robert Lewis and John Lewis and my son in law Col. Howard to be of the my last will & testament in writing whereof I have hereunto set my hand & seal of my soul this 16th day of August 1838
 In presence of Thomas L. Lusk
John Houston
Brian Tomlinson
Samuel Williamson

I Robert Montgomery Jr. of the County of Mchlenburg and State of North Carolina, do make this as my last will & testament

I give & bequeath to my Brother Uriah Montgomery my house, land and Whistle and my gun.

I give and bequeath to my sister Wegge Montgomery Fifty dollars.

I give & bequeath to my sister Wegge Montgomery she to have her choice of them.

I give & bequeath my land after the death of my father to my Brother Uriah Son Robert McCarney Montgomery

I will that all my other property not named above be equally divided between my Brother & Sister

I appoint McCarney & David Executors of this my will.

Signed & attested

This 7th March 1838.

Witness R. J. Morgan

A. J. Scott

Isaac H. Mason

This
Robt. Montgomery
 in witness