

July Court 1823

In the name of God, Amen. I Rachael McElwee of the County of Rutland and State of North Carolina being sick & weak of body, yet of perfect sound memory thanks be to God do this day make my last Will and Testament in manner & form following

First I give & bequeath to my four daughters, viz. Elizabeth, Lydia, Pegg & Bailey my bed & furniture and all my wearing apparel to be divided equally between four if they come my wife her dower of Land and other property agree, if not sell them and divide the money into four parts off by three men nominated by the executor of all the balance of the household furniture & Cattle the Estate to be hers during her life time or widowhood, & all & every thing else belonging to me on the premises then her part of the land to fall to the boys and the balance where I now live I do will & bequeath unto my grand son James Collins, to be his own right & property free clear from the claims or claims of any person or persons in any Controversy whatever. I do hereby make this my last Will and Testament in Law whatever to stand true & firm — Signed sealed published and by the Testator to be her last Will and Testament in presence of us who were present at the sealing & delivery hereof the 30th day of May 1823

Rachael McElwee
Mark

October Court 1823

In the name of God Amen. I Arthur McElwee of North Carolina County of Rutland being weak in body, but of sound mind & memory thanks be to God do this thirtieth day of August the year of our Lord one thousand eight hundred and twenty three make & publish this my last Will & Testament in manner following that is to say. First I allow all my Piggas Bailey my bed & furniture and all my wearing apparel to be divided equally between four if they come my wife her dower of Land and other property agree, if not sell them and divide the money into four parts off by three men nominated by the executor of all the balance of the household furniture & Cattle the Estate to be hers during her life time or widowhood, & all & every thing else belonging to me on the premises then her part of the land to fall to the boys and the balance where I now live I do will & bequeath unto my grand son James Collins, to be his own right & property free clear from the claims or claims of any person or persons in any Controversy whatever. I do hereby make this my last Will and Testament in Law whatever to stand true & firm — Signed sealed published and by the Testator to be her last Will and Testament in presence of us who were present at the sealing & delivery hereof the 30th day of May 1823

Secondly I will and bequeath to my two sons Isaac D. McElwee and James D. McElwee all my Land Estate to be equally divided between them and when they shall possess the whole the land shall be valued & they shall pay the rest of the Legacies a fifth part of the valuation of the property to be equally divided among all the rest of the Legates (viz) Elizabeth McElwee, Jane D. McElwee, Isaac D. McElwee, Mary E. McElwee, James D. McElwee & Pamela McElwee and each one to receive their part as they come of age &c. And I hereby make & ordain my worthy friend David Gray M.D. Melpatrick & Mary McElwee my wife Executor of this my last Will & Testament. In testimony whereof the said Arthur McElwee has to this my last Will & Testament set my hand Seal this day & year above written signed sealed & published by the said Arthur McElwee the testator in the presence of us who were present at the time of signing & sealing thereof

James Wragg (Surat)
James Gray
Richard McElwee