

64 Wills - January Court 1827

In the name of God Amen; the Eighteenth day of March in the year of our Lord one thousand eight hundred and twenty three; I Benjamin Hyder of North Carolina in Rutherford County being thick in years and at some times feeble in body yet of sound mind and memory thanks to God for his mercy in the midst of these calling to mind that I am mortal and seeing the uncertainty of all worldly enjoyments do at this time make ~~and~~ and ordain this to be my last Will and Testament in the manner and form following first recommending my soul to God who gave it and my body to the Earth to be decently interred at the discretion of my Executors, and as touching such worldly estate wherewith I have pleased God in this life to bless me, I give devise and dispose of the same in the following manner First allowing all my just debts and funeral charges to be paid, I give and bequeath to my beloved wife Catharine the whole of the plantation on which I now live together with all my negroes & stock plantation tools and furniture of every description during her natural life. - I also ~~do~~ give to her the negro Jack to be hers altogether to her own disposal or to leave him to who she pleases - and to my son Benjamin Hyder I give and bequeath all lands I possess on the waters of Mountain Creek to be possessed by him and his heirs after the decease of myself and wife. Provided nevertheless John shall have free liberty to cultivate any part of the lands on the west side of the Creek as long as he shall live up as far as Benjamin's line, I also give to my son Benjamin the lot of land and buildings on the same in town of Rutherfordton, also my still and smelt tools, nevertheless John shall

Wills - January Court 1827

have liberty to do his work on the tools. I also give to the said Benjamin after the decease of my wife the wagon and gear and the negro Luke, and to my Grand son Adam Lewis Hyder I give the negro Squire, and to my deaf and dumb son John Hyder I give the negroes Sylvia and Virgin to be his during his lifetime and after his decease to be returned to the Legation hereafter named. As to the Children of Caty M. Muntry I allow the negro Hercules to be sold to the highest bidder and the price he sells for to be equally divided among all her Children then living - As to Sylvia & Virgin which I allow to John while he lives if it shall appear they are so used that they cannot live with John, I do allow my Executors and Trustees to hire them out give the hire to John as they may see he has need of it - and after the decease of my son John it is my will that all the property of the said Sylvia and Virgin be returned to the Legation mentioned as before or hereafter named and after the decease of myself and wife it is my will that all the personal property we leave behind be laid off in five lots to draw for Julius Logan, Nancy Logan & Caty Logan Children of Mary Logan, one for Benjamin Hyder, one for John Hyder, 1 for the Children of Susannah Logan, one for the Children of Nancy Wagwell; the lots to be drawn by or at the request of my Executors and trustees and if any refuse to take lots drawn they the lots may be sold and they may receive the price - And I do allow the term of two years after the decease of my wife and recording if it is necessary for the settlement of the of the estate - and I do by these presents nominate, constitute & appoint my wife Catharine Executrix and my son Benjamin

66 Wills — January Court 1827.
Hyder and ~~my~~ friend David Dickey Executors of this
my last will and Testament — and my friends
Jonathan Hampton, John Bradley & Joshua Taylor
trustees and if they deem it necessary they may demand
security if any one other than Legatee receives any
part of the Mts, ratifying & confirming this as my
last will and testament. Signed, sealed, pronounced
and declared by the said Benjamin Hyder to be his
last will and Testament in presence of —

Elias M. Padden

D. Dickey (Sunt)

(Witnessed in 33 line before signed, these
words "one for Benj^r Hyder, one for John Hyder — in line
25 line which I allow to John while he lives)

Benjamin Hyder (Sunt)

In the name of God Amen.

I James Moore of the County of Rutherford
and State of North Carolina being of sound & perfect
mind and memory blessed be God do this fourth
day of December in the year of our Lord 1826 make
and publish this my last will and Testament in
manner following that is to say — I recommend my
soul to God who first it gave first I wish all burial
expenses and all my just debts to be punctually paid,
then I wish all my estate both real and personal to
be equally divided in two lots and my wife Mary
Moore to have choice of lots of the whole estate to her
own benefit, the other part I wish sold and then
equally divided between the heirs of Joseph Moore my
brother and the heirs my two sisters Elizabeth Wilson
& Mary Bradley — I hereby make and ordain
my worthy friends George Walton & Jacob

67 Wills — January Court 1827
Michael Executor of this my last will and testament
In Witness Whereof I the said James Moore have
to this my last will and testament set my hand
and seal the day and date above written.
Witness
H. Harris (Sunt) 3
Grand Liberator
his
James Moore (Sunt)
Mark

In the name of God Amen.

I John Morrison of the County of Rutherford
and State of North Carolina being at present tho'
weak of body yet of perfect mind and memory praise
be therefore given to Almighty God, do make
ordain constitute and appoint this my last will
and Testament in manner and form following
that is to say — First and principally I
recommend my soul into the hands of Almighty
God hoping through the merits, death and passion
of Jesus Christ my saviour to obtain remission
of all my sins and to an interest in Everlasting
life — and as to my body I leave it to the earth
to be decently buried at the discretion of my
Executor hereafter naming — and as touching the
disposition of all such temporal good things as it
hath pleased Almighty God to bestow upon me in this
world I leave and bequeath them in the following manner
First I will that all my just debts be paid together
with my funeral charges — First I bequeath to
Francis, William and James Morrison the land and
property they have received whenon they now live
secondly. I bequeath to my two sons John & Robert
Morrison the plantation on first Broad River called
the Stage tract to be equally divided between the two