

80 Record of Wills - Nov. 6th 1827.

That is my last will and testament: to my wife, Susy Mooney, negro boy, boy by the name of Lige and negro girl by the name of Loose likewise the land and plantation as I live on and the other other tract and all the household furniture, except Mills tract & Beatty tract to my son Peter Mooney, my wife Susy a bay mare by the name of Genes and saddle, two cows to my daughter Betty a negro boy by the name of Tom, my daughter Becky a negro boy by the name of Tom, to my daughter Liza 150 dollars and likewise my daughter Sally 150 dollars, likewise 150 dollars to my daughter Peggy to my daughter Mary Mooney 1 hundred and fifty dollars, the balance of my property to be sold and to be divided equal, my wife Susy and Jacob Carpenter to be my Executors, my wife Liza to have equal part with the children of the property is sold - set my hand and seal this 14th day of October 1827.

Test J. S. Lileas

Peter Mooney

Jacob Mooney

The last names is

Peter Sprangler

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In the name of God Amen.

I Benjamin Magrath of the County of Rutherford State of North Carolina being under the decay of nature but of sound sense and memory, and calling unto mind it is appointed to all to die do hereby constitute ordain and establish this my last will and testament in manner and form following (Viz) after all my just debts are paid my will and desire is that my beloved wife Nancy Magrath be possessed with the whole of my estate real and personal during her natural life or widow hood except what is hereafter named. — Item I give and bequeath to my son Joseph Magrath one hundred and fifty acres of land in said County on Brushy Creek commonly known by the name of the high Shoal, also one negro boy named James, which Land and Slave I give to him and his heirs forever to be received by said Joseph when he shall arrive to the age of twenty one years; also one sorrel horse, saddle and bridle generally known as his now. — Item I give and bequeath to my daughter Sally Magrath one hundred acres of land in said County on waters of Sandy run commonly known by the saw mill tract; also one negro girl worth two hundred dollars to be received by her when she shall arrive to the age of eighteen years to her and her heirs forever, one horse worth twenty five dollars a good woman's saddle & bridle and further bed and furniture to be received by her at the same time; The land above mentioned for said Sally is not to be received by her in full possession until my wife's death or marriage. Item I give and bequeath to my son Samuel Magrath one negro boy called Adam to him and his heirs forever also one horse worth twenty five dollars, a good saddle and bridle. —

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Item. I give and bequeath to my son Robert Magaw, one negro boy called Albert to him and his heirs forever, also one horse worth seventy five dollars, a good saddle and bridle, also I give and bequeath to my two sons Robert and Samuel Magaw my tract of land whereon I now reside containing two hundred and seventy five acres to be equally divided between them, to them and their heirs forever, but the said Samuel and Robert Magaw is not to be possessed with said land until my wife's decease or marriage, and further my will is that the above named negro boys James, Adam and Albert, willed to my sons Joseph, Samuel and Robert Magaw shall be valued at the time they receive them in order that they may be made equal and any deficiency should be found in the valuation of the negroes they are to be made equal when the division of my estate shall be made at my wife's decease or marriage. — The negro boys willed to Samuel and Robert Magaw to wit Adam to Samuel, Albert to Robert is to be etc. by them as above stated when they or either of them arrive at the age of twenty one years, that is each one is to receive his negro when he arrives to that age. —

Item, my will and desire is that at my wife's decease or marriage all my personal estate except what has been above disposed of shall be equally divided among all my children, to wit, Perrygrove, Jacob, James, Benjamin, William Magaw, William Washburn, Catharine Reynolds, Joseph, Sally, Samuel & Robert Magaw, as also my tract of land lying in Lincoln County both sides of Buffalo Creek is to be equally divided among all the above named children, but the land that I possess in Rutherford County now and above what has been disposed of by this my

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will I wish equally divided between my three sons to wit Perrygrove, James and Benjamin Magaw except forty acres of a hundred acre tract of land sold to John Ramsey, sixty acres the remaining forty acres I leave to be divided in the same manner and to the same persons the tract whereon I now reside is to be divided. —

Item. — I nominate and appoint my son Joseph Magaw and Elijah Walker executors to this my last will and Testament, revoking and annulling all and every other will or wills by me before made ratifying and confirming this and none other to be my last will and testament. — In testimony whereof I have hereunto set my hand and seal this 3rd day of February 1828. —

Signed, sealed & acknowledged

in presence of
Daniel Gold

Hansen Harrill (Clerk)

Benjamin Magaw

And further more as a Codicil or appendix to this my last will and Testament, my will and desire is that my sons Joseph, Samuel & Robert Magaw shall receive two cows and calves each of them at the time they arrive, that is as each of them shall arrive at the age of twenty one years, and my daughter Sally Magaw shall receive three cows and calves when she shall arrive to the age of eighteen years of age, ratifying and confirming this as a part of my last will & testament. — In testimony whereof I have hereunto set my hand and seal this 3rd day of February 1828.

Signed & acknowledged

in presence of
Daniel Gold

Hansen Harrill (Clerk)

Benjamin Magaw