

Wills — April Court 1826. —

do. appoint John Baum my true and lawful executor
to act and execute this my last Will and Testament.
In Witness whereof I now hereby publish and declare
and sign this my last Will and Testament this 17th
day of March 1823. —

Signed in the presence of

W. Hays (Juror)

J. P. Hays (Juror)

Witness ^{his} Queen ^{mark} ✓

June Court 1826. —

In the name of God, Amen.

I Robert Cherry of the County of Tazewell
and State of North Carolina. Calling to mind the
mortality of the human family, and knowing that
it is appointed for all men ~~to die~~ to die, being
advanced in life, but of sound mind and memory
(thanks be to Almighty God for his mercies) do make
and ordain this as my last Will and Testament,
1st and principally I recommend my soul to God
who gave it and my body to the earth to be buried
at the discretion of my Exors, and as respects
those worldly goods which it has pleased the
Almighty in his providence to bestow on me I give
bequeath and dispose of in the following manner
viz First I bequeath unto my beloved wife
Sarah the plantation where I now live to be held
and enjoyed by her and for her use during
her natural life, also all my farming utensils,
my household and kitchen furniture of
every description to be held and enjoyed
as aforesaid by her during life; I further
devise that my live stock of all kinds,

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Cattle, hogs, & sheep be and remain in like man-
ner for her my said wife's use and benefit
during life, then to be disposed of at her
death as herein after named; I further give
bequeath & dispose of in the following
manner to my said beloved wife Sarah, two
negroes (twink) Millicia & Fanny and one bed
and furniture in her own right, to be dispo-
sed of at her discretion when it becomes un-
lucky to her I further give and bequeath unto my
son James Cherry at his mother's death the
plantation whereon I now live (one hundred
acres only excepted) also the whole of the per-
sonal property reserved for her benefit during
life of every description as before stated.
Also I further give unto my son James, three
negroes namely Candage, Moses, and Senah to
be held and enjoyed by him in his own right
only excepted that my said son James at his
mother's death shall pay over unto my daughter
Mary Wallace or his legal representative, two
Cows and Calves, and one horse creature, the
horse to be in value one hundred dollars. I
further give and bequeath unto my three grand
Children Ethelinda Wallace, Robert Adolphus
Wallace and William Alvin Wallace one hundred
acres of land adjoining the land I now live on
and the lands of Sister and ~~for~~ Johnson
to be sold and disposed of at the discretion of
my Exors if the deem it expedient previous to
my said grand Children arriving at full
age, otherwise to be and remain in the possession
of their ~~Exors~~ at their own disposal. —

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I also give unto my aforesaid grand children and my to girl named Chloe to be and remain in the possession of their mother Mary Wallace, and the value of her labour ~~to be~~ ^{to be} respected towards the raising of my said grand children under the superintendence of my executor; and at her death or their arrival to full age, to be sold with her ~~if any~~ or otherwise equally divided between my said grand children, with other the heir of the body of my said daughter Mary if any & in order that this Will should take effect I do hereby ordain nominate & appoint my son James Cherry and my friend John Gilkey my Executors to this my last Will and Testament revoking all former Wills, ratifying and Confirming this only. — In Witness whereof I have hereunto set my hand and affixed my seal this fifth day of March 1825. —

Given, Signed & acknowledged
in the presence and hearing of
the undersigned

J. Gilkey (Jurat)
Benjamin Logan

Robert Cherry

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North Carolina, Rutherford County.
In the Name of God, Amen.

I Jechonias Waldrop now being weakly in body but of sound mind, and knowing that it is appointed once to die, do make this my last Will and Testament. First, resign my soul to God, and that my body be decently buried, and that all my just debts be justly paid. Then I give and bequeath unto my beloved wife Margaret Waldrop the house and plantation whereon I now live, including three hundred acres of land more or less, all the tract or parcel of land except two hundred and fifty acres including the improvements where James Sumnerhill lives and also the two improvements where Jechonias Waldrop now lives and also the including the land round the meetinghouse lands crossing the Creek at the old ford that led to the meeting house and up the north prong of the said Creek to where the hill shut to the Creek and then up the ridge unto the back line of a tract or parcel of land, which before ^(Patent) mentioned three hundred acres including the budding more or less I give and bequeath unto my wife Margaret during her natural life with the privilege of four of my children having their support on it by their labour and behavior and at my wife Margaret's death, to be Equally divided among three four names as follows, Richard, Mary, Mary Ann and Rebecca. The two hundred and fifty acres above mentioned I give unto my two sons Luke & Jechonias by their paying one third part of the value of said land, which third part shall be divided as follow, to the share of my son Joseph Waldrop, Robert and Zachariah Waldrop and to my daughter Margaret Peter, and five dollars to the children heirs of my son John Waldrop. —