

98 Wills - October Court 1828

In the name of God Amen.

I William W. Curry of the State of North Carolina and the County of Rutherford County being very weak and low in body but of perfect sound and memory thanks be given unto God; Calling unto mind the mortality of my body, and knowing that it is appointed for all men once to die do make and ordain this my last will and testament that is to say principally and first of all I give and recommend my soul into the hands of Almighty God that gave it, and my body I recommend to the Earth to be buried in a decent Christian burial at the discretion of my executor, nothing doubting but at the general resurrection I shall receive the same again by the mighty power of God.

And as touching such worldly estate wherein it has pleased God to bless me in this life I give demise and dispose of the same in the following manner and form. First; I give and bequeath unto Elizabeth W. Curry my dearly beloved wife after my just debts are paid and satisfied I give to my said wife Elizabeth all my household and kitchen furniture and all my land and plantation wherein I now live and the working tools both out of doors & in the house and my barn and all its utensils, and all my negroes except one which is to be sold at the discretion of my executor which ever my beloved wife see cause to sell, and I give unto my said wife all my stock of cattle hogs sheep and geese except what is here after mentioned; to wit, I give unto each my daughter now living with me one cow and calf calves to wit Rebecca, Cynthia, Mahaly, Mary & Matheeny & they are to take them away at my decease except Mary and Matheeny who are not of age & when they become of age they are to take them

99 Wills - October Court 1828

are to take them away out of the way of my widow and I also give unto beloved wife two horse belasts out of my stock and she is to take her choice out of the stock at my decease; - And I give also unto my daughter Rebecca, Cynthia, ^{Elizabeth} Mahaly and Matheeny one bed and furniture to each of them, and give unto my son James W. Curry one horse or money to buy one with out of my estate whosoever he becomes of age; And my beloved wife after giving off the above mentioned property to my daughters she is to hold the balance at her disposal during her lifetime or widowhood and if she should choose to marry again then all the property and estate that I have bequeathed unto her to be sold at the discretion of my executor and the monies arising from such sale to equally divided amongst all my children and if she does not marry then at her death to be sold and divided as aforesaid.

There is tract of land on the waters of Sandy Run & Prushy Creek to be sold also the negro before mentioned and the balance of my stock of horses to be sold on a reasonable credit at the discretion of my Executor and the monies arising from such sale to equally divided amongst all my children to wit Peggy Mettore, Peter Henderson John W. Curry, William W. Curry, Amos W. Curry, Rebecca W. Curry, Betsey Sedford, Nancy Webb Selas W. Curry, Cynthia, Mahaly, Mary & Matheeny and James except Mary which I give twelve dollars more than any of the other children and the balance to be equally between her and all the other children. -

100 Record of Wills - October 1828.
I do hereby constitute and appoint my beloved
wife Elizabeth McCurry and Michael McCurry my
sole executors to this my last Will and Testament
and I do hereby utterly disallow revoke and disan-
null all and every other former testaments, wills,
Legacies, bequests and executors by me in any
wise before named written and bequeathed, testa-
fying and confirming this and the other to be my
last Will and Testament. - In Witness Whereof I have
hereunto set my hand and seal this seventeenth day
of September one thousand eight hundred &
thirty eight. - Signed, sealed, published
pronounced and declared by the said William
McCurry as his last Will and Testament in
presence and in the presence of me
Joseph Taylor (Deputy)

William^{his} McCurry
mark

January Court 1829.

In the name of God, amen.

I, Agnes Miller widow
and relict of James Miller of the County of Rutherford
State of North Carolina being of sound
mind and perfect memory - but ~~being~~ far ad-
vanced in years do think it expedient to dispose
of my worldly affairs in the following manner
In the first place I give and bequeath to my
daughter Mary wife of James Erwin of said
County a negro woman named Liddy to her &
her heirs forever for the purpose of waiting on
and taking care of my said daughter as long

101
Wills - January Court 1829
as life permits them to remain together - I also give
to my said daughter all my plate & cupboard
furniture of all sorts whatsoever to be disposed
of amongst her children as she may think
proper - I also give and bequeath to the said
Mary all my clothing or wearing apparel of
every description, also all my tables, chairs and
kitchen furniture of every description - I also
give the said Liddy my large looking glass
if the same is in my possession at my death
or owned by me. I also give to my said
daughter three feather beds and their furniture
with their curtains &c also a side board all of
which to be at her disposal as she may think
proper. I give and bequeath to my grandson
Arthur Erwin, second son of the said James Erwin
a negro boy named Dick, to him and his heirs for
ever. I give and bequeath to my grand daughter
Sarah, daughter of the said James Erwin a negro
girl named Linda to her and her heirs forever -
I give and bequeath unto my grand daughter
Mary Matilda Erwin daughter of the said James
Erwin a negro girl named Betty to her & her heirs
forever. I give and bequeath unto my grandson
James Miller Erwin two feather beds and their
furniture, which he is now in possession of.
I give and bequeath unto my grandson Richard
Lewis Erwin son of the said James Erwin all
the horse creatures and horned cattle belonging
to me at my death - all the residue of my
estate not above bequeathed or disposed of,
of whatever kind, nature or description I
do hereby give and bequeath unto my said