

159 Lastly at the death of my wife Elizabeth Vawter it is my will that the estate of every description be equally divided among my children to wit Charles Mc Vawter, Eliza Seales & Elizabeth Lastly to them and their heirs forever, And lastly I hereby make and ordain my trusty friends Thomas Mc Seales & William A Mitchell my whole & sole executors of this my last will and testament. In witness whereof I the said John Vawter have to this my last will and testament set my hand and seal this 23rd day of May AD 1844 Signed Sealed and published and declared to be my last will & Testament in the

presence of us
Gideon Hardy
R. Richardson
Michael P. Powers
M. P.

John Vawter

June Term 1844

The Execution of the last will & Testament of John Vawter (of which the foregoing is a true copy) was duly proved in open court by the oaths of Richard Richardson, Michael Powers subscribing witnesses thereto and ordered to be recorded.

M. Hill. c.

160 I John V. Blackburn of the County of Stokes County and State of North Carolina being of sound mind & memory but considering the uncertainty of my earthly existence do make & declare this my last will & testament in manner and form following that is to say -

First that my Executors hereinafter mentioned shall provide a suitable burial for my body agreeable to the direction of my beloved wife Margaret Blackburn and that all the funeral expenses be paid together with all my other just debts hereover and to whomsoever owing and that my executors sell if necessary my tract of land on Dan River on a credit of twelve months and all the tobacco that I may have on hand and the proceeds of the sales be applied to the payment of my just debts and the overplus if any be applied as I hereafter direct. Secondly I leave to my wife my household tract of land and all my family of negroes consisting of ten in number at this time. I leave to my wife & also all my household & kitchen furniture all of my stock of every description all of my grain of every kind all the provisions on hand and my plantation tools, my waggon & my carriage & harness and every thing else that I have not mentioned belonging to me or in any way due me to have and to hold the same during her natural life or widowhood also my undivided interest in my father's tract of land which my Brother Madison and myself bought in the Town of Dan in copartnership which is to be equally divided between Madison & myself at the death of our Step Mother & also a tract of thirty nine acres on Black Creek bought as the above & which has not yet been transferred to me yet by Madison Blackburn. All of which she is to have the privilege of holding and using during her natural life or widowhood in the support of herself & family provided that she shall not sell any of my land or negroes for that purpose and should my land & negroes make more than enough to support my wife & family the overplus shall be applied as I shall hereafter direct & provided further that my wife shall not use any part of my estate in any way whatever only as may seem meet to her in the support and maintenance of herself & family. Finally should any of my negroes become so ungovernable that my wife cannot manage them she may sell them & convey the title & title to the same and the same

161 shall be binding on my heirs
Fifthly all the money which shall come into the
hand of my Executors from the sale of negroes made
by my wife or otherwise shall be paid out upon
interest bond & security first to be taken for the
repayment of the same & the interest on the same
shall be collected annually & loaned as other moneys
provided that nothing in this article shall be
so construed so as to prevent my executors from using
any part of any money which they may have in
hand to pay my just debts with.

Sixthly As soon as my children shall become old
enough they shall be sent to school by my Executor
or Guardian until they receive a good English edu-
cation or if any one of them shall have attained sufficient
they may be educated so as to prepare them for the
practice of the law or medicine and the expenses shall
be paid with any of the available funds in hand.

Seventhly Should any one of my children receive more
than an English education & there be others which
only receive an English education the one that receive
the more learning shall account for what it may cost
to give the same to him upon a final division
of my Estate & should I have one or more daughters the
same shall have a liberal education provided they
may have minds sufficient to receive the same.

Eighthly As my children arrive at the age of Twenty one
Years or married my wife shall loan them such part
of my Estate as she may think proper that each
loan as much to one child as to another and one
child shall not pay higher than another for the same
species of property upon a final division of my
Estate nothing contained herein shall prevent my wife
should one of my children become a spendthrift in
her lifetime from decreasing the same in any way
she may think proper to do to his or her children &
the husband of a daughter should be a spendthrift
shall loan as one of my children in this respect.

Ninthly At the decease or marriage of my wife my whole
estate shall be equally divided among my children the
loans made by my wife shall be considered as advancements
and taken into consideration in the division as they would
have been if I had died a intestate and said division shall

162 give each child a good title to the same unless he or she
shall have no issue then at his or her death the property
shall return into my estate & be disposed of under the same
rule & regulations as my other property.

Tenthly Should all of my children die without issue I
loan one half of my Estate to my beloved wife during her
natural life or widowhood and then to be divided a-
mong such of her relations as she may think proper
to give it to & should she fail to make the division
or gift said half of my estate shall be divided in the follow-
ing manner one fourth among the natural heirs of the body
of Betthunia Blackburn the sister of my wife & one fourth
among the natural heirs of the body of Mary Jane Wall
the sister of my wife & the other two fourths between
William & Martha Elbert the children of Joseph M. Elbert
Deceased. The other half of my estate give two fourths
of it to the natural heirs of the body of my brother
Madison Blackburn the other two fourths I give one
third to the natural heirs of my brother A. B. Blackburn
one third to the natural heirs of my brother William
Blackburn & one third to the natural heirs of of the
body of my sister Elizabeth Bostick.

Eleventhly My last will & desire is that my beloved wife
take upon herself the Guardianship of my children during
their infancy or her widowhood to hold and
property and should my beloved wife again marry I do
hereby nominate & appoint my trusty friend & relation John
B. Hampton Guardian for my children and my request is
that he take my children & their property all into his possession
until they marry or arrive at the age of Twenty one years &
lastly I do hereby constitute & appoint my beloved wife
Margaret Blackburn and my trusty friend & relation
John B. Hampton my lawful Executors to all intents
& purpose, to execute this my last will & testament according
to the true intent and meaning of the same & every part
thereof hereby revoking & declaring utterly void all & every
other will & testament by me heretofore made in whole
whereof I the said John B. Blackburn do hereunto set
my hand & seal this the fourteenth day of February one
thousand eight hundred & forty

John B. Blackburn

September term 1844.

The Execution of the last will and Testament of John T. Blackburn deceased (of which the foregoing is a true copy) was duly proved by Madison Blackburn, G. H. Nelson & Wm. A. Lusk and John P. Smith, George Linsell and Isaac Golding, who swore that said will was in the hand writing of said deceased. And ordered to be recorded.

Wm. Hill.

In the name of God Amen, I James Davis of the County of Stokes & State of North Carolina being in a good state of health as can be expected of a man of my advanced age & at present in sound mind and memory, thanks be to God for the same, and calling to mind the mortality of my body & knowing that it is appointed for all men once to die, do make and ordain this my last will & testament in manner & form following: *Imprimis*,

I give and bequeath to my beloved wife Margaret Davis all my lands from Ducking Shoal creek on the south side of Dan River down the ~~Dan~~ River so far as my land extends to gether with all the premises belonging thereto including my mansion house, also all my household & kitchen furniture of every description, also nine negroes to wit, Pomy, Lewis, Moss, Minny, Leah, Nell, Delphe, and Therry and Mart to remain with her my wife during her natural life then after her decease to be sold & equally divided among all my now surviving children, except the above named negro woman Therry and her increase after the death of my wife Margaret Davis to go to my son William Davis. Further it is my will and desire that my Daughter Elender Dearing deceased shall have an equal part with my now surviving children to be

Equally divided among her children in the sale of the ¹⁶⁴ above negroes. Further I give to my wife Margaret Davis all my stock of every description except what is hereafter disposed of otherwise together with all my plantation and Blacksmith tools waggons and gear of every description with all other articles belonging to and for the use of the plantation including the stills to remain with her during her natural life in order that the business of every kind may be carried on as it now is as much as possible. It is my will and desire would be that my son William should undertake on such terms as he and his mother could agree on to carry on the business of the plantation and all pertaining thereto for the mutual advantage of both.

Item, I give and bequeath to my son James Davis all my lands on Dan River that he has now not got a title for as thus beginning on the north bank of Dan River a little below opposite the mouth of Ducking Shoal creek at a fresh marked post oak sapling running on a fresh line nearly north crossing what is called McAnallys road that leads to Virginia continuing on a fresh marked line crossing little Snow creek or commonly called Linder creek near a new cobbin built for Patsy Southern thence on a fresh marked line as far as my land extends to Haynes County, claim land also the tract of land on Big Snow creek that John Mitchell formerly lived on adjoining Haynes land also my furnace tract bought of Peter Hairston also the mills on the River and Snow creek with all the lands I now hold on both sides of the River as far up the River as my land extends to the Henry Madkins line on the north bank of Dan River at the lower end of the old field called Henry Madkins plantation thence down and crossing the River to the south side below the mouth of a Branch in the Madkins land running up the left side near the branch and old marked line continuing through the Madkins plantation in that direction as far as my land extends leaving the Balance of the Madkins tract as I intend giving that part to my Daughter Rebecca Dearing. I also give a tract of four hundred acres to my son James Davis lying on the banks of Snow creek which land was Deeded to my by Constantine Ladd Sheriff deceased. *Wm. Davis*