

20
Samuel Givens Will & Testament:

I Samuel Givens of the County of Union and State of North Carolina Planter do make and publish this my last Will and Testament hereby revoking and making Void all former wills by me at any time heretofore made -

And first I direct that my Body be interred in a decent and Christian like manner, And as to my worldly Estate I dispose of the same as follows -

First I direct that all my debts and funeral expenses be paid as soon after my decease as possible out of the first moneys that shall come into the hands of my Executors from the sale of my personal Estate.

Secondly I will that all my personal Estate (except such as is hereafter disposed off) consisting of horses, hogs, cattle, household and kitchen furniture be sold to the highest bidder and the money arising from said sale of said property after paying the aforesaid debts & expenses to be equally divided between all of my Children to wit: William, Robert, Margaret, Samuel, John, James, George A. and Allen Share and Share alike so that the Children of any of the deceased Children above named may take the same share that their parent would take provided the same were alive -

Thirdly I do will and bequeath unto my beloved Wife Lucy Givens one black filly aged between two & three years also one Cow & Cows

Thirdly I do Will and bequeath unto my beloved Wife Lucy Givens one black filly aged between two & three years also one Cart & colts, one bed and bed furniture, one pair of Cotton Cards, one Spinning Wheel & one loom for and during her natural life or widowhood, also one pine Chest and at the demise or marriage of my Widow the said Lucy Givens, all of the said property except the said Pine Chest to be sold and equally divided between my surviving heirs so that the children of any of the within named Executors may take the share that the Parent would be entitled to provided he or she were alive.

Fourthly I do Will and dispose of my Lands containing seven hundred & seven acres, comprehending the following tracts, Viz, the Nitythe Tract, the Weaver Tract, the home tract and two tracts granted to me by the State of North Carolina.

First Will unto my beloved Wife Lucy Givens in the following manner (Viz) the dwelling house, the pasture field as is called the Barn field, the meadow branch field & the field including ^{the gring} house and old orchard together with the privilege of cutting timber on any part of my whole plantation for the purpose of keeping in repair the said premises to her allotted to have and to hold unto her own use and benefit during her natural life or widowhood and at the death or marriage of her the said Lucy Givens, then the said Land to return into the common stock. & I do further Will that

Samuel Givers Will Continued

that my children William Givers, Robert Givers, Margaret Pardon, & the surviving children of my son Samuel Givers, and Jane the widow of my son John Givers & her children James Givers, George A Givers and Abby Givers the widow of my son Allen Givers and her children do settle on and abide on any part of my lands that is unoccupied so as not to interfere with the premises of those now residing on said land, and any of my above named children who will not settle on my land, of course in those now settled & will not remain on the said land but will move off and leave the same then the premises shall revert back, and be for the use & benefit of those who may still live and remain on the said premises & in no case shall any of the aforesaid children or their lawful representatives have the right to sell alien or transfer any of my aforesaid lands for if any of my heirs will not live and abide on the said lands, it shall then remain and be for the sole benefit of those of my heirs who may and will abide remain on and cultivate the same.

And I do hereby make and assign my trusty friends Samuel M. Hanna, & my son George A. Givers & William Hoon Executors of this my last Will and Testament.

In Witness whereof I Samuel Givers the Testator have to this my will written on one sheet of paper. Set my hand and seal this 25th day of October in the year of our Lord 1880.

In witness whereof I Samuel Givens the Testator have to this my
will written on one Sheet of paper. Set. my hand and Seal this 25th
day of March in the year of our Lord One Thousand, eight hundred &
forty three. — — —

Signed sealed and acknowledged /
in the Presence of us who have /
subscribed in the presence of /
each other — — —

Samuel Givens

Test. J. C. Maffey (Secret,) /
" Absalom Costly (Secret,) /
" Rachel B Davis King /

State of North Carolina / Court. of Pleas and quarter Sessions
Union County — / July Term 1846 —

This instrument of writing the last will and Testament
of Samuel Givens was exhibited in open Court by George A. Givens
one of the Executors therein named and was proven in due form of
law by James C. Maffey, & Absalom Costly two of the subscribing
Witnesses and ordered to be recorded - and the said George A. was
duly qualified as Executor thereof

Hugh Stewart Sec