

Will, NC, Lincoln, John MCCALL 1812

In the name of God Amen

I, **JOHN MCCALL** of Lincoln county in the state of North Carolina being advanced in years and infirm and weak in body but of sound mind and memory to make and ordained this my last will and testament in the manner and form following, viz.

In the first place I commit my soul to the hands of almighty God who gave it and my body to the earth to be buried in a decent christian like manner at the discretion of my executives nothing doubting but that at the general resurrection i shall receive the same by the mighty power of god and as for my worldly estate where with it has pleased God to bless me and this life I will bequeath and dispose of it in the following manner.

FIRST it is my will and I do hereby direct all my just debts to be paid. In the next place I will and bequeath unto my daughter **NANCY NEWTON** wife of **BENJAMIN NEWTON** the first child which shall be born alive of either of my two Negro women, LYDA or ROSE, when the same shall arrive at the age of 10 years, to her and her heirs or assigns.

ITEM I give and bequeath to **DILLA MCCALL**, **MATILDA MCCALL**, and **HARVEY MCCALL** children of my son **JOHN MCCALL** deceased each one dollar.

ITEM I given and bequeath to my son **ALEXANDER MCCALL** his heirs and assigns a negro girl named RACHEL know about 5 years old.

ITEM to a son **JAMES MCCALL** hey negro boy now in his possession named MOSES now about nine years old also my dung fork to him his heirs and assigns.

ITEM to my daughter **BETSY MCCARVER** wife of **DAVID MCCARVER** I give and bequeath the second child that will be born alive of either of my two negro women LYDA or ROSE to her and her natural lifetime and at her decease to be the property of her daughter **JEAN MCCARVER**.

ITEM to my son **ARCHIBALD MCCALL** one negro girl named JUDY, now about 2 years old, also my chest of drawers, also a bed and bed stead, to him and his heirs and assigns.

ITEM to my son **ROBERT MCCALL** his heirs and assigns a negro boy named JACOB also the tract of land where an I now live, except 50 acres of the same, hereafter mentioned, which is bequeath to my son **WILLIAM MCCALL**, during his lifetime, and after his death to be the property of my said son **ROBERT**, also the cupboard which is now in my house.

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ITEM to my son **WILLIAM MCCALL**, during his natural lifetime, I give and bequeath 50 acres of the land whereon I now live, to include the dwelling house to be bounded as follows:

To begin where the Great Road leading from the Tuckaseegee ford to Lincoln crosses the upper line at the west end of the plantation near **ROBERT ALEXANDER's** field; then down said Road passing the dwelling house to the lower edge of the garden and thence a north course across the Spring Branch about half way between the upper and lower spring and thence on nearly a north course so as to include 50 acres joining **SAMUEL MARTIN's** and said **ROBERT ALEXANDER's** land.

Likewise two negro women LYDA and ROSE, and a bed, and bed stead, one pair of blankets, two "coverlets", two quilts, two sheets, a bolster, two pillows, all which property to be in the possession of my son **JAMES MCCALL**, whom I do hereby appoint Trustee of the same for the use of the said **WILLIAM**. The land after my decease to be in the possession of my son **ROBERT**, clear of any rent unless my son **JAMES MCCALL** should find that the profit or hire of the said Negroes should not be sufficient for the maintenance of my said Son **WILLIAM**, then and in that case he should rent the said 50 acres of land and give the first refusal of it to my said son **ROBERT** and if he did not rent it then to let it to farm to some other person and apply the profit of the same to the maintenance of my said son **WILLIAM** and the said Negroes he shall have liberty to hire or dispose of otherwise for the maintenance of my said son **WILLIAM** as he made adjudge best.

The said land, after the death of my said son **WILLIAM**, to be the property my said son **ROBERT** and his heirs and assigns, as before mentioned, and the two negroes LYDA and ROSE, or whatever may be found in their places after the decease of my said Son **WILLIAM**, to be sold among my four other sons, viz. **ALEXANDER, JAMES, ARCHIBALD,** and **ROBERT** and their errors or assigns, and no others to have liberty to purchase them, my said executors first giving ten days previous notice of the sale to my said sons, if living in the state, if not, by public advertising the same 40 days and the product of said sale to be equally divided among my said four sons, and the increase or offspring arising of said Negroes, if any, every sixth year after my decease, to be equally divided among my four sons, that is all that are of two years and upwards old and if they cannot agree in dividing them to be done by sale among themselves by giving notice as above directed and whatever of the offspring may remain undivided at the death of my son **WILLIAM** shall be sold in the same way as is above directed for the said two Negroes, viz. LYDA and ROSE and Rose or whatever may be in their "rome".

And remainder of my estate not before willed and bequeathed I do order to be sold by public vendue by my executor and after the payment of my just debts and funeral expenses, and the legacies before bequeathed, the residue to be equally divided between my said three sons viz. **ALEXANDER, JAMES** and **ARCHIBALD**.

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I do hereby constitute and appoint my son **JAMES MCCALL** executor of this my last will and testament and I hereby revoke and disannul all former wills and Testaments by me made and do here by there by declare this and no other to be my last will and testament.

In witness whereof the said **JOHN MCCALL** have here in to set my hand and seal this 24th day of August A.D. 1809.

JOHN MCCALL {seal}

Signed Sealed published and declared by **JOHN MCCALL** to be his last will and testament in presence of us.

EDWARD BOYD, jurat
GEORGE CATHEY

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State of North Carolina
Lincoln County

July sessions 1812

The within will was proved in open court by the oath of **EDWARD BOYD** and recorded and witnessed.

VARDRY MCBEE, CC

Executor **JAMES MCCALL** sworn

[VARDY MCBEE, VARDRY MCBEE, VARDRY ECHOLS MCBEE]