

Will, NC, Mecklenburg, CHARLES CUMMINS, 1777

In the name of God Amen.

I, **CHARLES CUMMINS**, of the county of Mecklenburg and state of North Carolina, being weak in body, but of sound mind and memory, thanks be to God, therefore calling to mind that it is appointed for all men once to die, do make & ordain this my last will and testament that is to say.

PRINCIPALLY and first of all I give 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 manner at the discretion of my executors.

AND as touching such worldly estate, wherewith it has pleased God to bless me in this life, I give and dispose of the same in the following manner and form, viz:

ITEM I give and bequeath unto **REBECCA CUMMINS**, my dearly beloved wife, all that plantation on which I now live during her widowhood and one third part of the said plantation and all houses and buildings thereon during her natural life and also one third part of all my personal estate.

ITEM I give and bequeath to **JOHN CUMMINS** my beloved son the sum of £40.

ITEM I give and bequeath unto **FRANCES [FRANCIS] CUMMINS** my beloved son all and singular that plantation situate, lying and being in this County on **CLIM [CLEMENT] DAVIS**'s branch.

ITEM I give and bequeath unto **ELIZABETH CUMMINS** my beloved daughter the sum of £30.

ITEM I give and bequeath to **REBECCA CUMMINS** my beloved daughter the sum of £30.

ITEM I give and bequeath unto **JEAN CUMMINS** my beloved daughter the sum of £30.

IT IS MY WILL AND PLEASURE that all the remainder of my personal estate, and the money's arising from the sales thereof, if any remain after the payment of all my debts and legacies herein before mentioned, be equally divided among all my children and that if any of my children should die before they have any heirs of their own that done the legacy to such child and its share shall be equally divided among the surviving children.

ITEM I desire, give, and bequeathed **EPHRAIM BREVARD, ISAAC ALEXANDER, WILLIAM ALEXANDER**, son of **HEZEKIAH ALEXANDER**, and **FRANCES CUMMINS**, my son, all and singular that plantation on which I now live and all buildings thereon, from and after the death of my wife, to them, their heirs and assigns forever, in trust nevertheless that they, the said **EPHRAIM BREVARD, ISAAC ALEXANDER, WILLIAM ALEXANDER** and **FRANCES CUMMINS**, the survivor or survivors of them, shall, with all convenient speed after the death of my wife, sell and dispose of the same for the best price that may be had and that they shall pay all the moneys arising from that sale in manner following, viz:

One fourth part to my son **JOHN**.

One fourth part to my son **FRANCES**.

And all the remainder equally among my three daughters, viz: **ELIZABETH, REBECCA**, and **JEAN CUMMINS**.

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AND I do hereby constitute and appoint **REBECCA CUMMINS**, my dearly beloved wife, and **FRANCES CUMMINS**, my beloved son, to be my sole executor of this at this my last will and testament.

AND I do hereby utterly disallow, revoke, and disannul all and every other former testaments, wills, legacies and executors by me and anywise named, willed, or bequeathed before ratifying and confirming this, and no other, to be my last will and testament.

In witness whereof, I, the said **CHARLES CUMMINS**, have hereunto set my hand and affixed my seal this 13th day of September 1777.

CHARLES CUMMINS {seal, his mark}

Signed, Sealed, pronounced and declared by the said **CHARLES CUMMINS** as his last will and testament in the presence of us who in his presence and in the presence of each other have hereunto subscribed our names

DAVID HAY

JOHN NICKLSON [NICHOLSON]

JOSEPH GRAHAM

Registered in Book A page 182

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