

A paper writing purporting to be the Last Will & Testament of John Mercer, dec'd. is exhibited for probate in open Court. Thos. H. Mercer and J. G. Drew, the Executors therein named and execution thereof by the said John Mercer is proved by the oath & examination of Henry Addis the subscribing witness thereto. It is therefore considered by the Court that the said paper writing and every part thereof is the last Will and Testament of the said John Mercer and the same is ordered to be recorded and filed. Therefore the said Thos. H. Mercer & J. G. Drew, Executors as aforesaid are duly qualified as such by taking the oath required by Law. Said Will is in the following words and figures, to wit: In the name of God, Amen!

I, John Mercer, of the County of Brunswick and State of North Carolina, being of sound mind and memory, and considering the uncertainty of this frail and transitory life, do therefore make, ordain, publish and declare this to be my last Will and Testament, that is to say: first, after all my lawful debts are paid and discharged the residue of my estate, real and personal, I give, bequeath & devise of as follows, to wit: - To my beloved wife, Jane, and my lawful heirs by her, the Homestead tract of land, containing one thousand acres, lying on the east side of Lockwood's fork in the County of Brunswick and State of North Carolina together with all and singular the appurtenances thereto belonging the remainder and residue of all my personal estate to be equally divided among my lawful heirs at a time discretionary of the Executors of this my last Will and Testament. All my lands I desire to be sold at public or private sale, the proceeds of to be applied to the payment of my lawful debts until such are paid, and should there be a balance remaining in the hands of said Executors that such balance be applied to the education of my children as my Executors may deem proper. Said lands all situated in the County of Brunswick and State of North Carolina, to wit: - One tract known as the Milk tract lying on Capps River, the Sashply Saw & Grist Mill now at work, containing fifteen hundred acres; One other tract on Sandy branch containing five hundred acres, about fifty acres excepted, which fifty acres I recently bargained to J. G. Jenkins; One other tract of land lying in the fork of Middle & River Swamps, containing about seventy five acres; One other tract of land on Sandy branch lying on the East side, containing one hundred & fifty acres; Also one water mill lot in the Town of Smoker's Church in the County of Brunswick. I further desire that all my other property named above, together with notes, accounts or balances

as may be deemed best by my Executors to this my last Will and Testament. I also desire that the present business operations now being carried on may be continued so long as in their judgment may be deemed best. I also give and bequeath to my esteemed friend, Henry Addis, four hundred dollars in money for his devotion and strict attention to my business heretofore, and request him to assist in the adjustment & settlement of notes and accounts due me. Likewise I make, constitute and appoint my brother, Thos. Mercer, Thos. G. Drew and John D. Taylor to be executors of this my last Will and Testament, hereby revoking all former wills by me made. In witness whereof I have hereunto subscribed my name & affixed my seal the twenty fifth day of July in the year of our Lord One thousand, eight hundred and Sixty one.

John Mercer (seal)

The above written Instrument was subscribed by the said John Mercer in our presence and acknowledged by him to each of us & he at the same time published & declared the above instrument so subscribed to be his last Will & Testament, and we at the testators request and in his presence have signed our names as witnesses hereto.

Henry Addis,

Joseph Starnes and

O. E. Mercer

Recorded agreeably to an act of the Genl. Assembly, Special Session 1908.
Copied from old Records. Book B., page 229, v.

Rufus D. Newitt comes into open Court and brings the Last Will & Testament of Isaac Newitt, dec'd. Said Will is then duly proved in open Court by the oath of Jacob Newitt one of the subscribing witnesses and ordered to be recorded. Said Newitt named as Executor to said Will is then qualified by taking the oath prescribed by Statute. The said Will is in the following words & figures, to wit: I, Isaac Newitt of the County of Brunswick, 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 and Testament in manner and form following - that is to say: -

First - That my Executors shall provide for my body a decent funeral suitable to the wishes of my relations. I further pay all funeral expenses, together with any just debts however and to whomsoever owing out of the money that may first come into my hands as a part and parcel of my estate.