

A paper writing purporting to be the Last Will and Testament of Matthias Newitt is exhibited in open Court by Elizabeth Newitt which said paper writing is in the following words & figures, to wit: In the name of God, Amen! I, Matthias Newitt, of the County of Brunswick & State of North Carolina, being of sound & disposing mind & memory, considering the certainty of death and the uncertainty of the time thereof, do make this my last Will and Testament

First. My will is that my wife Elizabeth shall the plantation whereon I now live containing 200 acres, One cow & calf, one horse and one sow & pigs, her choice of the horses, cows, sows & pigs, one bed, bedstead & furniture and enough money to finish a dwellinghouse now started on the said 200 acres of land, and my negro Henry to have and to hold during her life time, provided she does not marry after my decease if she should marry again then all the aforesaid property shall be divided equally among all my children.

Secondly. I give and bequeath to my beloved daughter Mary, wife of Samuel Bullford, one hundred and six acres of land whereon she now lives already patented.

Thirdly. My will is further that after all my just debts and burial expenses are paid which it is my will shall be done by my Executors that all the rest and residue of my estate real & personal and mixed be equally divided among my six children, Francis, Charles, Rufus, Sarah, Sarah and Mary - except that Mary shall not have but half as much as the rest. Witness my hand & seal, Dec. 14th, 1862.

Matthias Newitt

Signed, sealed, published and declared to be his last will & testament in presence of us, who at his request & in his presence signed our names as witnesses

Washington Holders

Joseph J. Bell.

Reviewed agreeably to an act of the Gen. Assembly, Special Session 1868. Ratified Feb. 1. 1868.

Copied from old Records, Book B, page 182.

State of North Carolina } Court of Pleas & Dr. Services }
Brunswick County } December Term 1862.

Came into open Court Lorenzo Frink, Saml. Hatcher Frink, & Henry Newitt and produced the Last Will & Testament of Samuel Frink, decd., as well as the will to said Will which were offered for probate, and the same proven to the satisfaction of the Court by the oath of John S. Milnes, the subscribing witnesses to the said Will & the said Henry Newitt, the same were adjudged proved & ordered to be recorded. Whereupon Lorenzo Frink, Saml. Hatcher Frink & Henry Newitt in the Court qualified as Executors of the said Will & Testament.

No. 64

In the name of God, Amen! I, Samuel Frink, of Brunswick County in the State of North Carolina, being of feeble health, but of perfect mind and memory (blessed be God) mindful of the uncertainty of life, and desiring so to arrange my worldly affairs that I may be the better prepared to obey my summons to another world when in the providence of God it shall come, do make, publish and declare this to be my Last Will and Testament

First. I desire and direct that all my just debts be paid by my Executors as soon as it may be conveniently done.

Secondly. I give and bequeath to my beloved sons Lorenzo Frink and Samuel Frink, and the survivors of them, and the Executors & administrators of such survivors the following negro slaves, to wit: Lydia Elizer, Will, Spencer, and Flora, Cassius, Coan, William, Lucy also three promissory notes which I hold against Henry Newitt one for fifteen hundred dollars principal money, and two for one thousand dollars each principal money, each. Also one bond issued by the Commissioners of the Town of Wilmington Number fifty three payable to

for the sum of Five thousand dollars Also fifteen shares of the Capital stock of the Bank of Cape Fear. In trust nevertheless for the sole and separate use and benefit of my beloved daughter, Louisa Newitt, wife of Henry Newitt, during her natural life, and at her death then in trust to be equally divided among all her children then living and the issue of such as may be dead, such issue to take the further the share which their parents would have taken if then living.

Thirdly. I give and bequeath to my Lorenzo Frink and my son-in-law Henry Newitt and the survivor of them and to the Executors and administrators of such survivors the following negro slaves, to wit: Sally, James Sarah, Mary, Little Flora, Little Leffey, Jack, Becha, Little Peggy, Little old Tins, Old Ireland; also my house and lot in the town of Wilmington at the corner of Red Cross and Second Streets which I purchased of Nicholas N. Nixon, also fifteen shares of the Capital stock of the Bank of Cape Fear, also one bond issued by the Commissioners of the town of Wilmington, number fifty four for the sum of Five hundred dollars in trust nevertheless for the sole and separate use and benefit of my beloved daughter, Mary Elizabeth Smith wife of Thomas Smith, during her life and at her death then in trust to be equally divided to be taken all her children then living and the issue of such as may be dead, such issue to take further as aforesaid.

Fourthly. I give and bequeath to my said son, Lorenzo Frink and my son-in-law Henry Newitt and to the survivors of them and to the Executors and administrators of such survivors the following negro slaves, to wit: