

In the name of God Amen.

I Levi Cutbanks of the County of Jones and State of North Carolina seriously considering the uncertainty of life and mindful of the obligation upon every man to leave his affairs in order do make and ordain this my last Will and Testament in manner and form following viz.
Impaired. It is my desire that my Executor herein after named should liquidate and pay all my just debts.

Item. I lend to my beloved wife Mary during her natural life for her own separate use and benefit subject to the control for said purpose of the Trustee hereinafter appointed, the following named property viz. The plantation whereon I now live containing one hundred and fifty five acres more or less, together with the improvements thereon, except two acres with the improvements thereon herein after described: The following named negroes to wit. Wesley, Dim, Cinda, Garson, Marinda, Washel, Amarda, and West. All my stock of every description and all the household and kitchen furniture and farming tools I may own at my death.

Item. I lend to my daughter Louisa Adams for some land with the improvements thereon, being a part of the plantation whereon I now live, which is excepted in the item of land to my wife, also the following named negroes, to wit. Arney and his child Quark, during the natural life of my wife Mary for her own separate use and benefit subject to the control for said purpose of the Trustee herein after appointed.

Item. I lend to my daughter Rachel Cutbanks during her natural life for her own separate use and benefit subject to the control for said purpose of the Trustee herein after appointed, a piece of land containing seventy five acres more or less lying on the North side of Bear Branch and joining my plantation called the "Wharton place", and after the death of my said daughter Rachel Cutbanks I give the said piece of land containing seventy five acres more or less to be equally and fairly divided among the children of my said daughter to them their heirs and assigns forever.

Item. After the death of my wife Mary I lend to my daughter Louisa during her natural life for her own separate use and benefit subject to the control for said purpose of the Trustee herein after named, the plantation whereon I now live containing one hundred and fifty five acres more or less and after the death of my said daughter Louisa Adams I give the said plantation to be equally and fairly divided among the children of my said daughter to them their heirs and assigns forever.

Item. I lend to my son Alfred Cutbanks during his natural life for his own separate use and benefit subject to the control for said purpose of the Trustee herein after named, the plantation whereon my said son now lives called the "Wharton place" containing two hundred and sixty eight acres exclusive of a piece of land joining thereto lying on the North side of Bear Branch containing twenty five acres more or less herein before disposed of, and after the death of my said son Alfred Cutbanks I give the said plantation to be equally and fairly divided among the children of my said son to them their heirs and assigns forever.

Item. After the death of my wife Mary I give the above named negroes bound to her during her natural life together with their increase, also the above named negroes bound to my daughter Louisa Adams during her natural life together with their increase, to be equally and fairly divided among my then children Rachel Cutbanks, Louisa Adams and Alfred Cutbanks to them their heirs and assigns forever.

Item. I nominate and appoint my friend John H. Bender Executor to this my last Will and Testament: I also nominate and appoint my said friend John H. Bender Trustee in the cases above named of my wife Mary and my then children Rachel Cutbanks, Louisa Adams, and Alfred Cutbanks.

The testimony of all which I have set my hand and seal the 7th day of December A.D. 1852

Witness my hand and seal
I, L. Adams
I, J. Adams

Continued on opposite page

Levi Cutbanks (Seal)

State of North Carolina. Jones County February 12th A.D. 1853 I Edw. Culbank do this day make the following provision as a Codicil to my last Will and Testament above written and executed by me to wit. I wish and it is my will that my Executor and Trustee named in my said last Will and Testament should receive a fair compensation for his services as Executor and Trustee aforesaid, and as I have left no property to be sold and the rents and heirs of any will be but a small amount. Therefore my will is that in the event that I should not at my death leave money or debts due me sufficient to pay what debts I may owe, at my death my burial expenses and a fair compensation to my Executor and the Trustee as named in my will for his services as such that my Executor should sell a sufficiency of the stock of Horses, Cattle and Hogs or a portion of each that I may leave on hand at my death to raise the amount necessary for said purpose. The amount to be allowed to my said Executor and Trustee named to be fixed by the County Court of Jones County on application for the same by my said Executor and Trustee named in my said Will. In testimony whereof I do hereunto set my hand and seal the day and year above written

Signed sealed and published in presence
of J. A. Barnes

J. A. Barnes

J. L. Adams

Edw. Culbank (Seal)

Jones County Court

January Term A.D. 1857

A paper writing purporting to be the last Will and Testament of Edw. Culbank deceased is exhibited for probate in open Court by John N. Bender the Executor therein named, and thereupon the due execution thereof by the said Edw. Culbank was proved by the oaths of and examination of James Barnes, John A. Barnes and John L. Adams the three subscribing witnesses 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 Edw. Culbank, and the same is ordered to be registered and filed. And thereupon the said John N. Bender the Executor therein named being in Court duly qualified as such according to law, Ordered that letters testamentary issue to him

Attest Chas. Herrick Clerk