

the said testator, subscribed his name to the said last will and testament, and the said David G. Barrett was of sound mind and memory of full age to execute a will and was not under any restraint to the knowledge information or belief of these deponents, and further these deponents severally sworn and subscribed this 6th day of May 1872, before me.

J. P. Jenkins

Probate Judge.

J. E. Barrett (Seal)

I Elizabeth H. Pender of the County of Nash and State of North Carolina, being of sound mind and memory but considering the uncertainty of my earthly existence do make and declare this my last will and testament in manner and form following that is to say: First That my executor herein after named shall pro vice my body a decent burial suitable to the wishes of my relatives and friends pay all funeral expenses together with my just debts howsoever and to whomsoever owing out of the assets that may first come into his hands as a part or parcel of my estate. Item: I give and devise to my beloved nephews Lewis H. Hines and David D. Hines all my real estate and the improvements thereon, also all my slaves and their increase, also the slaves due from my brother Kinchen Hines, deceased, and their increase, also I give and devise to my beloved nephews all my money claims due me in anyway whatsoever, household and kitchen furniture of everything to them and their heirs forever, I do hereby constitute and appoint my trusty nephew Lewis H. Hines, my lawful executor of all intents and purposes to execute this my last will and testament according to the true intent and meaning of the same, and every part and clause thereof, hereby revoking and declaring utterly void all other wills and testaments by me heretofore made. In witness whereof I the said Elizabeth H. Pender do hereby unto set my hand and seal this 11th day of September A.D. 1863.

signed, sealed, published and declared

by the said Elizabeth H. Pender to be her last will and testament in the presence of us, who were present and in the presence of us who at her request and in her presence do subscribe our names as witnesses thereto,

Elizabeth H. Pender (Seal)

John Thorp.

Robt H. Marritt.

State of North Carolina, Nash County

S. S. In the Probate court.

A paper purporting to be the last will and testament of Elizabeth H. Pender deceased, is exhibited before me, the undersigned, Judge of Probate for said county, by Lewis H. Hines the executor thereon named, and the due execution thereof by the Elizabeth H. Pender by the oath and examination of the subscribing witnesses thereto, who being duly sworn, do depose and say, and each for himself depose and say, that he is a subscribing witness thereto the paper writing now shown him purporting to be last will and testament of Elizabeth H. Pender. That the said E. H. Pender in the presence of these deponents subscribed her name at the end of said paper writing which is now shown as aforesaid, and bears date of the 11th day of September, 1863. And the deponents further saith, that the said E. H. Pender the testatrix aforesaid, did at the time of subscribing her name as aforesaid, declare the said paper writing to be subscribed by her and exhibited to be her last will and testament and these deponents did thereupon subscribe their names as the end of said will as attesting witnesses thereto and at the request and in the presence of the said testatrix and these deponents further saith, that at the said time when the said testatrix subscribed her name to the said will as aforesaid, and at the time of the deponents subscribing their names as attesting witnesses thereto as aforesaid, the said E. H. Pender was of sound mind and memory of full age to execute a will, and was not under any restraint to the knowledge information or belief of these deponents and further these deponents say not. Severally sworn and subscribed this 9th day of May, 1872 before me.

J. P. Jenkins Probate Judge

John Thorp (Seal)

R. H. Marritt (Seal)

I Archibald H. Arrington of the County of Nash and State of North Carolina being of sound and disposing mind and memory and knowing the uncertainty of my earthly existence do publish and declare this to be my last will and testament in manner and form follows viz: I give to my daughter Mary the gold watch and chain and Piano that belonged to her mother; to my son John, a gold watch and chain which he now wears; to my son Robert the gold watch and chain that belonged to his mother; to my son Archibald the gold watch and chain that I wear; to my son Thomas a brown mare that I purchased of Henry Yarborough called Nelly Brown said mare to be kept and used on the farm; to my sons Samuel, George and Joseph one hundred and fifty dollars each. I give and bequeath to my daughters Mary and my son John the tract of land called and known as the Peter Arrington tract lying on the north side of swift creek adjoining the lands of H. W. Cooper and others and containing three hundred and fifty acres more or less to them, their heirs and assigns forever. The residue of my estate both real and personal in this state and also in the State of Alabama I give and bequeath to all my children namely Mary, John, Thomas, Archibald, Samuel, Robert, George, and

Joseph to them, their heirs and assigns for ever in fee simple to be equally divided between them share and share alike. I will and direct that my home residence and mill in this county shall be under the contrivance of my daughter Mary so long as she may remain single to be kept by her as a home and support for all my children in the event of her death or marriage then the same to be kept and held by my executor for the purposes as above expressed. I desire that my children be kept together precisely as if I were living, to be properly educated and will be cared for, and a suitable teacher employed to instruct them at home, whose board and salary are to be paid out of my estate and to be equally by all and no charge is ever to be made against any of my children for board, and should they think proper to remain with the rest of my family, should anyone of my children after attaining the age of one and twenty years wish to receive his other portion of my estate my executor is hereby authorized and directed if the same can be done without manifest injury to the interest of others to cause to be allotted or distributed to such child a fair share in value of my estate, so as not to defeat my wishes as expressed in a preceding clause of this instrument. I will and direct that my executor may sell either publicly or privately any portion of personal estate or purchase whatever may be necessary for the maintenance and support of my family or to conduct and carry on the farming operations, and they are authorized and empowered to rent out annually or for a longer term any portion of my real estate should they deem it advisable to do so until my youngest child becomes of age, my executor shall be at liberty to sell any portion of my real estate, either in this state or Alabama after first obtaining an order for that purpose from the proper court, and before such sale shall be made absolute, the same to be confirmed by said court and its rules and orders complied with. I do hereby constitute and appoint my brothers Samuel L. Arrington of the State of Alabama to execute this my last will and testament in that state and that he be not required to give security, and my friends and relatives Thomas J. A. Cooper and Benjamin L. Arrington and my sons John E. Arrington, Thomas M. Arrington, Archibald H. Arrington, Samuel L. Arrington, Robert W. Arrington, George W. Arrington and Joseph C. Arrington to execute this my last will and testament in North Carolina, and in the event of my brother Samuel L. Arrington's death they are authorized and empowered to take charge of my estate in the State of Alabama and execute my will also in that State and neither one of them are to be required to give security either in this state or Alabama and as all of my sons whom I have appointed executor are minors except John I do hereby direct that they and each one of them shall be at liberty and are hereby authorized to qualify and act as such at any time they may think proper to do so after attaining the age of eighteen years respectively and now in as much as it is impossible for me to foreknow what may be the department or business qualifications of my sons who I have appointed to execute this will, I do therefore provide that in the event that any of them should become extravagant and wasteful as to act as to appear regardless of the interest of my estate, it shall be in the power of any of my children to lay the facts before the Probate Judge or Judge of the Superior court, either of whom shall have power to remove such executor and his acts shall cease to be valid from that day. In testimony of all which I have hereto affixed my hand and seal this 6th day of May A.D. 1872.

signed, sealed, published and declared by the said A. H. Arrington to be his last will and testament in his presence and in the presence of each other and at his request have signed our names as witnesses thereto

H. W. Cooper

Jno. Arrington.

Whereas I Archibald H. Arrington have made my last will and testament in writing bearing date on the 6th day of May 1872, and have thereby desired and bequeathed the whole of my estate both real and personal to all my children, now therefore wishing to make some change I do by this my writing which I hereby declare to be a codicil to my said will to be taken and construed as a part thereof, will and direct that sixty acres of land being at the south west corner of the tract on which I now reside, adjoining the lands of Thomas J. A. Cooper and Doctor John G. F. Wagon be laid off and set a part in proper shape and form and the same be conveyed to a colored boy named Alexander Arrington and the heirs of my body, who is bound as an apprentice to me upon condition that in the event of my death the said Alex. Arrington should remain with my children and discharge his duties faithfully as an apprentice until he arrives to the age of twenty one years, otherwise this bequest, is to be null and void. In testimony whereof I have hereto set my hand and seal, this 14th day of July, 1872.

Sam L. Arrington
Jno. Arrington

A. H. Arrington (Seal)