

State of North Carolina, court of pleas and quarter sessions
Nash county
May Term, 1838

The foregoing paper writing purporting to be the last will and testament of Henry Arrington was offered for probate and duly proven by the oaths of Archibald H. Arrington and Richard Arrington two of the subscribing witnesses thereto and ordered to be recorded.

Attest B.H. Blount, C.C.C.

and is recorded

Attest B.H. Blount, C.C.C.

In the Name of God Amen. I Francis Drake of the County of Nash and State of North Carolina, being of sound mind and disposing memory but weak in flesh do make and constitute this my last will and testament in the following manner and form to wit:

I give and bequeath to my beloved wife Elizabeth two horses, viz my ~~one~~ horse, and spotted horse that I got of my son W.F. Drake and two choice mules. Item: I lend to my beloved wife Elizabeth the following negroes to wit. Ned, Byrd, Perry and Curren also Alley and her three youngest children say Mary, Jane and Baldy, also Caroline and Mary with her two youngest children say Maridy and Robert the foregoing named negroes I lend to my beloved wife during her natural life or widowhood.

Item: I lend to my beloved wife all my stock of horses, cattle, hogs, and sheep except my blooded horses, I also lend to my wife all my household and kitchen furniture. Item: I wish my blooded horses sold viz: my bridle mare and colt and two stud horses and the proceeds to be applied to payment of my just debts.

Item: At my wife's death I wish all my negroes and other property in this state sold to the highest bidder, but no person is to be allowed to bid for or purchase any of my negroes in this state except my children or sons in law so that the negroes be kept in the family.

Item: After my death I wish all the negroes belonging to me in the State of Georgia to be sold to the highest bidder, free for any person to bid.

Item: It is to be understood and it is my wish that the balance of negroes I own in this state beside those I loan to my wife shall be sold after my death under the regulations and restrictions above specified.

Item: I give to my daughter Dorothy Drake one negro girl named Silvey over and above an equal share of my property.

Item: Be it understood that my deceased son say Grandchildren draw or share a child's part.

Item: My wish is that Guardians of my children that are now minors be and shall be authorized to bid for their respective wards.

Item: My wish is that my property be equally divided between all my children except Dorothy she to have the negro girl Silvy extra as above named and I also exclude my son Wm. F. Drake, from any share or part of my property in this state which may be and is to be sold previous to my wife's death but at my wife's death he share with my other children what property may be left at her death.

Item: It is to be understood that each legatee account for such property as I may have given or loaned when making a division.

Item: I nominate and appoint my beloved wife and my two sons in law viz: Nicholas W. Arrington and Thomas W. Wright executors to this my last will and testament. Made this 23rd day of July 1838

signed, and sealed in

presence of us

Francis Drake (Seal)

Wm. Burt.

J. A. Drake

State of North Carolina, court of pleas and quarter sessions
Nash county August Term 1838

The foregoing paper writing purporting to be the last will and testament of Francis Drake was duly proven in open court by the oaths of William Burt and Joseph A. Drake the subscribing witnesses thereto and ordered to be recorded.

Attest B.H. Blount, C.C.C.

and is recorded in obedience to the above order.

Attest B.H. Blount, C.C.C.

State of North Carolina Nash county. I Benjamin H. Blount clerk of the court of pleas and quarter sessions for the county aforesaid do certify that the foregoing paper writing purporting to be the last will and testament of Francis Drake doc. has been duly proven in our said court and recorded as above certified. In witness whereof I have hereunto set my hand and seal of office in Nashville the 23 day of February 1841.

B.H. Blount, C.C.C.

The original will of Francis Drake delivered to N.W. Arrington in obedience to an order of court made at February term 1841 for which see minute docket

B.H. Blount, C.C.C.

In the Name of God Amen. I Francis Drake of Nash County being of sound mind and disposing mind and memory, and having this day made and executed my last will and testament, which said will was put into the hands of Doct. Jas. B. Drake, who is at present absent ~~and~~ recollecting that in that will I have neglected to make any disposition of the land and plantation whereon I now live; have thought proper to make this, which I wish to be considered a part of the will above referred to, in the following manner viz: I give and bequeath to my wife Elizabeth the land and plantation on which I now live during her life or widowhood, and at her death or marriage it is my wish that it should be sold, and the proceeds equally divided between all my children, and in the event of any of them dying before my wife leaving heirs, such heirs are to ~~share~~