

502

The paper writing purporting to be the last will and testament of Bennett Smith deceased is exhibited in open court for probate and is duly proven in open court by the oath of A.B. Barnes, one of the subscribing witnesses thereto also the hand writing of A.T. Taylor the other subscribing witness is duly proven on oath by A.B. Barnes, and is ordered to be recorded.

Attest G.W. Ward, C.C.C.

and is recorded. Attest G.W. Ward, C.C.C.

503

I Mary Warren 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 to be my last will and testament in manner and form following that is to say: 1st. I lend to my daughter Fanny Greenmore two cows and calves and yearlin, ~~and two plates~~ and furniture, one loom and dish and basins and two plates during her natural life and at her death I give the above lent property to my son Willis Warren I lend my gray mare to my son in law Thomas Greenmore three years and then to my son Willis Warren, 2d. Item: My will and desire is that all the residue of my estate if any after taking out the above lent property shall be sold and the debts owing me collected and if there should be any surplus over and above the payments of debt expenses and legacies that such surplus equally divided and paid over to the heirs of my beloved daughter Nancy Manning in equal proportions shares and shares alike to them and each and every of them their executors administrators and assigns, absolutely forever. Also the heirs of my beloved daughter Susan Moon and lastly I do hereby constitute and appoint my son Willis Warren my lawful executor to 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 wills and testaments by me heretofore made.

In witness whereof I the said Mary Warren do hereunto set my hand and seal this 30th day of May 1852.

Attest
Benjamin Bilbro
Uriah Greenmore

her
Mary x Warren (Seal)
mark.

State of North Carolina, court of pleas and quarter session
Nash County
August term 1852

The foregoing paper writing purporting to be the last will and testament of Mary Warren is offered for probate and is duly proven on oath of Uriah Greenmore one of the subscribing witnesses thereto also the hand writing of Benj. Bilbro is duly proven on oath by Uriah Greenmore and thereupon Willis Warren the executor therein named is duly qualified as such and is ordered to be recorded.

Attest G.W. Ward, C.C.C.

Attest G.W. Ward, C.C.C.

504

In the Name of God Amen. I William H. Smith of the County of Nash and State of North Carolina being of sound mind and disposing memory but weak of body do make and declare this to be my last will and testament in manner and form following to wit:

Item 1st. My will and desire is that my executor hereinafter mentioned shall out of the first money come into his hands pay all my just debts.
Item: I give the balance of my effects of whatever kind to my friends Dr. John H. Drake, Dr. John C. Drake, Dr. Jno. G. Drake, John William Wallace Drake, I leave as my executor my worthy friend Dr. John H. Drake to carry this my last will and testament into effect hereby revoking all other wills by me made. In witness whereof I have this 24th day of June A.D. 1852 set signed sealed and delivered in presence of us who at his request have hereunto set our names

John J. Drake.
George Evans.
John J. Drake.

William H. Smith (Seal)

State of North Carolina, court of pleas and quarter session
Nash County
August term 1852

The paper writing purporting to be the last will and testament of Wm H. Smith is exhibited in open court by John H. Drake for probate and is duly proven in open court by the oath of John H. Drake one of the subscribing witnesses thereto and thereupon Dr. Jno. H. Drake the executor therein named is duly qualified as such and ordered to be recorded.

Attest G.W. Ward, C.C.C.

and is recorded. Attest G.W. Ward, C.C.C.

505

In the Name of God Amen. I Henry Mitchell of the County of Nash and State of North Carolina, being of sound mind and memory do make and declare this my last will and testament, in manner and following to wit: That my executors hereinafter mentioned shall provide for my body a decent burial, suitable to the wishes of my relations and friends, and pay all funeral expenses together with my just debts, howsoever and to whomsoever owing, out of the first moneys that may come into their hands as a part or parcel of my estate. 1st Item: I give and bequeath to my daughter Mary Johnston wife of Jeremiah Johnston the following slaves to wit: Zany, Keshiah, Angeline, Harris and Lucy, and their increase and also one bed and furniture to their heirs forever. 2nd. Item: I give and bequeath to my daughter Elizabeth Donier wife of William S. Donier, the following slaves, and their increase to wit: Frances, Temperance, Ned, Sarah and Zany, also one bed and furniture to their heirs forever.

3rd Item: I give and bequeath to my daughter Martha Pitts, wife of William Pitts, the following slaves and their increase to wit: Mary, Arnold, Isaac, Simon, Grenshaw, Susanna, Jacob, and Mariah, now in her possession also one bed and furniture to her and her heirs forever.

4th Item: I give and bequeath to my son John Mitchell the following slaves, and their increase to wit: Jacob, Hicks, Mariah and Turner Williams also one bed and furniture to him and his heirs forever.

5th Item: I give and bequeath to my son Henry C.D. Mitchell the following slaves and their increase to wit: James, Willie and Charlotte, also one bed and furniture to him and his heirs forever. 6th Item: I loan to my wife Penelope Mitchell one tract of land on which I now reside, supposed to contain two hundred and forty eight acres, one bed and furniture and one years provisions and such household and kitchen furniture, as she may wish, and in case she should express no desire except for the bed and furniture above mentioned, they shall be sold and the proceeds applied to the payment of my debts also three negroes to wit: Dolly, Leah and Nick during the life time of my said wife Penelope and at her death part of the above named Negroes Leah and Nick and ~~one~~ to my daughter Mary Johnston, the wife of the said Jeremiah Johnston, and also at the death of my said wife Penelope, I give and bequeath to my son John W. Mitchell the above named tract of land and negro woman Dolly to him his heirs and c; In this my last will and testament, I do constitute and appoint my sons John W. and Henry C. D. Mitchell my lawful executors to 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 Henry Mitchell do hereunto set my hand and seal this the 9th day of January A.D. 1851. Signed, sealed, published and declared by the said Henry Mitchell to be his last will and testament, in the presence of us who at his request and in his presence do subscribe our names as witnesses thereto.

Witness

Henry Mitchell (Seal)

John G.F. Drake
John J. Drake.

State of North Carolina, Court of pleas and quarter sessions
Nash County
Aug. term 1852

A paper writing purporting to be the last will and testament of Henry Mitchell is exhibited in open court by Jno. W.L. B.C.D. Mitchell for probate and is duly proven by the oaths of Jno. G.F. Drake and Jno. J. Drake the two subscribing witnesses thereto and thereupon Jno W.L. and H.C.D. Mitchell the executor therein named is duly qualified as such and ordered to be recorded.

Attest G.W. Ward, C.C.C.

and is recorded.

506

In the Name of God Amen. I Mourning Sikes of the County of Nash and State of North Carolina, being of sound mind and disposing memory do make and declare in this my last will and testament in manner and form following to wit: I give and bequeath unto my daughter Julian Sikes the wife of Augustin Sikes one red painted bedstead and one writing desk and one chest she to take her choice and three choice setting chairs to her and her heirs and assigns forever.

Secondly I give and bequeath unto my granddaughter Julian Sikes one chest and to my grand daughter Maryann Sikes one chest and thirdly I give and bequeath unto my granddaughter Sane Sikes one feather bed and bedstead. Fourthly I give and bequeath unto my son Edmond Sikes the remaining part of my setting chairs and all my earthen ware to him and his heirs forever. Fifthly I give and bequeath unto my grand daughter Margaret Sikes five dollars in money to him and his heirs forever, and sixthly my will is that all the remainder of my estate consisting in money notes and accounts to be divided between my three children say Julian Bass Edmond Sikes, Madison Sikes, but for diverse good reasons my son Edmond Sikes executor to this my last will and testament, in testimony of which I the said Mourning Sikes, hereunto set my hand and seal this

the 4th day of July A.D. eighteen hundred and fifty two 1852. signed sealed and acknowledged before us.
W. H. Edwards
Harriet White

After writing and making the above which is my will I see proper to add this which may serve as a codicil for the natural love and affection which I have for Harriet White the wife of Joseph H. White. I do also to her one loom and one linen wheel to her and her assigns for ever. Intestacy of which she has unto set my hand and seal this the 10th day of July eighteen hundred and fifty two 1852. signed, sealed and acknowledged before us
W. H. Edwards
Harriet White

State of North Carolina, court of pleas and quarter sessions Nash county Nov. term 1852
The paper writing purporting to be the last will and testament of Mourning Sikes deceased being exhibited in open court and presented for probate by the executor therein named whereupon Wm H Edwards one of the subscribing witnesses thereto being examined testifies that he assigned the said paper writing in the presence of and at the request of said deceased and that she was of sound and disposing mind and memory at the time also that the other subscribing witness thereto Harriet White assigned the same in his presence and at the request of said deceased whereupon the court ordered the same to be probated.
Edmond Sikes the executor therein named comes forward and qualifies accordingly.
It is ordered to be recorded. Attest G. W. Wood, C. C. C.
and is recorded. Attest G. W. Wood, C. C. C.

507

I Peter Arrington, of the county of Nash and State of North Carolina, being of sound and disposing mind and memory and knowing the uncertainty of death earthly existence as follows to wit. I give to my wife, Sarah Ann, during her life time, or widowhood, the tract of land whereon I now reside together with all the negroes that belong to me that are in this state, also all my household and kitchen furniture, plantation utensils, all my stock of every description, horses, mules, cattle, hogs and sheep, crop and provisions all produce on hand of every description and my carriage and buggy with the understanding and upon condition that she is to make no charge against any one of my child on four pound or any necessaries she may furnish and if there should not be a sufficiency raised on the plantation for the support and maintenance of the family my executor hereinafter named is authorized to supply such deficiency out of any monies that may be in his hands belonging to my estate; and whenever any one of my children shall arrive at the age of one and twenty years, or should marry, such child shall have allotted off, is desired, a fair share of my estate; and in the event of the death or marriage of my wife, in that case I will and direct that the tract of land on which I now reside be sold also all the above mentioned property, with the exception of the negroes (to wit) household and kitchen furniture, plantation utensils all the stock or its increase of every description, horses, mules, cattle, hogs and sheep, crop and provisions and all produce that may be on hand of every description and carriage and buggy or such vehicles as may be on hand for the use and convenience of the family. It is my will and desire that my negroes that reside at the state of Alabama should continue to be hired out annually and should any one of my negroes within the state of Alabama or hire in this state become disobedient or ungovernable in such case my executor is hereby authorized to sell or otherwise dispose of such negro or negroes.

I will and direct that the tract of land I own in the county of Franklin known as the Eben Hales tract be sold by my executor either publicly or privately as in his discretion he may think most advisable.
It is my will and desire that if my wife should marry in that case she shall have allotted to her a fair distributive share of my personal and proceeds of my real estate and the residue of my estate of every description both real and personal I give and bequeath to my children, namely, Susan Ann, Harriett Eliza, Peter, William Burt, Kearney, Williams, and Lucy Jones to them their heirs and assigns to be equally divided share and share alike.
I desire that all claims due me either by bond note account or otherwise be collected and my just debts paid and I do hereby constitute and appoint my nephew, Dr. Thomas G. Arrington, executor of this my last will and testament this 24th day of September A.D. 1851. the words "and proceeds of my real in the seventh item 2nd page were interlined before signing.

Peter Arrington (Seal)

signed sealed and acknowledged by the said Peter Arrington to be his last will and testament in the presence of us who at his request and in his presence have subscribed our names as witnesses thereto.

Test Robert D. Hart
Archibald, H. Arrington

State of North Carolina, court of pleas and quarter sessions Nash county Nov. term 1852
The foregoing paper writing purporting to be the last will and testament of Peter Arrington deceased is exhibited in open court by Dr. Thomas G. Arrington the executor and C. and pronounced for probate whereupon Robert D. Hart one of the subscribing witnesses thereto being examined testifies that he assigned the said paper writing in the presence and at the request of said deceased and that he was of sound mind and disposing memory at the time. The executor, qualified accordingly and is ordered to be recorded. Attest G. W. Wood, C. C. C.
and is recorded. Attest G. W. Wood, C. C. C.

State of North Carolina, court of pleas and quarter sessions Nash county May term 1854
A paper writing purporting to be the last will and testament of the late Peter Arrington of this county bearing date of the 24th of September 1851 and pronounced for probate heretofore to wit at November term of the county court of this county 1852 is now again pronounced for probate it being suggested the same was informally proven and now at this term of the court of pleas and quarter sessions the said paper writing is duly proven by the subscribing witnesses thereto and ordered to be recorded as the last will and testament of the said Peter Arrington
Attest G. W. Wood, C. C. C.
and is recorded. Attest G. W. Wood, C. C. C.

508

Know all men by these presents that I Elizabeth Burt of the county of Nash and State of North Carolina this the 10th day of Jan. A.D. 1850 being of perfect mind and memory for which I feel thankful to God but knowing the frailty and uncertainty of my life do think proper to make this my last will viz: In the first place I wish all of my just debts paid by my executrix out of my estate secondly I give to my sister Ann C. Burt my interest in the tract of land whereon we now live with every improvement, also my interest in a tract of land in Halifax county adjoining Littleton Arrington and others. I likewise give my children viz: Solomon, Lane, Lucinda, Cuffy and William, also I give my said sister all of the furniture and stock carriage and horses as included. Also all of my bonds except one for one hundred and eighty two dollars and 78 cents against L. B. Sims, the above property to her and her heirs, thirdly I give to Lucinda A. Garrett the negroes viz: Angelina, Mary, and Lucy, in the possession of Ann L. Burt her life time to be managed to the best advantage for the said L. A. Garrett. In the event of the death of L. A. Garrett without an heir I wish the said negroes to be equally divided among her or others then living. Fourthly I give to Ann L. Burt, Harriet A. B. Garrett, Mary A. Burt, Harriette C. Burt, Saml. B. Garrette, and John A. B. Garrette an equal interest in fellow Daniel to be sold by my executrix. Fifthly I give to Peter Arrington negroes Murray & Haywood to him and his heirs. Sixthly I give to Edmund and Elizabeth Burt negro Adeline, Seventhly I give to Edmund and Lucy daughters of William Burt, deceased negroes Peggy and child Sarah to them and their heirs. Eighthly I wish my negro fellow Ned sold giving Peter Arrington the preference in the purchase and the proceeds of his sale to be given to Cassandra Burt. Ninthly I give to Leonard L. Sims his note for \$182. 78 cents all other property that Lucy die possessed of not mentioned in the above will I give to Ann L. Burt. And I appoint my sister Ann L. Burt executrix to this will. I hereto set my hand and seal this the day and date mentioned above.
test.
Mark A. Perry
A. Arrington
Henry Sims.

Elizabeth Burt (Seal)

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State of North Carolina Nash county. court of pleas and quarter sessions Nov. term 1852
A paper writing purporting to be the last will and testament of Elizabeth Burt deceased being exhibited in open court and pronounced for probate by the executrix therein named whereupon Arthur Arrington one of the subscribing witnesses thereto being examined testifies that he assigned said paper writing in the presence and at the request of said deceased and that she was of sound and disposing mind and memory at the time whereupon the court ordered the same to be probated administratrix qualified accordingly ordered that it be recorded. Attest G. W. Wood, C. C. C.
and is recorded. Attest G. W. Wood, C. C. C.
I hereby certify that the foregoing is a true copy from record.
Attest G. W. Wood, C. C. C.

509

In the Name of God amen. I Thomas Bryant of the county of Nash and State of North Carolina, being old and infirm but of sound mind and disposing memory do make and ordain this my last will and testament in manner and form following viz: Item 1st I lend unto Elizabeth Bryant widow of William F. Bryant deceased one hundred acres of land including the house where said Elizabeth now lives so as the line just run on the south side of the line leaving the one hundred acres in the north end also I lend to said Elizabeth two slaves to wit Delila and Ourehur during her natural life or widowhood and at her death or marriage I give and bequeath the above named land and slaves to the lawful begotten heirs of James Mansom by his wife Emily.