

- In the Name of God: Amen
 I Bryan Buckner of Surrogate County, State of
 North Carolina being of Sound Mind and Memory do
 this the 2nd day of April 1863. make public the declaration
 this my last will & Testament viz
- 1st I give devise & bequeath unto my beloved Mary
 my home lands including the M^c Cobbs & Harves land
 during her life. I also give and bequeath unto my
 said wife absolutely the following negroes viz. Minerva
 and Children Esther and Eliza, Hannah & Children
 Chloe & Frances, Eliza, Mary Ann, and all their future
 increase, and all my household and Kitchen furniture
 five Cows and Calves, one yoke of Oxen two horses
 a sufficiency of the Crop and land for a years support
 of herself & family, my stock of hogs, all necessary
 farming utensils, and a sufficiency of the money on
 hand to educate my youngest daughter. And I
 do further give and bequeath unto my said wife Mary
 during her life the following negroes viz Deborah
 Fanny, Hagar, Sophina, Babs, Lucratus, Wilot, Cilla
 Sigh, Dolly, Carolina, Conina Jr, Charlotte, Bar
 = low, Virgil, David, Isaac, Old Bill, Old Maria
 Bob, Dehsey, and their future increase
- 2nd After the death of my wife, I give and bequeath
 the above named property, negroes, to all my children
 equally for life except that the share of my daughter
 be to her trustee hereafter to be named in trust for her
 use and should any of my children die without leaving
 child or issue, the share of the one so dying, I give
 bequeath to the survivors or their children or issue.
- 3rd It is my will that my sons Wm. Usher and Richard
 have the privilege of using cutting and clearing
 appertaining of the lands devised to my wife for life on
 their respective parts as hereafter to be described
 Over and above what may be necessary for her use
- 4th I give and bequeath to my son Abram S. The
 following negroes viz Dorcas, Harrieh, Sister
 Priscilla, Elcy and Peter, and all their future increase
- 5th I give and bequeath to my son Harwood the following
 negroes viz Eliza, Isaac, Buck, Jude, John
 Field, Morgan, and all their future increase
- 6th I give and bequeath to my son Wm Usher the following
 negroes viz Liddy Bess, Minga Jr, Evelyn, Hagar
 Beatty, Minga, Jr, Agn, Vittoria and their fu
 = ture increase.
- 7th I give and bequeath to my son Richard the following negro
 viz Green, Maria, Buck, John, Lewis, Menas
 Hester & all their future increase.

- 8 I give and bequeath to my daughter Ann Julia the following negroes viz: Margaret, Easton, Sydney, Beck, Cato, and all their future increase.
- 9 I give and bequeath unto my son Abraham F. Kirkirk in trust for the use and benefit of my daughter Emma and her children the following negroes viz: Diana, Hannah, & children Albert and Ella, Johnson, Charles, Hannah, and their future increase.
- 10 I give and bequeath to my daughter Laura, the following negroes viz: Sister, Jane, Frank, Polly, Fanny and their future increase.
- 11 I give and bequeath unto my daughter Eveline Cal-devin the following negroes. Clarissa, Budgo, Henry, Treawna, Kate and their future increase.
- 12 I give and bequeath unto my daughter Josephine the following negroes viz: Sheriden, Phebe, George - Cynthia, Olabin, Adeline and their future increase.
- 13 I give and bequeath unto my daughter Mary Brian the following negroes viz: Fench, Lucy, Andrew, Minny, Nancy, Susan, Stanley, Don, Peggy and child Jane and their future increase.
- 14 I give devise and bequeath unto my sons Wm Wsher and Richard Kirkirk after the death of my wife my home lands to be divided as follows viz: the dividing line to run this, beginning at an Oak on the line between James Kerr & myself where the road leading to Kerrs lands stands on Black River, crosses a ditch, said road leads from the Old Harves Mills, thence a direct line to the mouth of the poplar ditch, thence up the Poplar ditch to the Boiling Springs, thence up said ditch to a Cypress, thence to the fork of the ditch that leads to the Haywood Arroyo, thence up said ditch to a turn for Creek in the same, thence the same course continued to the Risby upper line. All the lands west of said line, I give & devise to my son Wm Wsher & his heirs forever, and all East of said line unto my son Richard and his heirs.
- 15 I give and devise unto my son Abram F. Kirkirk and his heirs in trust for the use of my daughter Emma (W. Roy) and her children my Rogers Lee lands, and ten acres of back land where the houses are, built by Roy Wood Kirkirk, with the privilege of a road way from said ten acres to the said Rogers Lee plantation.
- 16 It is my will and desire, and I do hereby authorize Abram F. Kirkirk trustee for Emma W. Roy that if any of the negroes bequeathed to me as such

Trustee should become refractory, disobedient and unmanageable, that the said trustee at the request of said Emma McKoy & after and after her death of her children - shall have power and authority to sell any of said Negroes and invest the proceeds in the purchase of other or in any other way the said trustee may consider best.

- 17 It is my will and I do hereby bequeath and impose the following Conditions and limitations to the legacies of my Negroes to my Children as aforesaid, viz. That in Case of the death of any of my said Children without leaving Children or issue, that the Share or Shares of the one so dying shall go to and be distributed among the survivors and their Children or issue.
- 18 I hereby authorize and empower my Executor hereafter named to sell my Hicksmith tract of land and my Thomas Lee tract of land on such terms as they deem best, and divide the proceeds equally among my daughters.
- 19 I leave the balance of my Crop of Stock on hand in my depository for my wife as aforesaid & my Negro Sinton to be sold for the payment of debts and charges of Administration, and the residue if any to be distributed equally among my daughters.
- 20 I give and bequeath to my beloved wife Mary my Share in the estate of my deceased brother Timothy & Henry Newkirk dec'd. to dispose of as she thinks proper.

Lastly, I hereby constitute and nominate & appoint my Son Abram F. Newkirk Executor to this my Last Will & Testament.

In witness whereof I have hereunto set my hand and seal this day & year aforesaid.

Signed Sealed published & declared by

the Testator to be his last Will &

Testament in presence of us

J. P. Faison
P. Murphy

B. Newkirk (Seal)

State of North Carolina

Myrtales County Court September Term 1868.

This paper writing purporting to be the last Will & Testament of Bogart Newkirk is exhibited in open Court by A. F. Newkirk the executor therein named and is duly proved by the Oaths of P. Murphy & J. P. Faison the subscribing witnesses thereunto, and as such considered by the Court to be & contains the last will & Testament of said Bogart and every part & parcel thereof and sufficient to carry the property therein bequeathed, At the same time A. F. Newkirk the executor appeared in Court and was duly qualified.

Test
A. F. Newkirk Clerk