

State of North Carolina,  
New Hanover County,

In the name of God Amen.  
I, Nathaniel Mitchell of the town of Wilmington and County of New Hanover, and State of North Carolina, being ill in health, but of sound and disposing mind and memory, and considering the shortness of life and the certainty of death, do make and ordain this my last Will and Testament

I devise, give, and bequeath unto my well beloved friend and relation Thomas Clark Hooper, of the town of Fayetteville and County of Cumberland, and State of North Carolina, his heirs, executors and administrators, all the property both real and personal, which I am now seized or possessed of, or which I shall be seized or possessed of at the time of my death, viz, a tract of land lying in Brunswick County known by the name of Schaw fields, and several tracts adjoining thereto, also a house and lot in the town of Wilmington whereon I now reside, and all other real property whatever, which I now own or which I may own at the time of my death; together with all my negro slaves of all and every age and description whatever, and all my goods chattels, plate, jewels, monies, securities for money, bank, stocks, debts, and all other personal estate of what nature or kind soever and where soever, that I now own or that I may own at the time of my death, upon the trusts and for the purposes hereinafter mentioned hereunto. In trust that he the said Thomas Clark Hooper, shall cause all my funeral expences to be fully paid and satisfied, and that he the said Thomas Clark Hooper, shall cause all my just debts to be fully paid and satisfied, as well those of my own individual and original contracting, as those which were contracted by my late husband James Mitchell during his life, and the payment of which since his death, I have legally assumed; and further, that he shall consider, as equal in dignity, with these and pay equally from the same funds, the amount of notes due to Dr. James M. Rice, the said notes being given him by my said husband James Mitchell, the payment of which notes I have never legally assumed, but which being given for the valuable and meritorious services of medical attendance rendered to my said husband, I wish paid equally with those of his debts, the payment of which I have legally assumed. That he the said Thomas Clark Hooper, shall sell or cause to be sold, to the best advantage, and at his own entire discretion, the whole or southern part of my plantation in Brunswick County called Schaw fields, being that part of it, which has lately been wanted by him the said Daniel Fleming Esq, and which is now occupied and which had been in a state of cultivation; that he shall sell or cause to be sold of said land or plantation called Schaw fields, on the

lower, or southern part, as here mentioned, not exceeding two hundred acres of Swamp land, and a two hundred acres of upland to be limited in his sale to the said extent, of two hundred acres of Swamp land, and a two hundred acres of upland, and to sell that quantity, or as much left as to his discretion shall seem proper including in the land sold the sixty or seventy acres that have been in a state of cultivation; and that he shall appropriate the proceeds of such sale, to the payment of such debts as were contracted by my late husband James W. Mitchell, within the county of New Hanover, and bona fide and for valuable considerations; and to appropriate the proceeds of said sale to the payment of no other debts of my late husband, except such as were contracted within the County of New Hanover; and of them only such as were and that the law will recognize as being done bona fide and for valuable considerations; the payment of which debts I have never legally assumed, but leave them to be disposed of by him the said Trustee as here set forth.

Item. That he the said Thomas Clark Hooper, after the payment of my own just debts, and the debts of my late husband, both those which I have assumed in law, and those which I have not (with the restrictions and limitations already stated) shall take into his possession, all the residue of my property then remaining and shall at his own free and entire discretion, without control or reserve, sell the whole or any part thereof either real or personal, (with the exception of Benny and her descendants, and Jenny and her descendants) or both and vest the proceeds thereof in all or any such species of property as he shall deem most beneficial for the interests of my three children George Hooper Mitchell, Thomas Mitchell and Mary Whitely Mitchell (it being my will and desire that my said friend and relation Thomas Clark Hooper, shall sell all, or any, or no part of such property as to him shall seem proper; and if he does sell, to vest the proceeds of such sale entirely at his own free will and discretion and according to the dictates of his own judgment) and that he shall hold the said property if not sold, and if sold, the proceeds thereof, vested as to him shall seem fit, to the use and in trust for my three said children George Hooper Mitchell, Thomas Mitchell and Mary Whitely Mitchell, in manner following, viz, I do hold the said property or the proceeds thereof so vested, in trust, for my two sons George Hooper Mitchell and Thomas Whitely Mitchell, until they respectively arrive at the age of twenty one years; and for my daughter, Mary Whitely Mitchell, until she arrives at the age of twenty one years or shall be married; and when each or either of my said sons shall respectively arrive at the age of twenty

one year, then to assign and set over, and pay to him, and  
 third part, of the said trust estate and effects, and all rent,  
 interest and dividends due thereon, and the produce thereof,  
 and all securities whereon the same shall be placed out, or  
 invested, to his sole use and behoof absolutely forever; and when  
 my daughter shall arrive at the age of twenty years or marries,  
 then likewise to pay over to her, sole and separate use and behoof  
 one third part of the said trust, <sup>estate</sup> and effects, and all rent, interest  
 and dividends due thereon, and all securities whereon the  
 same shall be placed out or invested, absolutely and forever;  
 and in case either of my said sons shall die before he arrives  
 at the age of twenty one years, then his third part of the said  
 trust estate and effects to descend upon and be equally  
 divided by and between his surviving brother, and sister;  
 and in case my said daughter, shall die before she arrives  
 at the age of twenty one years or marries, then her third part  
 of the said trust estate and effects to descend upon and be  
 equally divided by and between her surviving brothers; and  
 in case both of my said sons shall die before they arrive  
 at the age of twenty one years, then the whole of of the said  
 trust estate and effects to descend upon and be vested  
 in my said daughter, alone, to her own sole, proper use and  
 behoof; and if either of my said sons and my said daughter  
 shall die, either of my said sons before he arrives at the age of twenty  
 one years, and my daughter, before she arrives of twenty one years  
 or marries, then the whole of the said estate and effects to descend  
 upon and be vested in the surviving brother, to his sole & proper  
 use and behoof absolutely forever; and if all my three said  
 children shall die before the said times respectively, viz, my sons  
 before they arrive at the age of twenty one years respectively; and  
 my daughter, before she arrives at the age of twenty one years  
 or marries; then I will and devise, that all the said estate  
 both real and personal, and in what manner, soever vested,  
 shall go to and be enjoyed by my heirs and nearest of kin,  
 in the same manner and proportion as the same would  
 descend, pass and be distributable by the Statutes regulating  
 the descent, of real and the distribution of intestates estates,  
 and I do hereby constitute and appoint the said Thomas  
 Black Hooper, Executor of this my last Will and Testament,  
 hereby revoking all former wills by me at any time heretofore  
 made, and do declare this to be my last Will and Testament  
 In witness whereof I the said Catherine Stitchell have, to this  
 my last Will and Testament set my hand and seal this 1<sup>st</sup>  
 day of January A.D. 1824

Catherine Stitchell Seal

Signed, sealed, published and declared by the above named  
 Catharine Mitchell as and for her last Will and Testament,  
 in the presence of us, who have hereto subscribed our names  
 as witnesses thereto in the presence of the said Testator, and in the  
 presence of each other,

Thomas H. Davis Jr.,  
 H. Jones

New Hanover County } County Court, March Term 1824.  
 The within last Will and Testament  
 of Catharine Mitchell was exhibited to Court and proved  
 by the oath of Thomas H. Davis one of the subscribing witnesses  
 thereto and ordered to be recorded, at the same time Thomas  
 C. Hooper, qualified as Executor,  
 Witness  
 Tho<sup>s</sup> H. Davis. Clk.

In the name of God Amen. I Asa Murray  
 of the County of New Hanover, and State of North Carolina,  
 being weak, in body, but of sound and perfect mind and mem-  
 -ory, blessed be Almighty God for the same, do make and publish  
 this my last Will and Testament, in manner and form following  
 I give and bequeath to my wife Elizabeth, two negroes, viz, Isaac  
 and Rachel, one horse, one yoke of Oxen, one years provision, ten  
 year old hogs, two sows and pigs, three cows and calves, two beds  
 and furniture, two tables, a sufficient part of kitchen furniture,  
 also a sufficient quantity of plantation tools, and possession of  
 all the land if not sold. All of the above named property to  
 her own use during her natural life. except the land is not  
 sold for the price of twenty five hundred dollars, and not left  
 without the consent, of my wife and executors ~~and~~ administrators  
 I do hereby empower my wife, executors or administrators to sell  
 all my lands and make titles to the same. I do hereby empower  
 my wife to draw and take all the property of my children that  
 is under age, if the land is sold, after receiving her proportionable  
 part of the money received for the land, and give each of the  
 children of age, their proportionable part of the money received for  
 the land. If the upper piece of land purchased from Boney Thayer  
 say two hundred and sixty six acres can be sold for more money  
 than I gave him for it, with interest from the date of the deed, the  
 balance to be placed to the use of the said Boney Thayer,  
 I give and bequeath to my four youngest children, viz, Owen, Nancy  
 and Patsey, to have fifty dollars each extra for schooling, David to