

State of North Carolina
New Hanover County

Amen.

I Frederick J. Hill of the Town of Wilmington, State and County aforesaid, being of sound & disposing mind and memory, do make, publish and declare this as my last Will & Testament, hereby revoking all other wills by me at any time heretofore made.

I give devise and bequeath unto Albert S. Stith, brother of N. S. Stith, now of Petersburg, Virginia in trust and for the sole use, benefit & enjoyment of my much beloved niece Annie Stith, wife of Dr. N. S. Stith, and such child or children as she now has or may hereafter have - the following negroes, and their present children, and all their future increase, to wit, Molly and her daughter Hannah, and Caroline and Matilda and their children. I also give, devise & bequeath unto the said Albert S. Stith in trust, as aforesaid, the sum of four thousand dollars, to be paid to him by my Executors and Executors hereinafter named as herein after provided for, and under the conditions hereinafter set forth, that is - that whereas, the aforesaid Dr. N. S. Stith is indebted to me, by reason of money paid by me for him, as his security or otherwise, to wit, one note of two hundred and fifty four dollars & fifty five cents, and also by reason of money, the exact amount not now remembered, paid for him by me, as security to a debt originally due J. F. Moore of Raleigh N. C. as by reference to a mortgage deed from the said N. S. Stith to me, registered in the County of Chatham, North Carolina, by reference thereto will fully appear, Now it is my will & desire and I do hereby authorize & empower my Executors and Executors hereinafter named to sell & dispose of said Real Estate, set forth in said mortgage deed, from the said N. S. Stith to me, also to sell the stock in the Clarendon Coal Field Company, transferred to me by said N. S. Stith as by reference to the Books of said Company, will fully appear, and that my said Executors & Executors apply the proceeds of said sales to the payment of the said indebtedness to me, as above set forth, and if there be any balance over paying the same, then that the balance be paid over to the said N. S. Stith, but should the amount of said sales be not sufficient in amount to pay in full the above indebtedness to me, then the deficiency I direct my Executors & Executors to deduct out of, and from the above legacy of four thousand dollars left in trust to Anna Stith & Children, as above set forth.

and should then still be a balance due me after applying said legacy, I direct that my Executrix & my Executors do cancel and fully discharge said indebtedness to me. & I will, devise and bequeath unto my nephew Frederick C. Hill, to be paid to him out of my Estate annually, so long as he may live, that is for & during the term of the natural life of my said nephew Frederick Claypool Hill, the sum of Four Hundred Dollars, to be paid to him the first of January each year, so long as he may live, and I do hereby direct that my Executrix and Executors, pay said legacy first, and in preference to any other special legacy, or bequest. - I do also hereby ratify a deed made to him for certain coal lands in North Carolina in the County of Moore as well as now remembered. I will, devise & bequeath and direct hereby, that my Executrix & Executors herein after named, purchase in the County of Chatham North Carolina, one hundred acres of land, the location of which, I desire my friend Henry A. Gordon of Pittsborough to make, and to be paid for out of my Estate, & I give, devise & bequeath the said one hundred acres to my worthy friends Henry A. Gordon, Frederick S. Davis, William C. Pondinot and Thomas C. Miller, them their heirs & assigns, and I do also give, devise & bequeath unto my said friends Gordon, Davis, Pondinot, & Miller, my faithful and trusty servant Charles, his wife Louisa, and his son Jim - to them and to the survivors or survivor of them - and I do hereby direct that my Executrix & Executors pay over to my said friends Henry A. Gordon, Frederick S. Davis, William C. Pondinot & Thomas C. Miller out of my estate the sum of Five Hundred Dollars, to be laid out by them, in stock on said farm, of one hundred acres, and that Charles & wife Louisa & their son Jim aforesaid, live on said farm & cultivate it. - I give, devise & bequeath unto my nephew Frederick S. Lord the sum of Five Thousand Dollars, to be paid to him by my Executrix & Executors as hereinafter directed. I give, devise & bequeath unto my friend William C. Pondinot the sum of Five Thousand dollars, to be paid to him by my Executrix & Executors as hereinafter directed. - I give, devise & bequeath unto my nephew Dr. William Frederick Berry of Pittsborough the sum of two thousand five hundred dollars, having already provided for him fully that amount or more to be paid to him by my Executrix & Executors as herein after directed. And I likewise devise to the said William

Frederick Perry, my riding pony now used by me as
 a saddle horse. - I devise unto my beloved sister
 Eliza Lord for & during her natural life, the sum of
 Five Thousand Dollars to be paid to her by my
 Executors & Executors as hereinafter directed, & after her
 death, that the said five thousand dollars go to my
 nephew William Anshrum Lord her son, & that she
 receive the same, under that injunction, direction
 & bequest. - I give, devise & bequeath unto my nephew
 Frederick London, son of Henry A. London afore-
 mentioned, all of my Rail Road Stock in the North
 Carolina Rail Road Company, generally known
 as the Central Road, which costs me five thousand
 dollars, & I direct that my Executors & Executors
 transfer the same to him. - I give, devise & bequeath
 unto my nephew Frederick Perry, son of James Perry
 of Wilmington, North Carolina all the stock I own
 in the Wilmington & Manchester Rail Road Company,
 in North Carolina, which cost me five thousand
 dollars & I direct that my Executors & Executors, trans-
 fer the same to him. - I give, devise & bequeath
 unto my niece Annie W. Miller, wife of my friend
 Thomas C. Miller, as a token of my regard and
 affection, the sum of Four Thousand Dollars, to be paid
 to her by my Executors & Executors as hereinafter di-
 rected. - I give, devise and bequeath unto my
 much beloved wife Ann Eliza Hill, my house
 & lot in Town of Wilmington, my present winter
 residence, for & during the term of her natural life. -
 together with the tract of land of twenty acres purcha-
 sed by me from my friend James S. Green, East of
 the Town of Wilmington, & on the Plank Road, for &
 during the term of her natural life. - I also give, de-
 vise & bequeath unto my said wife all of my negroes
 in fee, except Charles & his wife Juisea & their son
 Jim, heretofore disposed of. - I give & bequeath unto
 my said wife all my stock in the Wilmington and
 Weldon Rail Road Company in North Carolina
 and all my stock in the Bank of Cape Fear, and I
 devise to my said wife & hereby direct, that Executors
 & Executors pay over to her annually the interest due
 on the bond of Thomas C. Miller aforementioned, re-
 maining unpaid, as hereinafter directed each year,
 so long as she shall live, for her own use and benefit.
 I give devise & bequeath unto my said wife, my
 summer residence in the County of Chatham, N. C.
 and all the lands attached & used with said residence
 known as Kentucky. - I give to my wife my horse

& carriage, cattle, Mules & all my stock, all my household
 & kitchen furniture, both in Wilmington & in Chatham
 and finally I give devise & bequeath unto my said
 wife, all & every kind & description of property or
 Estate, real, personal & mixed, of every kind what-
 soever, of which I may be seized & possessed, or
 entitled to, & which is not herein before or hereinafter
 excepted & disposed of. I hereby direct, that the
 debt due me and remaining unpaid, by my
 friend Thomas C. Miller at my death, that he be
 required by my Executors & Executrices to pay an-
 nually the interest on the amount then due, & re-
 maining unpaid, & in addition thereto, to pay an-
 nually the sum of Two Thousand only of the prin-
 cipal, till the whole be paid, and said Executors
 & Executrices are required & directed, for this ease
 & convenience, to collect no more than above di-
 rected. - I direct that my Executors & Executrices pay
 the above legacies herein before bequeathed, first, out
 of & from the sales or income of my mineral lands
 & coal stock, & that what may be remaining unpaid
 if any, be paid out of the annual amount of prin-
 cipal, to be paid by my friend Thomas C. Miller,
 as herein before directed, provided, my Executors &
 Executrices do not find it more to the ease & convenience
 of my wife, and of my Estate, to pay them otherwise.
 I give devise & bequeath unto Bishop Thomas Atkinson
 Bishop of North Carolina and to his heirs & assigns
 my house & lot in the Town of Wilmington North
 Carolina my present residence, together with the
 tract of land of twenty acres, purchased from
 James S. Green, herein before described in the be-
 quest to my wife; from and after the death of my
 wife, and from & after the term of her natural life
 in trust, & for the use & benefit of the poor orphans
 of the State of North Carolina, and the said Bishop
 & his successors, to have the right to select such orphan
 as shall receive benefit under this trust, and bequest
 and he shall direct & control said trust in the best
 way for the support of said Orphans, & the promotion
 of their morals & education, as to him may seem best.
 and I do also give devise and bequeath unto the said
 Bishop Thomas Atkinson, & to his Executors and Ad-
 ministrators for the same trust, and purposes as above
 set forth, the sum of Ten Thousand Dollars, to be paid
 to him or to his successors to this trust, by my Executors
 then, and no right or interest is to accrue to the same.

for & during the term of her natural life, but to be paid from & after the termination thereof, and not till then. I also give & devise and bequeath unto the Wardens and Vestry & Trustees of St. Bartholemew's Church in Pittsburgh, North Carolina, from & after the death of my wife, the sum of Four Thousand Dollars, & not to be paid over to said Wardens & Vestry & Trustees till after the death of my said wife, but I direct that my Executors & Executors pay to said Wardens Vestry & Trustees annually, from & after my death, the legal interest on the said sum of four thousand, to be used by said Wardens & Vestry & Trustees, for the use, benefit & support of said Church; and I direct that these legacies & bequest be paid & provided for in like manner as is provided for the payment of the legacies hereinbefore set forth. I do hereby nominate, constitute and appoint my beloved wife Anna Dix Hill as my Executrix and Thomas C. Miller and William C. Pondinot my friends as Executors to this my last Will & Testament made & executed this the second day of March A.D. one thousand eight hundred and sixty.

Signed, sealed in the presence of us as witnesses, Frederick S. Hill Edw. Hill

presence of us as witnesses,

and published and declared by the said Frederick S. Hill,

as his last Will & Testament.

in the presence of us, the subscribing

witnesses, who signed the same

as witnesses, at his request, and in

his presence, and in the presence

of each other. The words "special"

interlined on second page before signing thereof.

Geo. Davis

Thos. H. Wright

C. P. Mcnears

State of North Carolina,

Mecklenburg County, County Court, June Term, 1861.

This paper writing, purporting to be and contain the last Will & Testament, of Frederick S. Hill, dead, is exhibited in open Court, and pronounced for probate, and is duly proved by the oaths of Geo. Davis, Thomas H. Wright and C. P. Mcnears; the subscribing witnesses thereto; and it is considered by the Court to be and contain the last will and Testament of the said F. S. Hill, in every respect, and sufficient to convey the bequests therein made. At the same time Mrs. Anna Dix Hill, Thos. C. Miller and William C. Pondinot qualified as Executors & Executors thereto. It is ordered that the same be registered and filed.

Teste

Saml. R. Dunning Clerk.