

In the name of God. Amen!

I Euphemia I buttay, of the town of Wilmington in the State of North Carolina, being of sound and perfect mind and memory, do make, ordain and publish this to be my last Will and Testament, hereby revoking all other Wills by me at any time heretofore made, and first, I do hereby, constitute and appoint my friends George Davis and William Reston, to be Executors of this my last Will and Testament.

Secondly, I give, devise and bequeath all my estate, rights and interests of every kind, and wheresoever situate, to my Executors above named, and the survivors of them, and the heirs, executors and administrators of such survivor: in trust. Nevertheless, that they will hold use, and apply the same, to and for the uses, purposes and trusts, hereinafter declared, and none other; that is to say: First, That they will permit my sister, Anne E. Davis to have the possession, and to take and receive the rents, hires, and profits of my negro woman Lucy, and her youngest child Bashy, and all their increase born after the date of this Will, during her, natural life, to and for her own sole and separate use, and after her death, that they will divide the same among such of her children then living, in equal shares, if more than one; and if she should die, without leaving a child or children living at her death, or should all of her children die before twenty-one years of age and unmarried, then that they will hold the same in trust for my brother, Frederick, I buttay and his children in the same manner, and under, the same limitations and restrictions, as are hereinafter, set forth in regard to my negroes, Ned, Edward, Fred &c, bequeathed to them.

Secondly, That they will permit my sister, Jane L. McCreary, to have the possession, and take and receive, the rents, hire and profits of my negroes, Salt Valentine and Polly, and their increase, born after the date of this Will, to and for her, sole and separate use, during her life, not to be liable for the debts of her husband, and at her death, that they will divide the same equally among all of her children then living; and if there be no such child or children, then in trust, for my brother, Frederick, I buttay, and his children in the same manner, and under, the same limitations and restrictions as are hereinafter, declared in regard to the legacy of Ned, Fred, Edward &c bequeathed to them.

Thirdly, That they will give out my negroes, Ned, Edward, Fred, Caroline and child John, Sarah and an infant,

Mary Ann and children Simon and an infant and all their increase born after the date of this Will, year by year, and will apply the annual hire and profits of said negroes together, with the annual dividends, if any, of my fifteen shares of the Capital Stock, of the Wilmington and Raleigh Rail Road Company, for the benefit, maintenance and support of my brother, Frederick H. Buttar, during his life, so as in no manner, to be liable for his debts; and after his death, that they will divide the said slaves and their increase, and the said stock, equally among all of his children then living, the shares of the girls to be for their own separate use, and not liable for the debts of their ~~own~~ husbands.

Fourthly. That they will permit my niece Aunt Junes Buttar, to have the possession, and receive the hire and profits of my negro Leuca, to her separate use, during life, not to be liable for the debts of any husband she may marry; and at her death, that they will divide the said slave and her increase born after the date of this Will, equally among all of her children then living, and if no such child or children, then, equally, among her brothers and sisters then living, the children of my said brother, F. H. Buttar.

Fifthly. That they will permit my nephew Roger Buttar, to have the possession, and receive the hire and profits of my negro Jacob, during life, and at his death, that they will convey him to all of his children then living, equally, and if no such child or children, to the other children of my brother, F. H. Buttar, then living equally.

Sixthly. That they will permit my Aunt Elizabeth Buttar, to have the possession and use, during her life, of the lot and premises purchased by me from the Executors of my Aunt Lucy Buttar, being the Western part of lot No. 74. A. in the plan of the town of Wilmington as described in their deed: And at her death, that they hold the said lot in trust for my brother, F. H. Buttar, and his children in the same manner, and under the same limitations as are set forth in regard to the legacy of Ned I. bequeathed to them. And I do hereby give of that my Executors shall maintain my negroes Tall and Valentine, if they should be unprofitable, under care and direction of my sister, and I Fleming; and to the end, the legacies hereby given, shall abate ratably. And I do hereby authorize and empower my said Executors or the survivors of them, in their discretion to sell any of the property, hereby devised or bequeathed, in their discretion, to prevent a painful separation of families, or for any other purpose; and the proceeds of such sale, shall be invested in other property, at their discretion.

to be held upon the same trusts and under the same
limitations with the property so sold.

In witness whereof I have hereunto set my hand this
11th day of February A.D. 1849.

Signed, published & declared
by the testatrix to be her last
will and Testament in the pres-
ence of us; who in her presence
and at her request have subscribed
the same as witnesses Sarah and
an infant on 2nd page interlined
before sealing.

J Jewett
A W Bradley

Euphemia L Buttar

State of North Carolina }
New Hanover County Court } March Term 1850

This paper writing purporting to be
the last will and Testament of Euphemia L Buttar, is
exhibited in open Court, and offered for probate, and
duly proven by the oath of Stephen Jewett one of the sub-
scribing witnesses thereto: Whereupon it is considered by the
Court, that the same is the last will and Testament of
said Euphemia L Buttar, and sufficient to convey the
property therein bequeathed, and as such ordered to be
recorded and filed: At the same time George Davis
one of the Executors therein named, comes into Court and
renounces his right to said executorship: Whereupon William
Reston, one of the Executors therein named, comes into Court
and duly qualified as such.

Teste

L Hester, Clk