The Last Will and Testament of James Highsmith Dec'd

In the Name of God Amen I James Highsmith being in sound and perfect mind and memory blessed be God for the same do this the 14th day of November in the Year of our Lord one Thousand Eight hundred and Sixty make and publish this my last Will and testament in manner following that is to say

Item I give unto my beloved Wife Anne Highsmith in consideration of one Years provisions all of my Corn and Wheat either housed or growing all my Meat and Fat Hogs and Lard all my Garden Grass and Gramas all my Pottery of every description with Ten Gallons of Molasses Ten Pounds of Sugar Ten Pounds of Coffee Three bushels of Salt

Item I give unto my Wife one One Horse, One Cart, One Buggy and Harness, Two flute Ploughs, One Turning Plough and one Plough [illegible] Two Weeding Hoes One Hilling Hoe One Grubing Hoe Two axes Two Iron wedges and one broad frow and One Spade and one Shovel and Grind Stone and all my Barrels and Stands of every description and all my Jugs and Crockery ware but One Case of Knives and Forks and all the Cooking utensils I also give unto my Wife Anne One Feather Bed Sted and furniture One Chest One Wheel and Cards One Loom and all the Wearing gear One Dozen String Chairs One Table and One Press

Item I lend unto my Wife Anne during her life time One hundred Acres of land lying on the public Road and joining the lands of Samuel Little John A Robertson and others including my dwelling House and all my out Houses the land is to be taken from the rest of my land by Beginning at the Bridge in the Road at Samuel Littles line and running up the ditch and Branch with said Little's line and also starting from the Road at a dead pine a corner between me and John A Robertson and running with said Robertson line to Joel James Jun'r line thence with said James line until a straight line running from North to South a cross my land will make One hundred Acres of Land this is the dowery that I allot to her out of my land to have and to hold during her life time and after her death I give and bequeath the same unto my Son James H Highsmith and the balance of said Tract of Land I give to be equally devided between three of my Daughters to wit, Menizza M Highsmith Arceny C Highsmith and Barzela M Highsmith and Sulvar Robertson Item I give all my land lying in or about Sundial Creek to be equally devided between my Daughters Mary Ann C Highsmith wife of William Highsmith and Nancy L James wife of Bethel James Item I give unto my Daughter Menizza M Highsmith one Feather Bed, Sted and furniture one chest One Side Board One Small Bible One Hymn Book and One Cow

Item I give unto my Daughter Barzela M Highsmith one Feather Bed Sted and furniture One Chest One Walnut drop leaving Table One looking Glass one Cow or Heifer and One Hymn Book

Item I give unto my Daughter Arceny C Highsmith one Feather Bed, Stead and furniture One Chest One walnut Folding Table and one Hymn Book and one Cow

Item I give unto my Son James H Highsmith one feather Bed Sted and furniture One Chest and one Book Case and desk One large bible and all the Books that has formerly been called his Books I also give unto my Son James H Highsmith my Double Barrelled Shot Gun and all my Shoe making Tools and Shoe lasts and all my Coopering Tools and One Cow or Heifer and all my wearing Clothes, Item I give unto my Wife Anne One Cow and Calf ~~or~~ yearling also one Red Steer and all my Potatoes either growing or housed and all my Washing Tubs and water Pails and Bread Tray and Meat Salting Trays and one Sow and Pigs and Six Sheats

Item I give unto my grand daughter Lamma Ann Lavenia Roff one Heifer one Small Chest and one Hymn Book called old Scool Sonnets one Red Heifer

Item I leave my Black Man Austin and all the Ballance of my property that is not named in this Will to be Sold and after paying all my just debts out of the proceeds of said property I give out of the same three Hundred Dollars to my Daughter Elizabeth James and then if there be any Money left I give it to be equally devided between my Wife Anne Highsmith Elizabeth James Mary Ann C Highsmith Menizza M Highsmith Nancy L James Arceny C Highsmith Barzila M Highsmith and James H Highsmith and I make and ordain my friend Joel James Sen'r my

Executor to this my last will and testament in witness whereof I the said James Highsmith have hereunto set my Hand and Seal the day and date above written.
Signed Sealed and declared before us

William A Roff
J F Wheatard

James Hig Smith Seal

State North Carolina } Court of Pleas and Quarter Sessions
Pitt County } February Term 1861

There was the within paper writing purporting to be the last will and testament of James Highsmith Dec'd exhibited in open Court for probate and the due execution thereof proved by the Subscribing witnesses thereto viz William A Roff and John F Wheatard. The Court declaring the same to be the last will & testament of James Highsmith Dec'd and ordering the same to be recorded with this probate & filed at the same time Joel James Jun'r the executor named in said will came into Court & duly qualified as such.

H Sheppard Clerk

The Last Will and Testament of Council Braxton Dec'd

I Council Braxton of the County of Pitt and State of N Carolina being of sound mind and memory but considering the uncertainty of my earthly existance do make and declare this my last Will & Testament in manner and form following that is to say first that my executors hereinafter named 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 Money that may first come into their hands as a part or parcel of my estate

Item I loan unto my beloved wife Sarah Fifty acres of land to be laid off on the South side and on the east side of the Road of the tract whereon I now live so as to include my Mansion House and all out Houses and other improvements to have and to hold to her the said Sarah during the term of her natural life in satisfaction for and and in lieu of her dower in my real estate Also I loan unto her one Negro Boy named Albert. Also all my Household & Kitchen furniture during her natural life After her death the above Boy Albert I give unto my Sons Augustus & Frances M Braxton, Item I give and devise unto my two Sons Augustus & Fell Braxton all of my lands according to deed about 107 Acres more or less to be devided equal as to acres and valuation so that Augustus may have his share on the west side of the Road and Fell Braxton have his share on the east side of my plantation Also give unto my two Sons to wit, Negro Slaves named Henry Harriet Dick and John to have and to hold them and their heirs in fee simple forever Item I give and bequeath unto my Daughter Arceneia wife of John Lockey on conditions as below stated the sum of Seven Hundred Dollars to be paid by my executors over to my Son Fell Braxton who is to hold the above sum a agent and pay over to the said Arceneia the interest and part of the principal yearly until the whole is expended not to pay out of the principal any one year over fifty Dollars and Should the said Arceneia depart this life leaving a sum of the above not disposed of then I give and require Fell Braxton to pay unto due over to the living children of said Arceneia Lockey and in case she leave no children said sum to be devided among my lawful heirs any person claiming under her not included in this division

Item I give unto my grand Daughter Martha Moye on conditions as hereinafter stated the sum of Two hundred Dollars and provided she departs this life leaving no children then said Two hundred Dollars to be divided between Augustus & Fell Braxton

Item My will and desire is that all the residue of my estate if any after taking out the devises and legacies above and before mentioned shall be sold and the debts ~~if there should be any~~ owing to me collected and if there should be any surplus over and above the payment of debts expenses and legacies after paying to Arceneia wife of John Lockey fifty Dollars more in addition to the former gift, that such surplus be equally devided between my Two Sons Augustus & Fell Braxton their executors Admr and assigns forever