## The last will & Testament of James Davis Decd

Greenville June 3rd 1858.

I James Davis of the Town of Greenville State of North Carolina being of Sound mind & memory do make this my last will & testament hereby revoking all others heretofore made.

1st I require that my Executor pay all my just debts especially a note I owe Cesar a Slave for $148.

2nd I give to my Sons Thomas C Davis James Davis & Joseph Davis all my estate real and personal to be so divided as they may think best to do with the express understanding that my executor pay annually during her natural life to my Sister Prudence Davis Seventy five Dollars from any income arising from my estate and no division to take place until satisfactory provisions be made to her to secure the said Sum of Seventy five Dollars annually.

3rd I hereby Constitute & appoint my Son James Davis Executor of this my last will and testament

J Davis (Ls)

This paper writing dated Greenville June 3rd 1857 was offered by James Davis the executor therein named for probate in open Court as the last will and Testament of James Davis, decd and duly proved by the oaths of James Murray James C Albritton and Stephen F Johnson three Credible witnesses who being Sworn Severally said that they were well acquainted with the hand writing of the Said Testator and that they verily believe this paper writing and every part thereof including the Signature thereto to be the handwriting of the Said James Davis decd, Ordered by the Court upon the Said testimony that this paper be recorded and filed, On motion Executor qualified

H Sheppard Clerk

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## The Last Will & Testament of Mancel Flake Deceased

I Mancel Flake of the County of Pitt and State of North Carolina being of Sound disposing mind and memory but Considering the uncertainty of my earthly existance do make and declare this my last will and testament in manner and form following first that my executor hereinafter named shall provide for my body a decent burial Suitable to the wishes of my friends and relations and pay all funeral expenses together with my just debts to whomsoever owing out of the money that may first Come into his hands as a part of my estate

Item 1st I give to my Son Andy Flake and daughter Lydia Ewell fifty cents each to them and their heirs forever,

Item 2nd I give to my Grand Son John L Sul me feather bed and furniture to him and his heirs forever.

Item 3 I give to my Daughter Sempy Flake the South side of my tract of land whereon I now live begining at the Eady field Gap or where it formerly has been on the rode near David Horses field running a Straight Course so as to strike the middle of the William Sul field to my upper line thence with my upper line & South line to the begining I also give to my Daughter Sempy Flake all my Crop of Corn rent Corn not excepted all my Stock of every kind



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household and Kitchen furniture of every description to her and her heirs forever, except the feather bed given to my Grand Son

Item 4 I give to my Daughter Martha Sul fifty cents to her and her lawful heirs begotten of her body forever,

Item 5 I give to my Son John C Flake all the balance of my tract of land which I have not disposed of to him and his heirs forever,

I do hereby Constitute and appoint my trusty friend Adam Fleming my lawful executor in witness whereof I the Said Mancel Flake do hereunto Set my hand and Seal this 31st October 1854

Mancel his + mark Flake (Ls)

Signed Sealed published and declared by the Said Mancel Flake to be his last will and testament in presence of us who at his request in his presence and in the presence of each other all Subscribed our names as Witnesses thereto

Wm Shivers
David House

State of North Carolina, Pitt County } Court of Pleas & Quarter Sessions
February Term 1858

Then was the within paper writing purporting to be the last will and testament of Mancil Flake decd exhibited in open Court for probate and proved by the oaths of William Shivers and David House the Subscribing witnesses thereto, It is therefore Considered by the Court that this paper writing and every part thereof is the last will & testament of the Said Mancill Flake and the Same is ordered to be recorded

Attest H Sheppard Clerk

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## The Last Will & Testament of Richard H Lewis Decd

North Carolina
Pitt County }

I Richard H Lewis of the County of Pitt and State of North Carolina being of Sound mind and memory, do make ordain and publish the following as my last Will and Testament viz.

1st I wish my Executors hereinafter named to pay off and discharge all of my debts and funeral expenses and to have erected over my grave and my Daughter Ann's Suitable monuments or tomb stones,

I give and bequeath unto my beloved wife Martha E Lewis all the negroes I acquired by my marriage with her together with all their increase including negro man Richmond Sent to Alabama, I also give and bequeath unto her a negro Girl named Lovey I purchased of Dr Blount (Daughter of my Carpenter Ned) I also give and bequeath unto my Said wife Martha E Lewis all the Stock of every kind I own in Pitt County, viz. All the Horses, Mules, Cattle, Sheep, Hogs &c Also all the Crop in Pitt County owned by me whether gathered or Growing including the Turpentine, Brandy, Wine & other liquors and all the provisions, farming utensils and Household and Kitchen furniture including my Iron Safe, Except such furniture as may hereafter be named, also my Carriages and buggies and all of my books with a request that she will give to my Son Troy H Lewis and my Daughter Mary H Lewis such books as they may want,

I also give and bequeath unto my wife Martha E Lewis the Sum of Seventy five thousand Dollars ($75000) to bear interest from the day of my Death untill paid

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I Also give her One thousand Dollars in Cash

3rd I give and bequeath unto my infant Son Richard H Lewis, One hundred and Twenty three Shares of Stock in the Raleigh and Gaston Rail Road Company, I also give and bequeath unto my Said Son Richard H Lewis, Two Hundred shares in the Capital Stock in the bank of Mobile, also Sixty one Shares of Stock in the Galena and Chicago union Rail Road Company also fifty Shares of Stock in the Chicago and Rock Island Rail Road Company, also five shares of Stock in the New York and New Orleans Steam Ship Company, I also give and bequeath unto my Said Son Richard H Lewis the Sum of Ten thousand Dollars in Money, Should my Said Son Richard H Lewis die before attaining the age of Twenty one years without leaving Children then in that Case Such legacy as I have given him together with the accumulated profits to go to my Son Avery T Lewis and my Daughter Mary T Lewis,

4th I give bequeath and devise unto my Son Avery T Lewis and his heirs the following lands viz Section 13 Township 18 and Range 4 East Containing about Six hundred and ten acres, also Section 12 Township and Range as aforesaid with the exception of the West half of the North West Quarter of Said Section (hereinafter given to my Daughter Mary) Containing about five hundred and thirty acres, also the tract of land purchased of J J Stoffel, the Said Several tracts of land Contain in the aggregate twelve hundred and Sixty four acres more or less, lying on and near Big Prairie Creek in the County of Marengo and State of Alabama, I also give and bequeath unto my Said Son Avery T Lewis the following negroes in Alabama viz Jim Everitt - Marina - Amanda - Harriet and Martha - Esther - Jim Ellis - Kitty (big) - Fanny - Spencer - Arnold - Amos and little Hardy - Eli - Phoebe and Cornelius - George - Sylvand and Minerva - Bob and Tempy Jim Harrison - Gatson - Jenny - Dicy and Neptune - Slade - Betty - Eliza - Nancy - Matilda and Patsey - Stewart - Little Kitty - Isaac - Richard and Ned (an infant) Elsey - Lucy - Maria - Susan and Judy - Edentons - Bethand - Hannah - Penny & Stephen - Cain - Clarissa - Louisa & Irwin - Willis (long) & Lotty - Frank - Smithy - John (big) and Bill - Jack & Lucy - (Laurence) - Cuman - Matilda - Jefferson - Byron - Franklin - Champion - Emanuel - Zilpha - Jim (Horton) Roy - Little Willis Pompey - Sylva - Caroline - Edy (old) and Dawson - Harriet, Martha, Ann, John, Laura, Augustus, Cornelia - Edwin - Della and Child Charles - Joe (Dilys Son) and Kate together with all their increase. I also give and bequeath unto my Said Son Avery T Lewis my diamond Breast Pin - and the portrait of his mother now at the house of T McKee in Raleigh -

5th I give bequeath and devise unto my Daughter Mary T Lewis and her heirs the following lands viz my tract of land Situate in the County of Greene State of Alabama, Containing Eight hundred and eighty acres more or less adjoining the lands of Gray Hickabee, the lands belonging to the estate of Harris Tucker & others. Also the South East and South west Quarters of Section One - Township 18, and Range 4 East Situate in Marengo County State of Alabama and Containing three hundred and twenty acres more or less. Also the West half of the North West Quarter of Section 12 Township 18 and Range 4 East - Containing Eighty acres more or less - in all about four hundred acres in Marengo County adjoining the lands I have given my Son Avery of Thomas M Johnson and of E B Vaughn, which with the lands in Greene County Contain in the aggregate twelve hundred and Eighty acres more or less - I Also give and bequeath unto my Said Daughter Mary T Lewis the following negroes in Alabama viz Johnson and Big Betty, Madison & Mary - Ned and Viney (house) King - Margaret - Chaney - Susan & Frank - Arthur - Elizabeth - Adey - Annette - Mary and Bister Handy - Hetty - Henrietta - Priscilla - Ephraim - Maria and Andrew - Dick -

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little Caroline - Francis and Delia - Joe - Hazanna and Letitia - Ben - Viney (black) - Lempy little Edy - Sep & Sepio and Collins - Henry - Lizzy - George - Adeline and little Henry - Britton Jane and her Child Eliza - Emma and Baker - big Willis - Angeline - Hall - Abe and Catharine - Sam - little Lucy - Elias - Oliver and Becky - Jerry - Rose - Rebecca & Julia Jonas - Lucy (house) Bill - Manro - Randall - Little Bob - General & Alfred - Cary - Kinney Mitchell - Willis (Shot) - Sarah - Lunow - little John - Elizabeth Charity - Moses and Rachel, together with all their increase,

I further give and bequeath unto my Said Daughter Mary T Lewis all the furniture in the house formerly belonged to her Mother also her gold Watch Silver Plate & Jewelry Should the names of any of the negro Children be Omitted they are to go with their Mothers respectively -

I Will and devise that all the Stock of every kind I own in Alabama viz horses, Cattle - Mules - hogs - Sheep &c also the Crop - provisions, farming utensils &c to be equally divided between my Son Avery T Lewis and my Daughter Mary T Lewis, Said division to be made by my Executors, And all the property of every kind which I may have at my death in the State of Alabama - not disposed of or given away in this my last will and Testament including a bond I hold against Mary Perkins deceased, as principal and John R Moore as Surety, now in the hands of Hart Stewart & co. given originally for the Sum of five thousand Dollars upon which there have been payments, I give and bequeath unto my Son Avery T Lewis and my Daughter Mary T Lewis,

All the property of every kind which I may have at my death in the State of North Carolina after the payments of all my debts and legacies not disposed of or given away in this my last Will & Testament, I give and bequeath unto my beloved wife Martha E Lewis and my Children Avery T Lewis, Mary T Lewis and Richard H Lewis Share and Share alike -

I hereby appoint my Brother Kenelm H Lewis Guardian to my Children Mary T Lewis and Richard H Lewis and release him from giving Security for the Same It is my wish and desire that my Said Brother Kenelm H Lewis Guardian of my Daughter Mary T Lewis Should Carry on the farm of my Said Daughter until She arrives at the age of twenty one years or marries. I Commit the personal Guardianship and Care of my Daughter Mary T to my esteemed friend Mrs W H Pratt of Mobile and trust She will accept the Same -

I give and bequeath unto my Brother Kenelm H Lewis the Sum of (Four) in trust to be expended by him in educating my Niece Anna Lewis (Daughter of my Brother John W Lewis deceased) at Salem in the State of North Carolina,

As memories and tokens of affection, I give and bequeath unto my Step Son Avery Foreman my Gold watch, unto my Step Son William T Foreman a diamond breast pin Costing from fifty to Seventy five Dollars, unto my Brother K H Lewis a diamond Breast pin, and unto my Brother T T Lewis a gold watch each Costing one hundred and fifty Dollars, and unto my Sister Emma Speight a ladies watch to Cost One hundred Dollars, and I request my Brother K H Lewis to buy the above articles and present them to the persons entitled to receive the Same,

I hereby nominate and appoint my Son Avery T Lewis and my Brother Kenelm H Lewis Executors to this my last Will and Testament with full and ample powers to execute the Same and I do hereby nominate and release them from giving Security for the execution and Administration of the Same in the Courts of Alabama or elsewhere. In addition to the usual Compensation to my Executors for Settling my Estate I wish the expenses of my Brother K H Lewis in going and returning from Alabama either on business of my estate or as Guardian of my Daughter

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Mary to be paid him - and in case of the death of my Brother R H Lewis I do hereby appoint my friend William H Hatt of Mobile and Allen C Jones of Greenboro Guardian to my Daughter Mary F, releasing them from giving Security. In testimony whereof I Richard H Lewis have hereunto set my hand and Seal this the twenty first day of June in the year of our Lord one thousand eight hundred and fifty Six Signed, Sealed, published and declared to be the last will & Testament of Richard H Lewis in the presence of us and each of us who were present at the Signing and Sealing thereof, written on three Sheets of Paper (Nine Pages)

Richard H Lewis (Seal)

Witnesses
Jas Munay
Richard Williams
Jas L Cobb

## Codicil

Whereas on the twenty first day of June in the year of our Lord one thousand Eight hundred and fifty Six I made and published my last Will & Testament and now being desirous of making certain alterations in my Said last Will & Testament, I do make and declare the ~~same~~ following to be a codicil to my Said, That is to Say in the body of my last Will and Testament all the lands and slaves given to my Daughter Mary F Lewis are given her in fee Simple, and I now wish to make a different disposition of a portion of Said lands and Slaves in the following manner viz, I devise give and bequeath unto my Son Ivey F Lewis and Richard H Lewis and my Brother R H Lewis as Trustees the following lands, to wit, The South East and South West Quarter of Section One Township 18. and Range 4 East Situate in Marengo County, State of Alabama and Containing Three hundred and Twenty acres more or less. Also the West half of the North West Quarter of Section 12 Township 18. and Range 4 East Containing Eighty acres more or less, in all about four hundred acres in Marengo County adjoining the lands I have given my Son Ivey, of Thomas M Johnson and of E B Vaughn, the Said Trustees to hold the Same for the Sole and exclusive use of my Said Daughter Mary F Lewis during her life free from the use control or dominion of any husband She may hereafter acquire, and after her death, I devise give and bequeath the Same to her Children and Grand Children, such Grand Child or Grand Children to Stand in the place of and represent the parent or parents respectively. And Should my Said Daughter Mary F Lewis die without leaving any Such representative then the Said lands are to go to my immediate descendants in Such Shares or proportions as the law of North Carolina directs.

And I further give and bequeath unto the Same Trustees to be held by them in the Same manner as the lands aforesaid, the following slaves, viz, Joshua & Big Betty - Madison & Mary - Ned & house Viney - Arthur - Elizabeth - Ada - Armitta - Mary & Bristo - Handy - Kitty - Henrietta - Priscilla - Ephraim - Maria and Andrew - Carey & Vinney - Willis (Shot) and Sarah - Lunnie - Little John - Elizabeth - Charity - Moses and Rachael - White, Delha and Child Charles and their increase, (the three latter are given in the body of my will to my Son Ivey F Lewis)

And I give the trustees aforesaid full ~~and~~ power and authority to retain all the annual proceeds of Said property & interest the Same from time to time for my Said Daughter Mary or pay the Same over to her as they may think best.

2d I wish and desire that the crops of Cotton ~~made~~ by me in the State of Alabama the present year, viz, 1856. Also all Such Sums of money I may be entitled to receive from the Executors of my uncle Richard Hanison together with all monies bonds and accounts on hand (with the

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exception of two bonds to be hereinafter disposed of) to be added in the hands of my executors for the purpose of paying my debts and the pecuniary legacies named in my last will & Testament and the balance that may be on hand after paying the debts and legacies aforesaid to be equally divided between my wife Martha E Lewis and my Children Ivey F Lewis - Mary F Lewis and Richard H Lewis, the share of my Son Richard H Lewis to be held by him in the Same manner as the legacies bequeathed to him in the third Clause of my last will and Testament,

3rd I give and bequeath unto my Son Ivey F Lewis and my Daughter Mary F Lewis a certain bond I hold against Mary Perkins deed, as principal and John R Mone as Surety now in the hands of Sart Stewart & Co given originally for the Sum of Five thousand Dollars and upon on which there has been made certain payments,

4th I give and bequeath unto my wife Martha E Lewis a certain bond I hold against William S Mallory for one thousand Dollars principal Money dated Norfolk - October 21st 1851 and payable on demand,

Signed, Sealed, published and declared to be a codicil a part of the last will & Testament of Richard H Lewis in the presence of us this the 29th day of Decr A. D. 1856

Richard H Lewis (Seal)

Witnesses
Jas L Cobb
Richd Williams

Ala County
County Court
Febry Term 1857

The foregoing paper writing purporting to be the last will and testament of Richard H Lewis and a codicil thereto is produced in Court and the due execution of the first Nine pages purporting to be the will is proved in due form of Law by the oaths of James Munay - Richard Williams and James L Cobb the Subscribing Witnesses thereto, and the part thereof purporting to be a codicil on four Pages is duly proven by the oaths of Richard Williams and James L Cobb the Subscribing Witnesses thereto, The Court thereupon adjudges the said paper writing and every part thereof to be the last will and Testament of Said Richard H Lewis and orders the Same to be recorded with this probate, Ivey F Lewis and Kenelm H Lewis the executors named in Said will duly qualified as Such

H Sheppard Clerk