Elizabeth, Sarah
John Stanly and
Alexander Kittrell
by their Guard & next friend
Allen Kittrell
agst
Sylvester Garrett
and wife Penelope &
Martha Kittrell &
Elias S Blount admr
Stanly Kittrell dead

County Court of Pitt County November Term 1850
This cause comes on upon the petition and testimony in the cause and the same is taken as confessed against the defendants and is heard ex parte And the Court adjudges and declares that Johnathan Kittrell deed left a last will & testament which was admitted to probate in due form in this Court and duly proven and filed and they further declare the contents of said will to be as follows to wit, "That the said Jonathan Kittrell devised "& bequeathed all his estate real personal and mixed to his wife "Rebecca during her life but if his said wife should marry "she should then take her dower and a childs part of the personal "estate, That his children as they married or became of age "should take the legacies and devises given to them
"He devised to his sons John Stanly and Alexander all his lands equally to be divided "between them
"He bequeathed to his other children a share to each in the personal estate equal to the "shares of his sons John Stanly and Alexander in the lands and that said shares "should be allotted to the boys as they arrived of age and to the girls as they arrived "of age or married And he directed that all his said property & estate should be "held in common to raise and educate his children until each one became entitled "to his or her share when of age or married." And the Court adjudges & declares that the said will and the records pertaining to the same were destroyed by fire at the burning of the Court House of this county on the 8th January 1858 and that the foregoing be recorded in the Will book of this Court as the last Will & Testament of the said Jonathan Kittrell dead and that this decree be recorded. It is ordered that the Clerk be allowed Three Dollars for his services and that the costs be paid equally by the petitioners and the defendants Martha Kittrell

State of North Carolina Court of Pleas & Quarter Sessions
Pitt County May Term 1859
Sidney H Spain vs Drury Spain D O Spain Stanly Spain James A Brown & wife Mary and Charles H Spain
The petition of Sidney H Spain vs Drury Spain D O Spain Stanly Spain James A Brown & wife Mary Charles Spain, respectfully showeth unto your Worships that some time in the year 1857 James T Spain died leaving the following last will and testament which was duly proven and recorded but together with the record thereof destroyed by fire in the burning of the Court House in Greenville in the year 1858 which said will was in the following words (to wit) Being in sound health both of body and mind and knowing it is ordained by the almighty power of God for all men to die, I here proceed to make the following devise of all the property and money or notes which may be found in any wise belonging to me in the name of God amen After paying my debts if any I have I bequeath as follows
1st I give to my beloved brother Sidney H Spain my tract of land and all thereunto belonging at Twelve hundred dollars
Secondly I give to my beloved & youngest brother Charles H Spain my interest in those negroes now at my Fathers which is one sixth part at Seven hundred & fifty dollars Now my land and negroes above given to my two above named brothers I want them to have as I have given them but they shall be put in at the above valuation with my other money note & property and equally divided between my four brothers and my sister If the land and negroes amount to more than the said Sidney & Charles equal they must pay over to the others to make them even amounts alike The amount

above given to my brother Stanly S Spain shall be invested in land for a home for the said Stanly S Spain and his children until the said Stanly S Spain's death then it shall be divided among his children The amount above given to my sister Mary M Brown shall be given to her for her use while she lives and then to her children Both of the aforesaid amounts given to Stanly S Spain and Mary M Brown shall be managed by my brothers Sidney H Spain and Charles H Spain as before specified whome I make here my executors to this my last will and testament and do hereunto set my hand and seal this the 14th day of March AD One Thousand eight hundred and fifty seven My hand writing shall be proof that the forgoing is my will My hand writing can be easily proven
James T Spain

The Lost Will and Testament

The Last Will and Testament of Theophilus Slaughter Decd
In the name of God Amen I Theophilus Slaughter of the State of North Carolina and County of Pitt being in perfect and sound disposing mind and memory thanks to God calling to mind the mortality of body and knowing that it is appointed for all men to die do make and ordain this my last will and testament that is I want to be buried in decent and christian form and after paying my just debts I lend to my beloved wife Nancy during her natural life all the estate of which I am possessed both real and personal and to sell privately and of said part or parts either real or personal as she may think necessary for her support or promotion of life and the right of said property goods to the purchaser
Item Naming the property Two Negro Girls Nelly and Jane Four Children Henry, William Mary Sarah Lucy with all my Lands except one Acre of Land whereon the Meeting House now stands which I give to my beloved brethren & sisters to them and their successors of the Free Will order from age to age and generation to generation the Meeting House free for other Baptist Preachers to Preach in at other times only the days of our own Meeting but not free to constitute Churches another order in but Free Will only
Item I give unto my beloved Nancy all my Stock consisting of Hogs Cattle and Sheep Poultry & Farming instruments Also what little funds I have on hand, at the death of my beloved wife whatever property remains belonging to my estate to be devided amongst our next of Kin having paid my just debts I leave this my last will and Testament and wife sole executor to this my
Whereunto I have hereunto set my hand and seal this the tenth day of November 1850
Theophilus Slaughter (Seal)
John Stocks
Shadrach Jackson

The last will and testament of Sarah Buckle Dec'd

I Sarah Buckle of Greenville in the County of Pitt and State of North Carolina being of sound and disposing mind and memory do make and declare this my last will and testament as follows. Imprimis. I desire that my burial expenses and all my just debts be paid by my Executor hereinafter mentioned and for the purpose of enabling them to defray the same should the available funds or debts which may belong or be owing to me at the time of my death not be sufficient therefor I do hereby authorize and empower my said Executor (or either of them as the case may be) to hire out to the best advantage all or any part of my Slaves necessary for the purpose until the said debts may be paid out of the proceeds of such hirings.

Item 2d The claim or right of indemnity which I have against the Government of the United States for spoliations committed on the property of my deceased husband the late Joseph Buckle by the French Government I give devise and bequeath unto Benjamin F. Eborn his Executors, administrators and assigns to hold the same and the proceeds of the same in trust for the following uses namely. That one third part thereof of whatever may be finally recovered of the same be held in trust for the sole and separate use and benefit of my Daughter Martha Ann Hoyt during her life without any right or control of her husband Goold Hoyt or any liability for her debts or contracts so that she may have the entire separate use of the interest as she may stand in need or require and also a portion of the principal if it should be necessary for her support and also so that the said trustee may at her request in writing under hand and seal lay out the said principal and interest or both or any part thereof in such other property as may be deemed most for her convenience and profit the same when thus changed to be held by the said trustee under the trust and conditions as above stated and that at the death of the said Martha Ann, the aforesaid one third part of the said claim or the proceeds thereof principal and interest or any proceeds from it that may remain, shall belong and be conveyed to the children of the said Martha Ann and as many of them as shall have died either before or after this date leaving issue such issue to draw the parent share, and if any of them should afterwards die before arriving at the age of twenty one years without issue for which purpose this part of the bequest is to be considered a loan during nonage, then the share of such to be divided according to the same principle among the survivors to them and their heirs and assigns forever. The remaining two thirds part of the said claim and proceeds thereof to be held by the said Benj F. Eborn for the use and benefit of the children of my said daughter Martha Ann Hoyt which she now has, has had or may have hereafter and as many of them as shall have died leaving issue, such issue to have the parents share and if any of them should afterwards die before arriving at the age of twenty one years without issue, then the share of such to go and be divided according to the above principal among her survivors provided that in case of the death of my great grands. daughter, Martha Ann Howard who is intended above to draw her mothers share without issue then her share to go to the other children of the said Martha Ann Hoyt on the same principal of division and at their deaths respectively to go to their heirs at law to them their heirs and assigns forever.

Item 3d I give devise and bequeath unto the said Benjamin F. Eborn his Executors, administrators and assigns the following negro slaves namely, Sampson, Essex, Mr. Cen of Cynthia Mr. Cen of Sukey, Dizah, Dianna, Clarissa, Barsheba and her two children named Jno. & Aquilla, the same to be held in trust by him for the following purposes namely that the aforesaid Martha Ann Hoyt during her coverture with her husband Goold Hoyt shall have and enjoy sole and separate use and benefit of the said Slaves, without any control of the said husband and without being liable to his debts or contracts and that she the said Martha Ann Hoyt shall have the right and power of giving and disposing of the said Slaves or any part of them as she may think proper by a last will and testament duly made and executed by her according to the usual form of law and if she should die during her present coverture without leaving such will, the said slaves shall descend and belong to her children then alive or that may have left issue and as many of her said children as shall have died leaving issue then alive such issue to draw the parents share to them and their heirs forever, but if the said Martha Ann Hoyt should survive her said husband then the said slaves and their increase shall be conveyed to and shall belong to the said Martha Ann Hoyt her heirs and assigns forever.

Item 4th I give devise and bequeath unto the said Benj F. Eborn his Executors and administrators and assigns all the rest of my slaves that I may die possessed of the same to be held by him in trust for the following purposes namely. That one third part of all the slaves that I may own or possess at the time of my death shall be held for the use and benefit of my great grands daughter Martha Howard so that if she shall die before arriving at the age of twenty one years leaving no issue the said slaves or third part of slaves above stated and their increase and profits shall go to the children of the said Martha Ann Hoyt and be held for their use and benefit to the same interest and be divided and conveyed and descends and return in the same manner as is described and intended in the foregoing disposition of the two thirds part of the claim mentioned in the second item of this will but as the bequest it is intended and hereby declared that if the aforesaid Martha Ann Howard should marry before arriving at the age of twenty one years the said slaves shall be held by the said trustee for her sole and separate use and benefit during her coverture without any control of her husband and without being liable to his debts and contracts and if she should die during her coverture leaving issue the same shall descend to such issue then heirs and assigns and if she should survive her husband the same to be conveyed and belong to her and her heirs and assigns forever. The other two third part of the slaves given in this item shall be held by the said trustee for the use and benefit of my Grands daughter Sally A. Hoyt and Mary E. I Dancy one half to each and to each during her life and in each case shall be so held as not to be under the control or liability to the debts or contracts of any husband that either now have or may have hereafter, but in each such case to be for her sole and separate use and benefit and at the death of each or either the share of such dec'd and shall descend to her child or children as the case may be and if any child shall have died leaving issue such issue to draw the parent share and for want of any child or descendant or issue of such the share of such deceased shall go to the children of the said Martha Ann Hoyt then alive and to the issue of such as may have died to them and their heirs and assigns forever but it is to