

13 Benjamin all that tract of land I bought of H. Olin to have and to hold to him and his heirs in fee simple forever I give and devise to my son N. B. Pittenton that of Volney land containing fifty acres more his natural life at his death I will and devise to his heirs in fee simple forever I give and devise to my daughter Mary E. Lewis ten dollars to be paid her by my executors I will she is to have no more of my property for her maintenance but my share I give and devise to my beloved wife Mary J. Pittenton all my stock of every description during her natural life and at her death I will the stock to be equally divided between my four heirs N. B. Pittenton and J. H. Pittenton and Deborah E. Gaylord heirs I will it is also in this my last will that E. Lewis is not to have any more of my estate than what I have given her in the above item and I do this for her best conduct towards me and I do her by bond and oath my two sons Benjamin Pittenton John H. Pittenton Rowfull Executors to all intents and purposes to execute this my last will and testament according to the true intent and meaning of the same and every part and clause thereof hereby making and declaring utterly void all other wills and testaments by me heretofore made in writing When of I the said Benjamin Pittenton do hereunto set my hand and seal this 28th day of February A.D. 1882 Signed Sealed Published and Benjamin Pittenton declared by the said Benjamin Pittenton to be his last will and testament in the presence of who at his request and in his presence do subscribed our names as witnesses thereto

B. B. Phelps
Stephen H. Davis
H. H. Davis

State of North Carolina

Washington County } In the Probate Court
A paper purporting to be the last will and testament of Benjamin Pittenton deceased is exhibited before me the undersigned Judge of Probate for said County By Benjamin Pittenton the executor therein mentioned

and the due execution thereof by the said Benjamin Pittenton B. B. Phelps H. H. Davis & Stephen H. Davis The Subscribing witnesses thereto who being duly sworn do so depose and say and each for himself depose and swear that he is a Subscribing witness to the paper writing now shown him purporting to be the last will and testament of Benjamin Pittenton that the said Benjamin Pittenton in the presence of the deponent subscribed his name at the end of said paper writing which is now shown as aforesaid and which bears date of the 28th day of Feb. 1882 and the deponent further swears that the said Benjamin Pittenton the testator aforesaid did at the time of subscribing his name as aforesaid declare the said paper writing to be subscribed by him and exhibited to be his last will and testament and the deponent did thereupon subscribe his name at the end of said will as an attesting witness thereto and at the request and in the presence of the said testator and the deponent further swears that at the said time when the said testator subscribed his name to the said last will as aforesaid and at the time of the deponent subscribing his name as an attesting witness thereto as aforesaid the said Benjamin Pittenton was of sound mind and memory of full age to execute a will and was not under any restraint to the knowledge information or belief of the deponent and further these deponents say not

Sworn and Subscribed
this 28th day of Sept 1882 before
me

B. B. Phelps
Stephen H. Davis
H. H. Davis

D. P. Harrison
Probate Judge

I Jacob Spear of the County of Washington and State of North Carolina

being of sound mind and memory but considering the uncertainty of my earthly existence do make and declare this my last will and testament in manner and form as follows That is to say that I wish my Executor hereafter named shall provide for my body a decent burial and I wish to the wishes of my relatives and friends and pray all friends & friends together with my just debts howsoever and to whomsoever owing out of the monies that may justly come into his hands as a part or parcel of my estate I give and devise to my beloved wife Anne E. Spear all the lands that I now own and all of my personal

property household and kitchen furniture and stock of every description and all farming utensils to be hers during her natural lifetime and after her death I will and bequeath to my Sons David, Thos Spear Jacob Spear Abraham Spear Benjamin Spear & Isaac Spear all of my lands to be equally divided between them but each one of my Sons above mentioned must pay the sum of one hundred Dollars each over to my Executor or he the said Executor must seek the same out long enough to bring five hundred Dollars ^{paid} each five hundred to be divided equally between my five Daughters named as Abigail Charlotte, Liza Mary Ann Spear & Martha J. Spear Cornelia Spear the aforesaid which I have already advanced my Sons Henry & Isaac Spear & some of my Sons is in equal proportion with the rest and is all that I will them in my last Will & Testament I will and bequeath to all of my Children except Henry & Isaac Spear & some of my Sons & Malinda a small one bid on the worth of a bed after the death of my wife Anne E. Spear out of the personal property which may come into his hands and a part of the said of my estate then the balance of my personal property to be equally divided between my lawful heirs and I do hereby constitute and appoint my trusty friend Alex Armstrong my lawful executor to all intents and purposes to execute this my last will & Testament according to the true intent and meaning of the same and every part & clause this of hereby revoking and declaring that no will or other Will and Testaments by me heretofore made in this or Wis of the said Jacob Spear do herunto in my hand and seal this 17th day of Oct A.D. 1882

Jacob Spear ^{Test}

Signed Read published and decreed by the said Jacob Spear to be his last will & Testament in presence of us who at his Request in his presence and in the presence of each other deposited our names as witnesses

Alex Armstrong
C. H. Spruill

I Anne E. Spear Wife of Jacob Spear Decd. do hereby declare from the above Will and Testament of my husband and do appoint Alex Armstrong to enter said decedent to Probate Judge as my last will will allow me to appear myself in person that up my hand and seal to the 17th day of Nov 1882
Betsey
C. H. Spruill

Anne E. Spear ^{Test}

State of North Carolina

Washington County } In the Probate Court
a paper purporting to be the last will & testament of Jacob Spear deceased is exhibited before me the undersigned and Judge of Probate for said County by Alex Armstrong the executor thereof mentioned and the two executors thereof by the said Jacob Spear by the said and statement of Alex Armstrong & Abigail Charlotte & Malinda & Isaac Spear who being duly sworn depose and say and each for himself depose and say that he is a subscribing witness to the paper writing now shown him purporting to be the last will and testament of Jacob Spear. That the said Jacob Spear in the presence of this deponent subscribed his name at the end of said paper writing which is now shown as aforesaid and which bears date of the 17th day of October 1882. And the deponents further say that the said Jacob Spear the testator aforesaid died at the time of subscribing his name as aforesaid declare the said paper writing & subscribed by him and exhibited to be his last will and testament and this deponent did thereupon subscribe his name at the end of said will as an attesting witness thereto and at the request and in the presence of the said testator. And this deponent further saith that at the said time when the said testator subscribed his name to the last will as aforesaid and at the time of the deponents subscribing his name as an attesting witness thereto as aforesaid the said Jacob Spear was of sound mind and memory of full age to execute a will and was not under any restraint to the knowledge information or belief of this deponent and further these deponents say not.

Alex Armstrong
C. H. Spruill

^{Test}
^{Test}

Personally Sworn and subscribed
this the 16th day of November 1882.
Before me
J. F. Harrison Probate Judge

property household and kitchen furniture and stock of every description and all farming utensils to be hers during her natural lifetime and after her death I will and bequeath to my Sons David, the Son Jacob Spear Abraham Spear Benjamin Spear & Isaac Spear all of my lands to be equally divided between them but each one of my Sons above mentioned must pay the sum of one hundred Dollars each over to my Executor or he the said Executor must seek the lands out long enough to bring five hundred Dollars ^{paid} each five hundred to be divided equally between my five Daughters named as Shuld Charlotte, & John's Mary Ann Spear Martha J. Spear Cornelia J. Spear the advancement that I have already advanced my Son Henry J. Spear Charles J. Spear & some Spear is in equal proportion with the rest and is all that I will them in my last will & testament I will and bequeath to all of my children except Henry J. Spear & Charles Spear & Martha & Shuld one and a half or the worth of a bed after the death of my wife Anne E. Spear out of the personal property which may come into his hands and a part of the proceeds of my estate then the balance of my personal property to be equally divided between my lawful heirs and I do hereby constitute and appoint my trusty friend Alex Armstrong my lawful executor to all intents and purposes to execute the my last will & testament according to the true intent and meaning of the same and every part & clause thereof hereby reciting and declaring that I will use the said will and testament by me hereafter made in the presence of the said Jacob Spear the Executor of my land and seal this the 17th day of Oct A.D. 1882

Jacob Spear ^{Test}
1882

Signed, Read, Published and decreed by the said Jacob Spear to be his last will & testament in presence of us who at his Request in his presence and in the presence of each other do subscribe our names as Witnesses

Alex Armstrong
C. H. Spruill

I Anne E. Spear Wife of Jacob Spear do hereby decend from the above will and testament of my husband and do appoint Alex Armstrong to enter said decend to Probate Judge as my last will and allow me to appear myself in person before my husband and seal to the Judge of Nov 1882
Witness
C. H. Spruill
Anne E. Spear ^{Test}
1882

State of North Carolina

Washington County } In the Probate Court
a paper purporting to be the last will & testament of Jacob Spear deceased is exhibited before me the undersigned and Judge of Probate for said County by Alex Armstrong the executor therein mentioned and the said executor sheweth by the said Jacob Spear by the said and statement of Alex Armstrong & Shuld that he is subscribing thereto as witness thereto who being duly sworn depose and say and each for himself depose that he is a subscribing witness to the paper writing now shown him purporting to be the last will and testament of Jacob Spear. That the said Jacob Spear in the presence of this deponent subscribed his name at the end of said paper writing which is now shown as aforesaid and which bears date of the 17th day of October 1882. And the deponents further say that the said Jacob Spear the testator aforesaid died at the time of subscribing his name as aforesaid declare the said paper writing so subscribed by him and exhibited to be his last will and testament and this deponents do thereupon subscribe his name at the end of said will as an attesting witness thereto and at the request and in the presence of the said testator. And this deponent further depose that at the said time when the said testator subscribed his name to the last will as aforesaid and at the time of the deponents subscribing his name as an attesting witness thereto as aforesaid the said Jacob Spear was of sound mind and memory of full age to execute a will and was not under any restraint to the knowledge information or belief of this deponent and further these deponents say not.

Alex Armstrong
C. H. Spruill

^{Test}
^{Test}

Personally Sworn and subscribed
this the 16th day of November 1882.

Before me

J. F. Harrison Probate Judge