

In the name of God Amen:

I, David Clark of Scotland Neck of the County of Halifax and State of North Carolina, of good health and sound mind do make this to be my last will and testament, that is to say:

First I appoint my brother William M. Clark, my friends James L. Johnston and Gavin Hogg and my son Leelin Clark executors of this my will and and Guardians of each of my children, as may be minors at my decease and I authorize my said executors or such of them as may qualify or the survivors of them to sell or lease my real estate in the counties of Martin, Washington and Berke and to lease but not to sell any part of my real estate in Northampton and Halifax Counties and I authorize and request them to cultivate such part of my real estate as may not be sold or leased, and to make such building, machines, changes, repairs and improvements as may seem to them advisable or necessary. I give my said executors who may qualify and the survivors of them power and authority to bid, sell, lend out at interest and dispose of the whole of my personal estate and with the proceeds, issues, rents, profits and interest of my said real estate and personal estate to purchase other real estate personal property, public securities, stock of public and private corporations, or to lend the same out on mortgages or on bonds with personal security and the property real and personal, stock and securities so acquired to sell, dispose of and collect and to reinvest the proceeds, interest and profits thereof, as often and in such manner as they may think proper and I direct my said executors in pursuance of the power granted them to sell my lands in the counties of Berke and Martin on credit to such purchasers; as soon as the same can be done with advantage and I direct them not to sell the rest of my real estate and slaves unless some important change in the affairs or trade of the County, or the laws of the State or in the condition of my family should render a sale expedient. I direct my house property in (See 2nd page) Second page of this my will signed by me this tenth day of May 1828,
David Clark

Payments to be rented out and to increase its value I direct my executors to keep the same in good repairs and from time to time to erect such new buildings, shams and other improvements as to them may seem proper and advantageous; and if my executors cannot rent out said house property to advantage or the condition of said property, or if my family should render a sale of part of it or the whole of it necessary then I direct my executors to make such sale; and in general I authorize and direct my executors or such of them as may qualify or the survivors of them to manage my estate in such a manner and at such expense as they may think necessary and for that purpose to employ and pay stewards, overseers, agents, clerks and workmen of all kinds for the proper cultivation of my estate and management of my affairs.

Thus Second: I give to each of my executors fifty guineas to buy a watch or other article of that value to be kept in memory of the regard I had for them.

Thus Third: I give to Mrs. Faithfull Sells for her life line barrels of Corn to be delivered at her house in the month of December in each year.

Thus Fourth: I give and bequeath each of my daughters, Janet, Frances, Sarah Ann, Mary Ann and Lucy M. twenty five thousand dollars to be paid to each of them when she attains the age of twenty one years, in money, bonds or stock as shall be most convenient to my executors. I also give to each of my said daughters five slaves when she attains the age of twenty one years, said slaves to be selected for each of my daughters by my executors so as to be of an average value with the slaves undivided at the time of the selection; and it is my will and desire that my executors in this direction may not pay over to any daughter of mine at her age of twenty one years, the legacy she is entitled to under this will if she be then married to a husband, who in the judgment of my acting executor or executors is prodigal or imprudent, but my executors in such a

(Third page of this my will signed by me this tenth day of May 1828)

David Clark

case are authorized and required to retain the said sum of twenty five thousand dollars and the five slaves in this

possessions and to pay over the interest and the hire of the same to my said daughter to her separate use, as if she were a feme sole during her coverture or life and if she shall die leaving a child or children, her husband surviving her, then my said executors shall pay over said sum of money and slaves to such child or children, or if they be minors to a guardian duly appointed under the laws and if my said daughter should die without leaving issue living at the time of her death, then said sum of money and slaves to go as hereinafter provided for by the sixth item of this my will. It is my intent that if my executors by the authority hereby granted to them shall retain the legacy given to my daughter at twenty one that my daughter whose legacy is so retained shall not be capable of executing the power by this sixth of this my will granted to her to dispose of her said legacy at twenty one by paper writing in the nature of a deed or will, but that the said power shall be superseded and shall not be exercised by her during her said coverture.

Item Sixth: I direct all my debts to be paid out of my estate and all the expenses of managing and improving my estate and of supporting my children to be paid out of the profits, rents, issues and interest of my estate as a common fund and after the payment of such debts and expenses and the payment of legacies, I give, devise and bequeath the whole residue of my estate real and personal to my sons Colin, William and David and their heirs, each of them to take one third of said residue as it shall be when he attains the age of twenty one years, each share to be laid off and assigned to him by my acting executors or the survivors of them. I direct no making such assignment that my son Colin shall have no voice but that it shall be made by my other acting executors and I direct that so much of the tract of land on which I now live as was conveyed to me by

(Fourth page of this my will signed by me this last day of May 1828.

David Clark)

Hamadur's Knopsh together with my dwelling house and out-houses built thereon and all my household furniture inclusive of my books and my kitchen furniture be assigned to my son

Colin's estate as part of his third part of the residue of my estate devised to him at a valuation of \$5000 without regard to its real value which I suppose is more than \$5000; and I direct my executors to permit my son Colin to take possession of such furniture of all kinds that may be in said dwelling house and kitchen at my death without any inventory being taken of the same, it being my wish that no such inventory be taken.

Item Seventh: It is my will that the legacies of twenty five thousand dollars and two five slaves given to each of my daughters and the shares of the residue given to each of my sons in this my will shall be subject to the remainder limitations and conditions hereinafter expressed, that is to say if either of my said sons shall die without leaving issue living at the time of his death and without having disposed of his share of the residue by deed, gift, devise or otherwise which as soon as he attains the age of twenty one it is my intent he shall have power to do and if any one of my daughters shall die without issue living at the time of her death and without making any disposition of her legacy by deed, gift, bequest or in case such daughter is a married woman in any writing in the nature of a deed or will (which as soon as she attains the age of twenty one it is my intent she shall have power to do) then it is my will that the share of such a son and the legacy of such a daughter so dying without issue living at the time of his or her death and without having made any disposition as aforesaid shall be and remain to my surviving sons and daughters and to the issue of any son or daughter of mine who may have died leaving such the issue to represent his or her father or mother and to take such share as he or she would have taken if alive, and if my

(Fifth page of this my will signed by me this last day of May 1828.

David Clark)

other son or sons of mine shall afterwards die without issue living as aforesaid, and without making any disposition as aforesaid of his residuary share and of the property which he may have acquired by the death of any child or children of mine under this will; and if any other daughter or daughters of mine shall die without leaving issue as aforesaid and without having

made such disposition as aforesaid of his legacy or of the property which she may have acquired under this will by the death of any child or children of mine; then it is my will that the residuary share of such other son or sons, dying, or the legacy of such other daughter or daughters so dying together with all property by him or her under this will acquired by the death of my child or children shall go to his or her surviving brothers and sisters and the issue taking by representation as aforesaid, so that upon the death of any such other child of mine without leaving issue as aforesaid and without having made such disposition as aforesaid, all the property held by such other child directly or by remainder under this will may and shall remain to his brothers and sisters surviving and also the surviving issue of a deceased brother or sister taking by representation as aforesaid and if on the death of my last child without issue as aforesaid there be any issue or issues of any of my deceased children surviving such last child, then it is my desire that the whole of the residuary share and legacies, which may have vested in such last child directly or in remainder shall go to such issue or issues taking by representation as aforesaid and not per capita; and if there shall be no surviving issue, then it is my will that all the residuary and legacies which will have vested in such last child shall go over to his or her heirs at Law and next of kin; that is the Real Estate to his or her heirs at Law and the personally to his next of kin; Provided always that the wife of any child of mine shall survive him shall be entitled to her Dower

(Sixth page of this my will signed by me this tenth day of May 1828.

David Clark.)

in his real estate and his distributive share in the personally and she shall take under this will the same interest in both, as she would have done in the same property by laws if it had been her husband's the lands he in fee and the personally he absolutely, notwithstanding the limitations in this will and provided also that if any daughter of mine shall die leaving a husband so that her property shall go over to my children or their issue then and in that case; such husband shall be

entitled to one third of all the estate, which his wife holds at her death and all the limitations in this will are hereby declared subject to these provisions.

Item Seventh: It is my will that if any of my daughters marry before she be twenty one that my executors pay to her husband the interest on twenty one thousand dollars from the day of her marriage until the day his wife attains the age of twenty one and that such interest be paid annually or semi-annually to such husband in advance the first payment to be on the day of the marriage; and that he be entitled to the possession of the five slaves given to his wife from the day of his marriage.

Item Eighth: I wish to impress my executors with the deep anxiety I feel, that my children be properly educated. I enjoin it on them as Guardians of my children to spare no expense which promises a corresponding improvement.

Item Ninth: I request my executors to see that my slaves be treated with kindness and indulgence that they may have an ample allowance of provisions, clothing and bedding that they may have comfortable houses to live in and when sick all needful medicines and nursing; that each laboring slave may have ground laid off to him or her to cultivate for his or her use and that half of every Saturday be allowed such slaves for cultivation. I also request my executors to restrain

(Seventh and last page of this my will signed by me this tenth day of May 1828.

David Clark.)

There is immediate authority over my slaves from all wanton unnecessary or severe punishments; and I desire that all disorderly slaves who will not do without punishment be sold. I direct that old Ned for his honesty and fidelity be discharged from all labor but that he may choose to do and that his comfortable support be provided for out of my estate by a yearly allowance of provisions, clothing, etc.

Lastly, I declare this to be my last will and I move all others. In testimony of all which I have signed and sealed these presents this tenth day of May in the year of our Lord 1828.

(Only)

David Clark (Seal)

Signed, published and declared
in presence of

John Bishop
General Young
Wm. Nichols

State of North Carolina
Halifax County

Court of Deas and Grants sessions Third
Monday of November A.D. 1829.

Then this paper written
was duly proved in open Court to be the last will and testament
of David Clark, deceased, by the oath of John Bishop, General
Young and William Nichols the subscribing witnesses thereto.
Therefore it is ordered by the Court to be recorded.

Teste

W. H. Callaway. - Clerk.

End:

North Carolina }
Halifax County } in the Superior Court.

I, Sterling M. Gann, Clerk of the Superior Court for
the County of Halifax, State of North Carolina, do hereby
certify that the foregoing is a full, true and perfect copy
of the will of David Clark, recorded in Will Books, Vol. 4, of
page 55, of record in this Office.

Witness my hand and official seal, at Office in Halifax Town,
this 12th day of October, A.D. 1916.

(Seal)

Sterling M. Gann,
Clerk Superior Court.

Recorded in Washington County,

A.D. 20, 1916.

North Carolina, Washington County,

I George Mann of the aforesaid County and State, being of sound
mind, but considering the uncertainty of my earthly existence, do make
and declare the my last will and testament -

1st. - I give and bequeath to my dear wife for her natural life
my farm where I now live the said land being known as the "Gaylord"
tract of land. I further give to her for her natural life all of my
horses, farming utensils together with all other chattel property that
I may own at the time of my death.

2nd. - I give and bequeath to my son Dr. William Mann my
farm known as the "Gaylord Tract" of land where I now live,
however receiving therein the life estate of my dear wife.

3rd. - I give and bequeath to my grand son Willie Graham our
lot situated in the town of Chymment N.C. and adjoining the lands
of the heirs of William Nichols and others and lying and being on
Mann's tract.

4th. - I give to my daughter Nannet Graham the sum of
Five Hundred dollars and to my son Frank Mann the sum of
One Hundred dollars to be paid out of my estate by my
executors hereinafter named.

5th. - That after the death of my dear wife, it is my will that
all the chattel property left of my estate shall be equally
divided between my son Dr. William Mann and my daughter
Nannet Graham.

I hereby appoint my son Dr. William Mann my executor
of this my last will and testament and he shall not be
required to give bond.

In witness whereof I, the said George Mann do hereunto
set my hand and seal, this 13th day September 1915.

George Mann (Seal)

Signed, sealed, declared by the said George Mann to be
his last will and testament in the presence of us, who, at his
request and in his presence and in the presence of each other,
do subscribe our names as witnesses thereto.

D. M. Basnight

H. H. Howells

(over)