

CULLEN POLLOCK'S WILL.

NORTH CAROLINA. ss,

IN THE NAME OF GOD AMEN. I, Cullen Pollock, of Tyrrel County, Gen., calling to mind the uncertainty of ye mortal life & yt all Flesh must dye, Do make & Ordain this to be my last Will & Testament hereby Revoking, disanuling, & makeing void all former Wills & Testaments by me heretofore made.

Imprimis, I Bequeath my soul unto almighty God; And my Body to be decently Buried at ye discretion of my Excrs. here-after named; And as to what worldly Estate it hath pleased God to bless me with, I Give & dispose of as followeth:

Item, I Give & Bequeath unto my dear & loveing Wife, Frances Pollock, one Plantation & Tract of Land at Matchapungo River, in Hide County; And also, one Lott of Land in Bath Town in Beaufort County, And also, ye Negroes following, (Viz.) Bess & her Seven Children, Harry, Morea, Prince, Caesar, Bristoll, Betty, & Edenburg, boath the Lands & Negroes, to her Heirs for Ever; with one Sixth part of all my Houshold-Goods, Stocks of Horses, Cattle, Sheep & Hoggs, to her & her Heirs for Ever.

Item, I Give & Bequeath unto my loveing Wife, Frances Pollock, ye use & Occupation of any one of my Plantations, yt she shall chuse, wth ye use of the Negroes following, (viz.) Pappa Seesar & great Rose, Cajo & his Wife pegg, Will & his wife Sarah with their Daughter Moll & Son Pomp, (the Land [Interlin'd in the original] & Negroes dureing her life), And after my Wifes death it is my Will & desire yt ye Land & negroes herein left to Her dureing Life (& not to her & her Heirs for Ever.), go to my Children as hereafter directed, yt is to say, to be equally divided between my Sons, George & Cullen, wth ye oyr Land & Negroes hereafter given them.

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Item, I Give & Bequeath unto my Nephews, Cullen & Thomas Pollock, Sons of my Bror. Thomas Pollock, Deceased, all yt Stock of Cattle at the Plantation on Salmon Creek where my Bror. George Pollock, deceased, about fifty & four head wch were drove to my sd. Nephews Quarters above black-rock; And also the Negroes following, (viz) Frank & his Wife Dinah with their Children, George, Frank, Joshua, old Nanne now old Dicks Wife, Bodwin & his wife Hoop & their four Children Jamie, Seesar, Todge, & Moses, the Boy Dowe, Jamie & his four Children yt he had by his wife Patience, or rather Patiences four Children; Jamie & Hanna, Pat & Mingo: Jack the Cooper, little Rose & her two Children, Dinah, & Seesar, wth their Increas, to be delivered to my sd. Nephews when they arive at the age of twenty & one Years, to them & their Heirs for Ever; But if neither of my sd. nephews shall arrive to the age of twenty & one Years, nor at their Deceas leve any Lawfull Issue, That in such Cases it is my Will that the Legacy hereby given to them goe to my Children to be devided as followeth: yt is to say, two seventh parts to my Son George, Two Seventh parts to my son Cullen, one Seventh part to my Daughter Martha, one Seventh part to my Daughter Frances, & one Seventh part to my Daughter Mary, to them & their Heirs for ever: and I do hereby decree yt ye Legacyes by me given in this Will to my nephews, ye Sons of my Bror. Thomas Pollock, are given in conformity to a Trust lodged & reposed in me by my Bror. George Pollock, the consideration for two Bills of Sales & wch I declared in my answer to Mr. Thomas Blount & his Wife's Petition to the Genll. Court of this Province: and further in conformity to ye same it is my Will yt if any part of my Bror. George Pollock's P'sonall Estate is or shall be recovered by ye suit yt Mr. Thomas Blount, Deceased, & his Wife formerly brought for one halfe of the sd. Estate; or if any part of ye sd. Estate be hereafter recovered by any suit that may hereafter be brought by Mrs. Elizabeth Blount, now Widow of the sd. Thomas Blount, or oyr Person on account of Her claim to my sd. Brother's Personall Estate by being his Widow; That in such case the aforsd. Legacyes to my sd. Nephews, Cullen & Thomas, be charged with one halfe yt may be recovered as aforsd. and also one halfe of the Charges yt I have been at in defending ye sd Estate, and also, one halfe of ye like charges yt may accrue hereafter, to be paid out of the Legacyes given to my sd Nephews. And the other halfe to be paid proportionally out of ye Legacyes given to my Wife &

Children of my Personal Estate yt is, those yt have litle pay litle, & those yt have more pay more, in proportion to what they have, so as to pay one halfe so recovered, with one halfe the Charges.

Item, I Give & Bequeath unto my Daughter, Martha Pollock,

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all the Plantation & Tract of Land lying upon a Branch of Trent River, called the halfe way House, in Craven County, containing about Seven hundred & tenn Acres, on wch Jacob Sheets now lives; with Thirteen Negro Slaves; that is my Negroes or Slaves being devided thirteen in each parcell or Lott, & each parcell or Lott to be as near as possible of equal Value, & my sd Daughter Martha, to have one parcell or Lott, with one Sixth part of all my Houshold Goods, Stocks of Horses, Cattle Hogs & Sheep; all which negroes, wth the Sixth part of the Stocks & houshold Goods aforsd. to Her & her Heirs for Ever.

Item, I Give & Bequeath unto my Daughter, Frances Pollock, one Plantation & Tract of Land in Tyrrel County, called the deaded Woods, contain'd in two Pattents, one in the name of William Milton, ye oyr in the Name of Richard Milton, & by them sold to Jno. adderly, of whom I have his Deed for 1280 Acres, lying on Coneto Creek in Tyrrel County; and also, thirteen Negroes or Slaves of equal goodness & Value to those I by this Will give to my Daughter Martha, wth one Sixth part of all my Stocks of Horses, Cattle, Sheep & Hogs; and also one Sixth part of all my Houshold-Goods; all which Land, negroes, houshold-Goods, & Stocks aforsd., I give to my Daughter Frances, to Her & Her Heirs for Ever.

Item, I Give & Bequeath unto my Daughter, Mary, one Plantation & Tract of Land in Bertie County, containing Six hundred & forty Acres, on ye Roonaroy Meadows, lying betwen Land yt belonged to my Bror. Thomas, Land yt belonged to Collo Jones, & land that belonged to Collo. Maule, ye Pattent in my Bror. George's name, & dated ye second day of august, anno Dom., seventeen hundred & Twenty Six; And also thirteen negroes or Slaves of equal goodness & value of those yt I by this Will give to my Daughter Martha; And also one Sixth part of all my Houshold-Goods, Stocks of Horses, Cattle, Sheep & Hogs, All wch Land, Negroes, Houshold Goods, Stocks of Horses, Cattle, Sheep & Hogs, I give to my sd. Daughter Mary, to Her & her Heirs for Ever. (vide margin) and it is my Will & desire yt ye. Legacy herein given to my Daughters be delivered to each of them as they shall arive at twenty one Years or at ye day of their marriage, wch first shall happen.

Item, I Give & Bequeath unto my two beloved Sons, George Pollock & Cullen Pollock, all my oyr Estate, boath real & Personall, wch is not before in this Will bequeathed, to be equally devided between them & each of them to have his equal part to Him & his Heirs for ever; my Son George to have his part when He shall arive at the Age of twenty one Years: And my Son Cullen to have his part delivered to him when He shall arive at ye age of twenty & one Years; & that my Son George have the first choise in the Devision.

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Item, It is my Will & desire yt if one of my Sons, either George or Cullen, shall Dye before He arrive to ye age of twenty & one Years, or day of marriage, yt ye Legacy of my Personall Estate by this Will given to him yt so dyeth, be devided amongst my Children surviving as followeth; (Viz), one halfe to my Son surviveing, & ye other halfe to be devided equally amongst my three Daughters aforsd.

Item, It is my Will & Desire yt if one of my Daughters Martha, Frances or Mary shall dye before she arrive to the age of twenty & one years, or day of Marriage, yt ye Legacy of my personall Estate by this Will given to her yt so dyeth, be devided amongst my Children surviveing as followeth: (viz), two thirds to my two Sons, George & Cullen, to be equally devided between them, & the other third to be equally devided amongst my Daughters surviveing: and it is my Will & desire yt if two of my sd. Daughters shall deceas before they arrive to the Age of Twenty & one Years, or day of Marriage, that the Legacyes given them by this Will of my Personall Estate, that so dyeth, be devided amongst my Children surviveing as followeth, (Viz), four fifths to my two Sons George & Cullen, to be equally devided between them & ye other fifth to my Daughter surviveing.

Item, It is my Will & desire yt. whatever Just Debts appear against my Estate (except what I have before directed) yt it be immediately paid out of the ready money yt I leve, or out of ye Debts due to me.

Item, It is my Will & desire that my thre Daughters have as good Education as can be had in this Province, & that my two Sons when they have got what learning they can have in this Province, that they be sent to Boston for farther Education, & their to remain untill they be eighteen Years of Age in ye care of some discrete Person to direct what Education will be most usefull for them; & yt all charges ariseing for & towards Educateing my Children as forsd. be paid out of the Profits of my whole Estate Bequeathed to my Children.

[In the Original here is seventeen Lines erased with the following wrote in the margin, (Vizt) "Note this Clause was Wrote when my Wife was bigg with Mary, my Youngest Daughter, now of no use".]

Item, I Give & Bequeath unto my Daughter, Elizabeth, to her & her Heirs for Ever, Two Thousand Acres of Land to be laid off out of a Tract of Land yt my Bror. George Pollock, formerly Rented to Edward Buxton in Bertie County, The Pattent contains 4700 Acres, & Dated ye 13th. day of May, Anno Dom., 1714; I also Give & Bequeath unto my sd. Daughter, Eleven Negroes to be taken out of the foregoing Legacyes as followeth: (Viz) one from my Wife Frances's part, two from each of my aforsd three Daughters parts, & four from those

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Negroes before Given to my two Sons, to be devided, or shared out to Her, in the same manner as before by this Will is Directed for my oyr Children; And also I Bequeath yo my sd. Daughter, one seventh part of all my Stocks, of Cattle, Horses, Sheep, Hogs & houshold-Goods, to be taken out of the Legacyes in this Will before Bequeathed to my Wife & Children, So as yt my Wife & Children may each of them have an equal part thereof. Furthermore, it is my Will & desire yt this Legacy be delivered into the Possession of my sd Daughter (if it be a Girl) when She arrives at the Age of twenty & one Years or day of marriage, wch first shall happen, but if She should decease before She arive at the Age of Twenty & one Years, or day of marriage, In that Case it is my Will yt this Legacy be utterly Void, and the foregoing Legacyes remain in every respect as they are.

Lastly, I Nominate & appoint my beloved Wife, Frances, Executrix & my Loveing Bror.: Colo. Robert West, Stevens Lee, Esqr., Wm Cathcart, Esqr., & Mr. Robert West, Executors of this my last Will & Testament, hereby revokeing all other Wills & Testaments by me in any ways heretofore made, & hoping (if occasion be) that my said Executrix & Executors will see the same duely Executed.

In Testimony whereof I have hereunto set my Hand & Seal this 13th day of August, Anno Dom., 1749. The Words (my Daughter Elizabeth to Her) ware interlined before the Sighning, Sealing & publishing of this present Will, as also, Wm. Cathcart, Esq.

CULLEN POLLOCK (L S)

Signed, Sealed, Published & declared in the Presence off:

ELIZABETH LEE.

JOHN GOMM.

WILLIAM HANSARD

NORTH CAROLINA, TYRREL COUNTY. June County Court, 1751.

Present his Majestys Justices:

These may Certifie that the within will was proved in open Court by the Oaths of John Gum, and William Hansford, subscribing Evedences thereto, that they saw the Hon. Cullen Pollock, Esq., Deceased, Sign, Seal, Publish & declare the within contains His last Will and Testament; and that he was then and at that time of sound and disposeing Memory; then also appeared Col. Robert West, and Capt. Robert West, Executors to the said Will and were duely Qualified by taking the Oath by Law appointed to be taken by Executors. Ordered that the Hon. Nathaniel Rice, Esq., Secretary of this Province, or his Deputy, have notice thereof that Letters Testamentary Ishue thereon as the Law Directs.

Test. EVAN JONES, C. C.

Recorded in Will Book 5, page 23.