

to be the last will and testament of Daniel Shaw, decd. is offered in court by James A. Elkins, one of the executors therein named, and the said will is duly proved by the oaths of N. C. McCollum and D. F. Shaw and thereupon James A. Elkins was duly qualified as executor of the said will.

It is therefore considered that the said paper writing and all parts thereof is the last will and testament of Daniel Shaw and the same is ordered to be recorded and filed.

D. Blue,
Judge of Probate.

In the name of God Amen.

I, Jesse B. Wiggins, of the county of Bladen and State of North Carolina, being of sound mind and memory, blessed be God for the same, and knowing the uncertainty of life and the certainty of death, do make, publish and declare this my last will and testament in manner and form following.

Item 1st. I request that my body shall be buried with becoming Christian ceremonies and that my funeral expenses for the same shall be paid.

Item 2nd. I hereby create, constitute and appoint my friend John W. Ellis trustee to and for my wife Lucy Wiggins and my daughter Mary Eliza Wiggins and Daniel W. Mears to hold in trust and for the use and benefit of my said wife and daughter and Daniel W. Mears all of my estate and property of every kind and description subject to the following limitations and directions.

Item 3rd. It is my will and desire that John W. Ellis herein created trustee, as aforesaid, shall hold all of my estate and property of every kind and description for the sole use

and benefit of my wife and daughter and Daniel W. Mears for their joint support and maintenance, keeping the same together and that they shall enjoy the use thereof and from the rents, issues, profits, products and fruits arising therefrom; that my said wife and daughter and Daniel W. Mears shall be supported so far as the same may be sufficient, they living together and striving to prosper in life.

Item 4th. It is my will and desire that John W. Ellis trustee as aforesaid, shall upon the marriage of my daughter Mary Eliza Wiggins on her arrival at twenty-one years of age cause to be paid to her in money or property fairly valued by three disinterested freeholders the sum of three hundred dollars, which sum shall discharge all interest to her in the trust herein created.

Item 5th. It is my will and desire that after the three hundred dollars to my daughter Mary Eliza shall have been paid to her upon her marriage or coming of age that the said John W. Ellis trustee shall hold the remainder of my estate and property of every kind to the joint use of my wife and Daniel W. Mears, and that they shall have, use and enjoy all the benefits and profits arising therefrom.

Item 6th. I hereby constitute and appoint my worthy friend Malcom McLeod my executor to this my last will and testament with full power and authority to carry out and execute every provision of the same.

In witness of the foregoing I have hereunto set my hand in the presence of N. C. McCollum and John D. Woody who in my presence and in the presence of each other and at my request have signed the same as witnesses.

Jesse B. Wiggins. (Seal)

In the presence of Jesse B. Wiggins the maker of the foregoing last will and test.

who signed the same in our presence and at his request we have signed the same as witnesses in the presence of each other

J. B. McCollum
Jno. D. Woody

State of North Carolina } In Probate Court
Bladen County 19 Nov. 1870.

A paper writing purporting to be the last will and testament of Jesse B. Wiggins, deceased, is exhibited before me the undersigned Judge of Probate in and for said county by Malcom McWood, the executor therein named, and the due execution thereof by the said Jesse B. Wiggins by the oath and examination of J. B. McCollum & John D. Woody, the subscribing witnesses thereto who being duly sworn doth depose and say, each for himself, depose and saith that he is a subscribing witness to the paper writing now shown him purporting to be the last will and testament of Jesse B. Wiggins that the said Jesse B. Wiggins in the presence of the deponent subscribed his name at the end of said paper writing which is now shown as aforesaid & which bears date on the day of — A.D. 18 — and the deponent further saith that the said Jesse B. Wiggins testator aforesaid did at the time of subscribing his name as aforesaid declare the said paper writing so subscribed by him and exhibited to be the 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 & in the presence of the testator. And the deponent further saith that at the same time when the said testator subscribed his name to the said last will as aforesaid & at the time deponent subscribed his name as an attesting witness thereto as aforesaid the said Jesse B. Wiggins was of sound mind and memory of full age to execute a will & was not under any restraint to the knowledge information or belief of this deponent & further these deponents say not.

Solemnly sworn and subscribed this 19th Nov 1870

D. Blue, Judge
of Probate

Jno. D. Woody &
J. B. McCollum

In the name of God amen.
I, Elime Mears of the County of Bladen and State of North Carolina being of sound mind and disposing memory, blessed be God for the same and knowing the uncertainty of my earthly existence, do make, constitute, appoint, publish and declare this my last will and testament.
Item first: I give and bequeath my home place of land containing two hundred & fifty acres whereon I now live to my nephew and niece Elime Mears and Frances Mears, son and daughter of my brother John Mears, saving, excepting and reserving the same to my beloved wife Charlotte Mears for and during the term of her natural life and at her death to go to the said Elime and Frances as above directed in equal share forever.

Item second: I give and bequeath unto my nephew and niece John W. Ellis and Penelope Ann Mariah Ellis my back place of land lying on the Wilmington, Charlotte and Rutherford railroad, purchased from George McKee as will appear by deed from said George McKee to myself, containing two hundred and forty-five acres according to plat made by D. B. McKeithan, to the said John W. and Penelope Ann Mariah in equal shares forever.

Item third: I give and bequeath unto my beloved wife Charlotte Mears my negro fellow Jack together with all my estate and property of every kind and description and the right and privilege of collecting, receiving and using and giving full discharges for any debts or money that may be due to me at my death, to hold, use and enjoy all such estate and property for and during the natural life of my said wife, and it is my will and desire that the residue that may be left and remaining at the death of my said wife should go to my legal heirs in a course of distribution according to the laws of North Carolina.