

Item fourth: I constitute and appoint John W. Ellis and Malcom McLeod to be my executors to this my last will and testament.

In witness whereof I have hereunto set my hand and seal this the 5th day of June in the year of our Lord one thousand eight hundred and sixty and published and declared in the presence of Thos. M. Kelly, and F. M. Wooten as witnesses to the same who at my request have signed as such.

Elihu Mears (Seal)

Witnesses: We the undersigned at the request of Elihu Mears, and in his presence and in the presence of each other have witnessed the due execution of this said will and hereunto subscribed our names as such.

Thos. M. Kelly.
F. M. Wooten.

Codicil.

In view of the changed and altered condition of the country since making the above will I now add this codicil and declare that it is my will and desire that Jack Mears, now a freedman and once my servant, should have laid off and allotted to him out of my back land on which he now lives fifty acres of land to be laid out adjoining the lands of J. W. Baldwin and to include the house where he now lives. I make no other change and still confirm the foregoing as my last will and testament this October 1870.

Elihu Mears (Seal)

Jno. D. Currie
E. J. McLeod (Witnesses Nov 3, 1870)

State of North Carolina } In Probate Court
Bladen County } 15th April 1871.

A paper writing purporting to be the last will and testament of Elihu Mears deceased is exhibited for probate by Malcom McLeod + Jno. W. Ellis, the executors therein named, and was duly proven by the oath and examination of F. M. Wooten + Thos. M. Kelly, and the due execution of the codicil was duly proven by the oath and examination of Erander J. McLeod and John D. Currie the subscribing witnesses thereto. The said will bearing date 5th June 1860 + the codicil bearing date 3rd Nov. 1870. These deponents further said that the said testator was at the time of signing the above said will and codicil 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 deponents and further these deponents say not. Severally sworn and subscribed this 15th day of April 1871 before me
Thos. M. Kelly F. M. Wooten, J. D. Currie, E. J. McLeod.
D. Blue, Judge of Probate.

In the name of God Amen.

I John Perry of the county of Bladen 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 following that is to say that my Executor (hereinafter named) shall provide for my body a decent burial and pay all my funeral expenses out of the moneys that may first come into his hands as a part or parcel of my estate, also discharge and pay all

just debts and obligations.

Item 1st. I give and devise to my beloved wife fifty acres of land on the west side of the tract whereon I now live, including the dwelling house and land now in cultivation, also the household and kitchen furniture, together with my stock of cattle; also what provisions I may have on hand in the way of corn and bacon at the time of my decease.

Item 2nd. I give and bequeath to my son Elijah M. one rifle and one shot gun, also my farming implements and all the above property that I give to my wife, after her decease.

Item 3rd. I give and bequeath to the heirs of my son James W. as follows, to wit: Harriet Rebecca one-third of a dollar, Margaret one-third of a dollar and James Harrison one-third of a dollar.

Item 4th. I give and bequeath to the heirs of my daughter Rebecca as follows, to wit: Margaret one dollar.

The residue of my property I have disposed of to ^{my and among} my children by deed of gift, and lastly I do constitute hereby and appoint my son Elijah M. Perry my lawful executor 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 revoking and declaring utterly void all other wills and testaments by me heretofore made.

In witness whereof I the said John Perry do hereunto set my hand and seal this the 31st day of September Anno Domini 1870.

John Perry (Seal)

Signed, sealed, published and declared by the said John Perry to be his last will and Testament in the presence of us, who at his request and in his presence do subscribe our names as witnesses thereto.

J. A. Edwards & D. J. Clark

State of North Carolina } In Probate Court
Bladen County } 1st May 1871.

A paper writing purporting to be the last will and testament of John Perry, deceased, is exhibited for probate by Elijah M. Perry, the executor therein named, bearing date of the 31st day of September 1870 & is duly proven by the oath and examination of J. A. Edwards and D. J. Clark, the subscribing witnesses thereto which deponents swear that to the best of their knowledge and belief the said testator was of sound mind and memory and of full age to execute a will at the time of signing the above will in their presence. It is considered and ordered that said will be admitted to probate.

J. A. Edwards.
D. Blue, Judge of Probate

D. J. Clark.

I Mary Smith, 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 following, that is to say: first that my Executors hereinafter named shall pay my funeral expenses out of any moneys of my estate. Secondly that all my just debts be paid out of the first money that may come into their hands out of any portion of my estate. I give and bequeath to the heirs of my son J. C. Smith twenty-five cents each. I give and bequeath to the heirs of my daughter Delilah Long twenty-five cents each. I give and bequeath to my son John B. Smith twenty-five cents. I give and bequeath three-fourths of all my estate both real and personal to my three daughters namely Eliza J. Smith, Susan Smith and Eliza Smith, but if my said daughter Eliza Smith shall or will marry my son-in-law Alexander Buttry she is to have no portion of my estate.