

certified to by G. H. Brown Jr, presiding Judge thereof, attested in due form; and it appearing to this Court from the inspection of said copy of said will and said record, and that the said will was proved in the said Superior Court of the said County of Mecklenburg in the State of North Carolina, to have been so executed as to be a valid will of lands in this State by the law thereof; on motion of the said Charles H. DeLo, it is ordered that the said paper writing be admitted to probate as the last will and testament of the said W. A. Barriar, deceased.

A copy from the Records of Court.

Teste:

W^m M^r Casley Clerk.

A. M. D. Smith. In the name of God, Amen, I, A. M. D. Smith of the County of Roseboro Va, do make this my last will and testament as follows:

1. First: I desire that my body may decently buried, without needless expense, in a manner corresponding to my estate and my situation in life.
2. Secondly. I direct that all my just debts be paid as soon after my decease as conveniently may be and to that end charge my whole estates real and personal, with the same.
3. Thirdly. I give to my beloved wife, Rosa V. Smith in testimony of my affection for her the sum of Ten thousand dollars, (\$10000⁰⁰) to be preferred to any of the devised and legacies hereinafter contained, with this proviso however, that said sum of Ten thousand dollars is, upon the death of the said Rosa V. Smith, to go to my executors to be hereinafter named, to be held by them on the trust as shall be hereinafter set forth.
4. Fourthly. I give devise and bequeath to my Executors to be hereinafter named, all the residue of my estate real & personal, But upon trust nevertheless, that ~~that~~ they shall apply all proceeds arising from my said estate in manner following: that is to say, they shall invest the said moneys in some safe and interest bearing stocks, bonds or notes or in Real Estate, taking care in their investments to regard safety as an indispensable element and condition, and to hold such stocks bonds notes or Real Estate as the case may be, with interest dividends or profits to accrue thereon for and upon the several uses and purposes hereinafter expressed, that is to say upon trust to pay the said interest, dividends or profits arising from such investments as and when they shall be received, to my three children James H. Smith, Mary E. Smith and John D. Smith in equal shares, for and during the term of their natural lives.

And upon the marriage of John D. Smith upon the trust to invest one-third of my said estate in Real Estate and to convey the same to his wife and the heirs of her body by the said John D. Smith.

And upon the marriage of Mary E. Smith upon the trust to invest one-third of my said estate in Real Estate and to

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convey the same to her and the heirs of her body for her sole and separate use free from her husband's debts or controls.

And should the said James T. Smith be freed from his present alliance with Kate Smith, - formerly Kate Zimmerman - either by the death of the said Kate Smith or by operation of law, and ~~be~~ the said James T. Smith should marry again then upon trust to convey the remaining one-third of my estate to his second wife and the heirs of her body by the said James T. Smith, it being my desire and intention that the said Kate Smith shall have no part of my said estate.

And should the said Rosa V. Smith die I desire that the residue of the Ten thousand dollars, hitherto bequeathed to her, if there be such residue, shall be administered in like manner.

5. Fifthly. I do appoint John D. Smith and M. S. Rose to be executors of this my last will and testament.

6. Sixthly. I hereby revoke all other and former wills or codicils by me at any time heretofore made.

Witness my hand which I have set to this my will, written upon four sheets of paper, signing every sheet thereof, this twenty-first day of July in the year 1890

A. M. D. Smith

Signed, published and declared by A. M. D. Smith as and for his last will in the presence of us, who in his presence at his request and in the presence of one another, have hereunto subscribed our names as witnesses.

James H. Pedigo

W. A. Pedigo

At Roanoke County Court November Term 1890.

The last Will and Testament of A. M. D. Smith, deceased, was this day produced in Court, and proved according to law by the oath of William A. Pedigo, one of the subscribing witnesses thereto, and the signature of J. H. Pedigo, the other subscribing witness, was proven by Wm. A. Pedigo, and thereupon the said Will is admitted to probate.

A copy from the records of Court.

Teste:

Wm. M. Cauley, Clerk.

In the Name of God, Amen.

I Carter Dacon Oliver of Los Angeles City, County of Los Angeles, State of California, of the age of fifty-two years, and being of sound and disposing mind and memory, and not acting under duress, menace, fraud or undue influence of any person whatever, do make public and declare this my last will and testament in the manner following, that is to say: -

First, I loan to my brother Isaac H. Oliver of Marion Perry Co. Alabama and his present wife Maggie M. Oliver and their children now living and those that may be born to them during the natural life of my said

Carter D. Oliver.