

No. 369

STATE OF NORTH CAROLINA. : IN THE SUPERIOR COURT.
COUNTY OF BRUNSWICK. : BEFORE THE CLERK.

IN RE: :
WILL OF BETHUNE GLASS. : PETITION.

TO THE HONORABLE CLERK SUPERIOR COURT BRUNSWICK COUNTY NORTH CAROLINA:

Your Petitioner, representing J.D.Park, an interested party in the above will, sheweth to the Court:

FIRST: That the above named Devisor is dead, first having made a Last Will and Testament without the State, dated the 3rd, day of April 1922, and that by the terms of said Last Will and Testament certain real estate, to-wit: a City lot situated, lying and being in the City of Southport, State and County above named, was disposed of.

SECOND: That said Will was duly made and executed in the State of South Carolina, in the county of Richland, and that on or about the 19th, day of December 1924 the said Last Will and Testament was duly admitted to probate in the office of the Probate Judge in the County of Richland, State of South Carolina, and that same is regularly and legally recorded in said County.

THIRD: That your Petitioner presents a certified copy of the Will and Testament so recorded, and that it is necessary that same be recorded in your office in the County of Brunswick, State of North Carolina.

FOURTH: For the purpose of showing that the said Last Will and Testament was executed according to the laws of the State of North Carolina, your petitioner requests that a Commissioner be appointed in the County of Richland, State of South Carolina, for the purpose of taking the proofs touching the execution of the said Last Will and Testament, of the witnesses as may be produced before him, that the said examination might be returned to you so that same might be adjudged and admitted to record, according to the laws of the State of North Carolina.

FIFTH: That your Petitioner is informed and believes that G.Duncan Bellinger who is Probate Judge of the County of Richland, State of South Carolina, is a competent and proper person to be appointed Commissioner for the purposes hereinafter stated, and respectfully asks and suggests that he be appointed so that he might take the examination of such witnesses as might be produced, touching the execution of the said Last Will and Testament, and said Commissioner to make return of his examination that the said Last Will and Testament might be adjudged and admitted to record, according to the laws of the State of North Carolina.

This 25th, day of February 1925.

Robert W. Davis,
Attorney.

STATE OF NORTH CAROLINA. : IN THE SUPERIOR COURT.
COUNTY OF BRUNSWICK. :

State of North Carolina, to G.Duncan Bellinger, Probate Judge
of the County of Richland, State of South Carolina,
GREETING:

We, reposing special trust and confidence in your integrity, do authorize you and empower you to cause W.F.McDonald, V.W.Boswell and T.E.Lazenby to appear before you at such time and place as you may appoint, and W.F.McDonald, V.W.Boswell and T.E.Lazenby on oath to examine touching all such matters and things as W.F.McDonald, V.W.Boswell and T.E.Lazenby shall know of and concerning the execution of the Last Will and Testament of Bethune Glass, a certified copy of which has been presented to our Superior Court in the County of Brunswick, for the purpose of probating and recording same. It appearing from said copy hereto attached that the above named parties witnessed the execution of the said Last Will and Testament, and in order have been executed in the matter and form as required by the Statute Law of this State, you have been appointed Commissioner as above set forth, for the purpose of taking proofs from the aforesaid subscribing witnesses, touching the execution of the said Last Will and Testament. And the deposition in writing by you so taken, you will transmit, sealed with your seal, to the Undersigned Clerk of the Superior Court of Brunswick County immediately.

Witness my hand and official seal, this the 26th, day of February A.D.1925.

(C.S.C.SEAL)

A.T.McKeithan,
Clerk Superior Court of Brunswick
County, State of North Carolina.

STATE OF SOUTH CAROLINA.
COUNTY OF RICHLAND.

IN RE: :
WILL OF BETHUNE GLASS :

Pursuant to the annexed Commission to me directed, I, G.Duncan Bellinger, (Judge of the Probate Court of Richland County, State of South Carolina) Commissioner, under the authority thereof, on the 17th, day of March A.D.1925, at the hour of 4.30 o'clock P.M., at the office of G.Duncan Bellinger, Judge Probate Court, Richland County, in the City of Columbia, County of Richland, State of South Carolina, proceeded to take the deposition of W.F.McDonald, V.W.Boswell and T.E.Lazenby, who each being first duly sworn to speak the truth, deposes and say, and each for him self, deposes and says, that he is a subscribing witness to the said paper writing now shown him, purporting to be the last Will and Testament of Bethune Glass, and that he saw Bethune Glass execute this paper writing, as his Last Will and Testament, and that affiant attested it in the presence and at the request of said Bethune Glass, deceased; and that at the time of its execution said Bethune Glass was, in affiant's opinion, of sound mind and disposing memory.

T.E.Lazenby,
W.F.McDonald,
V.W.Boswell.

Severally subscribed and sworn to before me,
this the 17th, day of March A.D.1925.

G.Duncan Bellinger,
(P.C.SEAL) Judge of Probate Court of Richland
County, State of South Carolina,
Commissioner.

I, the said G.Duncan Bellinger, Judge of the Probate Court of Richland County, State of South Carolina, Commissioner, do hereby certify that each of the said witnesses, viz: W.F.McDonald, V.W.Boswell, and T.E.Lazenby, was duly sworn by me prior to taking of his testimony, and that said depositions were taken by me and read over by me to said witnesses respectively, and subscribed by them respectively.

This 17th, day of March A.D.1925.

G.Duncan Bellinger,
Commissioner.
(P.C.SEAL)
Judge of Probate Court of
Richland County, South Carolina.

STATE OF SOUTH CAROLINA.
COUNTY OF RICHLAND.

KNOW ALL MEN BY THESE PRESENTS, That I, Bethune Glass, do hereby make, publish and declare the following written instrument to be my Last Will and Testament, hereby revoking all former testamentary documents by me at any time heretofore made.

ITEM ONE: It is my will that my executor hereinafter appointed do first pay all my just debts out of any funds which may come into his hands as such.

ITEM TWO: It is my will that my executor do plead the Statute of Limitations to any claims presented against my estate to which the statute then in force is a bar.

ITEM THREE: It is my will that I be buried by the side of my dear wife, Georgia Wright Glass, in a slate vault and a metal casket, the expenses of which shall be paid from the proceeds of an insurance policy which I hold in the Penn.Mutual Life Insurance Company, and that my executor do hereby authorized to expend such sum of money to mark my last resting place as in his judgment is fit and proper. I prefer a mark similar to that which marks the grave of my wife.

ITEM FOUR: I do hereby authorize and direct my executor to set aside from my estate a sufficient sum to provide for the perpetual care of the lot where my wife and myself are buried.

ITEM FIVE: I hereby will and bequeath to my niece, Mrs. Lillian K. Park, of Greenwood, S.C., one of the large mirrors in my home and a few articles of solid silver and all of the furniture and articles which originally belonged to the Glass family and to myself.

ITEM SIX: I do hereby will and bequeath to my grand niece, Julia Glass Park, the sum of Fifteen Hundred dollars and my two diamond rings.

ITEM SEVEN: I do hereby will and bequeath to my niece, Winnie Glass Whitaker, of Orangeburg, S.C., the sum of Fifteen Hundred Dollars.

ITEM EIGHT: I hereby will and bequeath to my grand-nephew, Joe Fowdar, my watch.

ITEM NINE: All the rest and residue of my property of whatsoever kind and wheresoever situate, I will, devise and bequeath unto William P. Bowe, Jr. and Erdman Bowe in fee simple absolute to be equally divided between them share and share alike and should either of the pre-deceased me then the child or children of such one shall take the share to which the parent or parents would have been entitled if living. In the event either of them should pre-decease me leaving no child or children then the share of such one shall go to the other.

ITEM TEN: I hereby nominate, and appoint my nephew, James B. Park, Executor of this my last will and testament, and do hereby confer upon him full power and authority to do every act and thing necessary to carry out the provisions of this will, and for the purpose of carrying out the provisions of this will he may sell and make title in fee simple to any of the property of which I may die seized and possessed, either real and personal, and he shall serve without bond.

IN WITNESS WHEREOF, I have hereunto signed my name and affixed my seal this 3rd, day of April 1922.

Bethune Glass, (L.S.)

Signed and sealed in the presence of the undersigned, who, at the request of the testator, and in his presence and in the presence of each other, have hereunto fixed our names as subscribing witnesses.

W.F. McDonald,
V.W. Boswell,
T.E. Lazenby.

ORDER.

On hearing the above petition of J.B. Park it is hereby ordered, adjudged and decreed, that the Petition be granted and the said Last Will and Testament of Bethune Glass, Deceased, be entered of Probate in Common Form.

Given under my hand and the seal of the Court of Probate, this 19th day of December 1924.

G. Duncan Bellinger,
Judge of Court of Probate.

I, G. Duncan Bellinger, Judge of Probate for the County of Richland, State of South Carolina, do hereby certify that the foregoing is a true and correct copy of the Will of Bethune Glass and order admitting same to Probate in common form, said will being recorded in book of Wills "A", at page 68-72.

Columbia, S.C.
March 17th, 1925.

(P.C. SEAL)

G. Duncan Bellinger,
Probate Judge Richland
County, South Carolina.

STATE OF SOUTH CAROLINA.
COUNTY OF RICHLAND.

I, W.H. Townsend, Resident Judge of the Fifth Judicial Circuit of the State of South Carolina, do hereby certify that I am the Presiding Judge of the aforesaid Fifth Judicial Circuit, and in which the Probate Court of Richland County, is located, and the foregoing certificate of G. Duncan Bellinger, Probate Judge, Richland County, South Carolina, in the matter of the Last Will and Testament of Bethune Glass under his hand and seal of his office, is in due form and according to law.

This the 17th day of March 1925.

W.H. Townsend, (L.S.)
Resident Judge.

STATE OF NORTH CAROLINA.
COUNTY OF BRUNSWICK.

IN THE SUPERIOR COURT.

It appearing to the satisfaction of the Court, from the exemplification of the record hereinafter mentioned, that the Last Will and Testament of Bethune Glass, deceased, a citizen of Richland County, State of South Carolina, has been duly proved and allowed in the proper court of Probate of said County and State, according to the laws of said State, and it further appearing that the said Bethune Glass left property in the County of Brunswick, lying and being in the City of Southport, North Carolina consisting of one city lot;

IT is, therefore, ordered and adjudged that the exemplification of said will, and of its probate in the proper court of Richland County and State of South Carolina, which has been produced and exhibited here, duly certified and authenticated, be allowed, filed and recorded in this Court in the same manner as if the original and not the copy had been produced, proved and allowed before the undersigned clerk.

AND it appearing by the certified probate or exemplification of the will, aforesaid, and it further affirmatively appearing from the examination of the witnesses, viz: W.F. McDonald, V.W. Boswell and T.E. Lazenby, to the will aforesaid, said examination having been taken before G. Duncan Bellinger, Judge of the Probate Court of Richland County, State of South Carolina, Commissioner, who was appointed as such by this court for this purpose, all of which appears by the appointment of the said Commissioner and the examination of the aforesaid witnesses, in this proceeding, that the aforesaid will is executed according to the laws of the State of North Carolina.

It is, therefore, considered and adjudged by the Court that the said paper writing, and every part thereof, is the Last Will and Testament of Bethune Glass, deceased, and the same, with the foregoing examination and this certificate, are ordered to be recorded and filed.

This 28th day of March 1925.

A.T. McKeithan,
Clerk Superior Court.

