

NORTH CAROLINA

COLUMBUS COUNTY

I, J. H. Mitchell, of the aforesaid county and state, being of sound mind, but considering the uncertainty of my earthly existence, do make and declare this my last will and testament:

First. My executors hereinafter named, shall give my body a decent burial suitable to the wishes of my friends and relatives, and pay all funeral expenses, together with all my just debts out of the first moneys which may come into their hands belonging to my estate.

Second. I give and bequeath to my beloved wife Kate A. Mitchell, all my household and kitchen furniture; and my automobile.

Third. I give and bequeath to Goshen Baptist Church Five Hundred Dollars, to be used for the up-keep of said Church as the Deacons may deem right and proper.

Fourth. My will and desire is that all the residue of my estate consisting of land, standing timber, sawmill and machinery, lumber, mules, Waggon, auto truck and all other property that I may own at the time of my death shall be sold by my executors, and all debts owing to me, together with my insurance and bank accounts be collected, and there should be any surplus over and above the payments of debts, expenses and legacies, that such surplus shall be equally divided and paid over to my said wife Kate A. Mitchell, my son Russell J. Mitchell and daughter Mary W. Patterson, in equal proportion, share and share alike.

Fifth. I hereby constitute and appoint my trusty friend Porter Hufham, my beloved wife Kate A. Mitchell, and my beloved son Russell J. Mitchell my lawful executors 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 J. H. Mitchell, do hereunto set my hand and seal, this 15 day of November 1926.

J. H. Mitchell (Seal)

Signed, sealed, published and declared by the said J. H. Mitchell to be his last will and testament in the presence of us, who, at his request and in his presence, (and in the presence of each other) do subscribe our names as witnesses thereto.

T. W. Fridgea

L. R. Hobbs
Nov. 15, 1926

NORTH CAROLINA

COLUMBUS COUNTY

I, D. L. Gore, Clerk Superior Court of the aforesaid state and county, do hereby certify that the foregoing is a true and perfect copy of the Will of J. H. Mitchell, and recorded in Record of Wills # 3 at page 530 in the Superior Courts office at Whiteville, North Carolina. I do further certify that Porter Hufham and Kate A. Mitchell qualified as Executor and Executrix and that they have made a final account.

Witness my hand and official seal at office in Whiteville, North Carolina, this the 28 day of August, 1943.

SEAL

D. L. Gore
CLERK SUPERIOR COURT.

STATE OF NORTH CAROLINA (

COUNTY OF BRUNSWICK

I, DORA C. KIRBY, of the above named State and County, being of sound mind, but considering the uncertainty of my earthly existence, do make and declare this my Last Will and Testament -

FIRST: My Executor, hereinafter named, shall give my body a decent burial, suitable to the wishes of my friends and relatives, and pay all funeral expenses, together with all my just debts, out of the first moneys that may come into his hands belonging to my estate.

SECOND: I give, and devise to my Beloved Son, Floyd Kirby, and to his heirs, in fee simple, that part of the tract of land described in a deed from R. C. McKeithan and wife to G. W. Kirby, said deed being recorded in Book 20, at page 295, Records of Brunswick County, hereby referred to for the purpose of including the description of the said tract of land herein (aportion of the said tract of land having already been conveyed to the said Floyd Kirby by deed dated April 4, 1922, which said deed is recorded in Book 30, at page 484, Records of Brunswick County) also twenty two acres of land being the same tract conveyed to G. W. Kirby August 30, 1911, which said conveyance is duly recorded in Book 24, at page 19, Records of the office of the Register of Deeds of Brunswick County, the said conveyance being made from W. H. Frink to G. W. Kirby.

THIRD: I give, and devise to my beloved Son, Elbert Kirby, and to his heirs, in fee simple forever, 38 acres, more or less, of land, being the same conveyed to G. W. Kirby by Charlie M. Brown, by deed dated November 15th, 1889, and duly recorded in Book III, at page 212, Records of Brunswick County, hereby especially referred to for the purpose of including the description of the lands herein as fully as if set out herein in detail; also five acres of land, more or less, and being the first tract described in a deed from J. J. Pigott and wife to G. W. Kirby, dated November 23, 1889, Recorded in Book III, at page 190, Records of the Office of the Register of Deeds of Brunswick County, hereby especially referred to for the purpose of including the description of the five acres herein as fully as if set out herein by metes and bounds.

FOURTH: I give and devise to my Beloved Son, E. H. Kirby, and to his heirs in fee simple, the Home Place located in Lockwoods Folly Township, whereon I now reside, and the lands adjoining the said home, including the 143/10 acres, more or less, conveyed by Neil Calloway and wife to G. W. Kirby by deed dated August 14, 1914, Recorded in Book 20, at page 492, including the lands described in a deed by D. B. McNeill to G. W. Kirby, dated August 7, 1890, Book II, at page 116, being one half acre more or less, hereby referred to for the purpose of describing the land, one-half acre more or less described in the said deed. And any and all other lands not hereinbefore specifically conveyed and set out of which the said G. W. Kirby died seized and possessed of and located in the said County of Brunswick, North Carolina, as fully as if specifically set out by metes and bounds.

FIFTH: And to my beloved son, Elbert Kirby, and to my Beloved Daughter, Ruby Thomas, and to my Beloved Daughter, Grace Batson, I hereby give and bequeath all monies that may be left in my Estate after payment of all my just debts and funeral expenses, and all stocks, including the stock in the Tidewater Power Company, share and share alike.

SIXTH: I hereby give and bequeath unto my said Beloved Son, E. H. Kirby, all the furniture, fixtures, household effects that are now and may be in my home at the time of my death, and including all farm implements, and all other personal property not hereinbefore specifically bequeathed.

SEVENTH: I hereby constitute and appoint my beloved son, E. H. Kirby, 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 DORA C. KIRBY, have hereunto set my hand and seal this the 28th day of April, A. D. 1939.