

No. 387

STATE OF NORTH CAROLINA.
COUNTY OF BRUNSWICK

I, Walker Swain, of the aforesaid State and County, being of sound mind, but considering the uncertainty of my earthly existence, do make and declare this as my last Will and Testament:

FIRST: My executrix, 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 my hands belonging to my estate.

SECOND: I give and devise to my beloved children, Victoria Swain Galloway, Addie Swain Patterson, Annie Swain Robinson and Douglass Swain, share and share alike, that is, an undivided one fourth (1/4) interest each, in and to my lot, or parcel of land, situated on College Street in the city of Southport, North Carolina, and also all other real property, which I now own, or may hereafter acquire, and wheresoever situated or located, in fee simple absolute.

THIRD: I give and bequeath to my said children share and share alike, all my personal property, of whatever kind, and wheresoever found, absolutely.

FOURTH: I give, devise and bequeath all my property, whether real or personal, or mixed, which I now own or may hereafter acquire, and wheresoever located situated or found, to my aforesaid beloved children, in fee simple absolute.

FIFTH: I hereby constitute and appoint my beloved daughter, Victoria Swain Galloway, my lawful executrix 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 be me heretofore made.

IN TESTIMONY WHEREOF, I, The said Walker Swain, do hereunto set my hand and seal, this the 8th, day of December A.D. 1926.

his
Walker x Swain, (seal)
mark

Signed, sealed, published and declared by the said Walker Swain 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.

W.M. McKensie
T.B. Carr
Robert W. Davis.

NORTH CAROLINA.
BRUNSWICK COUNTY.

IN THE SUPERIOR COURT.
BEFORE THE CLERK.

IN THE MATTER OF THE WILL OF WALKER SWAIN, DECEASED.

The paperwriting hereto attached and purporting to be the last will and testament of Walker Swain, deceased, is exhibited before the undersigned Clerk of the Superior Court of Brunswick County, North Carolina, by Victoria Swain, the executrix therein named, and thereupon the following proof thereof is taken by the oath of W.M. McKensie and T.B. Carr, the subscribing witnesses thereto as follows:

NORTH CAROLINA.
BRUNSWICK COUNTY.

Wm. McKensie and T.B. Carr being duly sworn, depose and say, and each himself 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 Walker Swain, and that he saw him execute (or heard him acknowledge the execution of) this writing as his last will and testament, and that affiant attested it in the presence and at the request of said Walker Swain deceased; and that at the time of its execution (or at the time its execution was acknowledged) said Walker Swain was, in affiant's opinion, of sound mind and disposing memory.

W.M. McKensie
T.B. Carr

Severally subscribed and sworn to before me, this 30th, day of March 1927.

A.T. McKeithan,
Clerk Superior Court
Brunswick County.

And thereupon it is considered and adjudged by the Court that the said paper writing and every part thereof is the last will and testament of Walker Swain deceased, and it is ordered that the same, with the foregoing examination and this certificate, be recorded and filed.

This 30th, day of March 1927.

A.T. McKeithan,
Clerk Superior Court Brunswick County.

No. 398
NORTH CAROLINA.
BRUNSWICK COUNTY

I, John R. McRacken, of the above named County and State, being of sound and disposing mind, but considering the uncertainty of my earthly life, do make, ordain, declare and publish this my last will and testament.

FIRST: I give, devise and bequeath to my wife Annie Neal McRacken all my personal property of every kind and description, and all my real estate wherever located, to use and enjoy during her natural life, or so long as she remains unmarried as much of the personal estate and the income therefrom as may be necessary for the needs and comfort of herself and the family, but in the event of her marriage, and at her death, all my estate to go as hereinafter directed.

SECOND: In the event of the marriage of my wife, or should she die before my youngest child arrives at the age of eighteen years, then, and in either of said events, all my property, both real and personal shall be held and managed by my oldest son, Morris Thompson, until the youngest child shall arrive at the age of eighteen years, and then divided as hereinafter set out.

THIRD: I give, devise and bequeath to my two sons, Morris Thompson and John Robert, Jr., all my real estate, wherever located, and my horses, cattle, hogs, sheep, and stock of every description, and all my farming tools and implements of every kind, and they (my two sons) shall pay, in cash to my three daughters, Lucille, Sophia and Thelma, the sum of Five Hundred (500.) Dollars each. This item is subject to items first and second.

FOURTH: I give, and bequeath to my five children, Morris Thompson, John Robert Jr., Lucille, Sophia and Thelma all the balance of my personal estate of all kinds and descriptions, to be equally divided among them, share and share alike, this item is subject to items first and second.

I hereby nominate, constitute and appoint my wife Annie Neal McRacken, my sole Executrix of this my last will and testament, but in the event of her marriage, then and in that event, I hereby nominate, constitute and appoint my son Morris Thompson, McRacken my sole Executor of this my last will and testament.

In testimony whereof I do hereunto set my hand and seal, this the _____ day of October 1906.

John R. McRacken, (seal)

Signed, sealed, declared and published by the said John R. McRacken 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 and witnesses thereto.

Robert W. Davis,
E.H. Cranmer

NORTH CAROLINA.
BRUNSWICK COUNTY

IN THE SUPERIOR COURT.
BEFORE THE CLERK.

IN THE MATTER OF THE WILL OF JOHN R. MCRACKEN, DECEASED.

THE paper writing hereto attached and purporting to be the last will and testament of John R. McRacken deceased, is exhibited before the undersigned Clerk of the Superior Court of Brunswick County, North Carolina, by Annie Neal McRacken, the Executrix therein named, and thereupon the following proof is taken by the oath and examination of Robert W. Davis and E.H. Cranmer the subscribing witnesses thereto as follows:

NORTH CAROLINA.
BRUNSWICK COUNTY.

Robert W. Davis and E.H. Cranmer being duly sworn, depose and say, and each for himself 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 John R. McRacken, and that he saw him execute (or heard him acknowledge the execution of) this writing as his last will and testament, and that affiant attested it in the presence and at the request of said John R. McRacken, deceased; and that at the time of its execution (or at the time its execution was acknowledged) said John R. McRacken was in affiant's opinion of sound mind and disposing memory.

Robert W. Davis,
E.H. Cranmer

Severally subscribed and sworn to before me,
this 16th, day of April 1927.

A.T. McKeithan,
Clerk Superior Court.
Brunswick County.

And thereupon it is considered and adjudged by the Court that the said paper-writing and every part thereof is the last will and testament of John R. McRacken deceased, and it is ordered that the same, with the foregoing examination and this certificate be recorded and filed.

This 16th, day of April 1927.

A.T. McKeithan,
Clerk Superior Court.
Brunswick County.

CERTIFIED COPY OF THE LAST WILL & TESTAMENT OF

ISAAC M. BUSSELLS, DECEASED.

No 359

THIS MY WILL AND TESTAMENT MADE THIS 29th, DAT OF DEC. 1920.

Whereas I have given to each of my three sons sums of money to start them in business I hereby will to my wife Bertha P. Bussells from my estate, the sum of twenty five thousand dollars (\$25,000.00) in cash or its equivalent in securities or property. To Mary A. Bussells, my daughter, the sum of ten thousand dollars (\$10,000.00) in cash or its equivalent in securities or property. From the balance of my estate I wish to give to St. Stephens Parish, Northumberland, Co. Va. ten per cent (10%) one third (1/3) of this amount to St. Stephens Church and two thirds (2/3) to St. Mary's Church. The remainder of my estate to be divided to each of my heirs as provided by the Virginia State Law. I also wish that if my wife Bertha P. Bussells is living at the time of my death that she be made administratrix of my estate.

This my hand and seal Dec. 29th, 1920.

I.M. Bussells,
Fleeton, Va.

I also will that during the life of my sister, Mrs. L.M. Owens her home not be molested on account of deed of trust which I hold against it. That same deed be taken over by my wife as part of her inheritance.

I.M. Bussells,
Dec. 29, 1920.

VIRGINIA:

Clerks Office of the Circuit Court of Northumberland County, February 23rd, 1926.

PRESENT.

H.M. Walker, Clerk of the Circuit Court of said County.

It appearing to the Clerk of the Circuit Court of Northumberland County that Isaac M. Bussells departed this life on the 15th, day of February 1926, and that the said Isaac M. Bussells at the time of his death, resided, and had a known place of residence, in the County of Northumberland; and a writing signed in two places by the said Isaac M. Bussells but with any subscribing witnesses thereto, bearing date on the 29th, day of December 1920, and purporting to be the true last will and testament, and codicil, thereto attached, of the said Isaac M. Bussells, deceased, having been this day produced before said Clerk, in his office, and proved according to law by the oaths of Ione B. Harwood and A. Florence Warren, who severally deposed that they were well acquainted with the handwriting of the said Isaac M. Bussells, deceased, and that they verily believed the said writing, and the name of I.M. Bussells thereto signed to said will and also to the codicil thereto attached, to have been wholly written by the said Isaac M. Bussells; On motion of Bertha P. Bussells, the executrix named in said writing, it is ordered that said writing be, and the same hereby is established, probated and admitted to record as and for the true last will and testament, and codicil thereto attached, of the said Isaac M. Bussells, deceased. On motion of Bertha P. Bussells, widow of Isaac M. Bussells, deceased, who was nominated as executrix in the will of the Isaac M. Bussells, this day, in writing, waived her right to qualify as executrix of said will, and requested that she and Clifford L. Bussells, a son of Isaac M. Bussells deceased, be appointed Co-administrators, with the will annexed, of the said Isaac M. Bussells, deceased. Whereupon the Clerk of said Court this day appointed Bertha P. Bussells and Clifford L. Bussells Co-administrators with the will annexed of the said Isaac M. Bussells, deceased; and the said Bertha P. Bussells and Clifford L. Bussells this day personally appeared in said office and qualified as such Co-administrators by taking the oath of administrators prescribed by law, and entering into a bond in the penalty of one Hundred Fourteen thousand (\$14,000.00) Dollars, conditioned according to law, with the Maryland Casualty Company, of Baltimore Md., their surety therein, which said bond being acknowledged by the obligors is ordered to be recorded; and a certificate is granted the said Bertha P. Bussells and Clifford L. Bussells for obtaining letters of administration with the will annexed on the estate of the said Isaac M. Bussells deceased, in due form. It is further ordered that John B. Hinton, Geo. M. Reed, William Blundon, J. Florence Jett and Wilbert A. Edwards or any three of them, being first duly sworn for the purpose do truly and justly appraise such of the goods and chattels of the said Isaac M. Bussells, deceased as may be produced before them, and return their appraisalment under their hands as the law directs.

H.M. Walker, Clerk.