

State of North Carolina, } In the Superior Court,
County of Brunswick, } Byron R. S. Newton, Clerk.
Under the Administration of the
Estate of John B. Evans, deceased } Probate of Will
A paper writing purporting to be the Last Will and Testament
and two Codicils at the end of the same, of John B. Evans
deceased, is exhibited for probate in Open Court by
Daniel R. Walker and J. J. Knox, the executors therein
named, and the due execution of said Will
and the two said Codicils, by the said John B. Evans
is proven by the oath and examination of J. B. Mar-
cer and A. J. Marshall the subscribing witnesses
thereto, who after being duly sworn, did depose
and say, and each for him self depose and say
that he was a subscribing witness to the said paper
writing and also to each of the two said Codicils,
and that the said John B. Evans in his presence
subscribed his name at the end of said paper
writing which bears date the 12th day of July 1908,
and the first Codicil at the end of said Will bears date
the 14th day of August 1908, and the second Codicil
at the end of said Will bears date the 25th day of
March 1910, and that the said John B. Evans did at the
time of subscribing his name as aforesaid declare to
the said paper writing, and the two said Codicils
subscribed by him and exhibited to be his Last
Will and Testament, and that he did thereupon sub-
scribe his name at the end of said Will, and also
at the end of each of the two Codicils upon the
days and dates respectively borne by each as
attending witnesses thereto at the request, and in the pres-
ence of the testator, and in the presence of each other
and further, that at the time when the said testator sub-
scribed his name to the said last will and Testament
and each of the two Codicils as aforesaid, and at the
time of the deponents subscribing their names as
subscribing witnesses as aforesaid, the said John
B. Evans, was of sound mind and memory, of legal
age to execute a Will, and was not under any
strain or to the knowledge, information or belief
of the deponents. It is therefore considered and adjudged
by the Court, that the said paper writing, and said
last will and the two said Codicils is the

Will and Testament of the said John B. Evans,
and the same is ordered to be recorded and filed,
and thereupon the said Daniel R. Walker and J. J.
Knox, Executors as aforesaid are duly qualified
as such by taking the oath of Office as re-
quired by law.

This Fifth Day of September AD 1910.

R. S. Newton.

Clerk Superior Court, Brunswick County,
North Carolina.

State of North Carolina,
County of New Hanover.

In the Name Of God, Amen: I, John
B. Evans, of the County of Brunswick in the State
of North Carolina, being of sound mind and me-
mory (praise be to God for the same) do make pub-
lic and declare this to be my last Will and
Testament, in manner and form following, that
is to say:

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

Second: I give and devise to my daughter, Ida-
Elizabeth Riggs wife of C. S. Riggs, and her heirs
and assigns forever, in fee simple, all my
farms and lands in the County of Brunswick
aforesaid including the tract on which I now
reside together with all the tenements, heredi-
taments and appurtenances to the same belong-
ing or appertaining.

Third: I give and bequeath to my said daughter
Riggs, all my House hold and kitchen furniture,
wines, cattle, goats and hogs all carts, wagons,
saddles, harness, trunks, plows, hoes and rakes, and
all other farming tools, implements and utensils
which are used on and about my farms and
lands in Brunswick County aforesaid and

Fourth: I give and devise to my son Walter Ral-
ph Evans and his heirs and assigns forever

all the lot of land and premises lying and situate in the City of Wilmington, County of New Hanover and State of North Carolina, bounded and described as follows:

Beginning at a point in the Western line of an alley, Eighty-eight (88) feet fronting from the Southern line of Princess street and one hundred and thirty-eight and $\frac{9}{10}$ (138- $\frac{9}{10}$) feet Eastwardly of the Eastern line of Fourth street and running thence Northwardly with the Western line of said alley and parallel with Fourth street Forty-seven (47) feet and six (6) inches to the Amory lot, thence Eastwardly with the line of said lot parallel with Princess street Seventy-two and $\frac{6}{10}$ (72- $\frac{6}{10}$) feet to a point in line with a brick wall, thence Northwardly parallel with Fourth street Forty-seven (47) feet and six (6) inches, and thence Westwardly parallel with Princess street Seventy-two and $\frac{6}{10}$ (72- $\frac{6}{10}$) feet to the Western line of said alley, together with a perpetual right of way and easement in, through and over the said alley from said lot to Princess street, the said alley being an uniform width of ten (10) feet.

Fifth: Subject to the conditions herein contained I give and devise to my daughter Adelaide Adrain Fox, (wife of R. L. Fox) and her heirs and assigns forever all the of land and premises lying, being and situate in the City of Wilmington, County of New Hanover and State of North Carolina, bounded and described as follows:

Beginning at a point in the Southern line of Princess street at the Southwestern intersection of an alley with said street one hundred and thirty-eight and $\frac{9}{10}$ (138- $\frac{9}{10}$) feet Eastwardly from the Eastern line of Fourth street, and running thence Eastwardly with the said Southern line of Princess street Seventy-two and $\frac{6}{10}$ (72- $\frac{6}{10}$) feet to a brick wall, thence Southwardly parallel with Fourth street Eighty-eight (88) feet, thence Westwardly parallel with Princess street Seventy-two and $\frac{6}{10}$ (72- $\frac{6}{10}$) feet to the Western line of said alley and thence Northwardly with the said Western line of said alley Eighty-eight (88) feet to Princess street, the beginning together with the right of way given under the fourth item herein

vide, however, and upon this express condition that the said Adelaide Adrain Fox, shall pay in full to my son Walter Raleigh Evans the sum of one thousand Dollars in installments as follows: viz: Five hundred dollars within the term of one year from and after the day and date of the probating of this Will and five hundred dollars within the term of two years from the day and date of probating this Will. Sixth: I give and bequeath to my grandchildren Ellen Henry and Elley Henry children of my deceased daughter Fannie B. Henry, the sum of five hundred dollars each. The said sum of five hundred dollars to be paid to each one of my said grandchildren by my Executors just as soon after my death as can be without interfering with any of the devise or bequest hereinbefore made and without selling or sacrificing any of my estate.

Seventh: It is my desire, and I therefore direct that in part of the residue of my estate shall be paid to my executors, but that my Executors shall divide the same into four equal parts or share, having due consideration as to the value, all the real and residue of my estate, real, personal and mixed, whatsoever it be found at the time of my death; and one fourth or share of said residue I give, devise and bequeath to my said daughter Ida Elizabeth Riggs, one fourth to my son Walter Raleigh Evans, one fourth to my daughter Adelaide Adrain Fox, and the remaining one fourth to be equally divided between my said grandchildren the children of my said deceased daughter Fannie B. Henry.

Eighth: If any of my children or grandchildren who themselves or their parents may be or become beneficiaries under my Will or any of their heirs or legatees, shall after my death, make any claim against my estate or any part of the same other than which he, she, they or their parents are entitled to under the provision of this Will then any and all such claims so made shall be paid out of the part or share coming to such child, or children or out of the part or share of the father or mother of such one making such claim so that the child or children, heirs or legatees, or

his heirs, heirs or assigns shall receive no more or less from my estate than is actually given to them or to their parents under the provision of this my Will.

Lastly, I hereby nominate, constitute and appoint my friend Daniel R. Walker, and my son Walter Raleigh Evans, 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 my last and clause hereof - hereby revoking and declaring utterly void all other Wills and Testaments by me at any time heretofore made.

In witness whereof, I, the said John B. Evans do hereunto set my hand and seal this the 12th day of July, A.D. 1907.

J.B. Evans. (seal)

Signed, sealed, published and declared by the said John B. Evans, 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, this the 12th day of July, A.D. 1907.

A.J. Marshall.

J.B. Mercer.

In the Name of God Amen: I, John B. Evans, Maker of the foregoing and annexed last Will and Testament dated the 12th day of July, 1907, do hereby make, execute, publish and declare this to be a Codicil to my said last Will and Testament, viz: In addition to the devise and bequest heretofore in said Will made to my daughter, Ida Elizabeth Riggs, it is my will and desire that the said Ida Elizabeth Riggs shall at my death, have my buggy and harness, my double barrel shot gun, my pistol and two watches, and also all my crops, and farm produce whether growing, gathered, housed or on hand and all fixtures, farm supplies, personal property and effects which may be on or belonging to my farm and lands in Pommeau County, Maryland in Accordance with my said Will, and I do hereby

give and bequeath all of the same to her my said daughter Ida Elizabeth Riggs and to her heirs and assigns forever.

In witness whereof, I, the said John B. Evans do hereunto set my hand and seal this the 14th day of August, A.D. 1908.

J.B. Evans. (Seal)

Signed, sealed, published and declared by the said John B. Evans to be a Codicil to 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 this the 14th day of August, 1908:

A.J. Marshall

J.B. Mercer.

In the name of God, Amen: I, John B. Evans, Maker of the foregoing and annexed last Will and Testament dated the 12th day of July, 1907, do hereby make, execute, publish and declare, this to be a Codicil to my last Will and Testament, viz: In the place and stead of my son Walter Raleigh Evans, I hereby appoint J.J. Knox, one of the executors of said Will, to act with the said D.R. Walker in said Will appointed.

In witness whereof, I, the said John B. Evans do hereunto set my hand and seal this the 30th day of March, A.D. 1910.

J.B. Evans (Seal)

Signed, sealed, published and declared by the said John B. Evans to be a Codicil to 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 this the 30th day of March A.D. 1910.

A.J. Marshall

J.B. Mercer.