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State of North Carolina,
Brunswick County, } May 26th, A.D. 1856.

I, Julius Allen, Sur., being of sound mind & memory do make and declare this my Last Will in manner and form following, to wit:-

- 1st. I give and bequeath to my wife Catherine everything I possess so long as she may remain single.
- 2nd. At the death of my wife Catherine, I give to my son, John W. Allen two negroes, to wit: a boy, Bob, and girl, Lenny.
- 3rd. I give to my son Julius Allen, at the death of his mother, two negroes, to wit: a boy, Peter, and girl, Effie.
- 4th. I give and bequeath to my daughter, Dacey, two negroes, to wit a boy, Major, and his mother, Clarry.
- 5th. I give to my grand children, children of my late daughter Louisa Rowell, to wit: Mary E., Francisina, and Charlotte Carr Rowell, jointly, one negro boy called Sam, at the death of my wife.
- 6th. I give and bequeath to my two sons John W. and Julius Allen at the death of their mother, all my land that I possess to be equally divided among them two.
- 7th. I give to my two sons, John W. and Julius Allen, at the death of their mother, all my stock of horses to be equally divided among them two.
- 8th. I give and bequeath to my children not herein named, at the death of my wife, all my stock of cattle and hogs that may be living, to be divided share and share alike.
- 9th. I give and bequeath to my daughter, Dacey, at the death of my wife, all the crop and house hold and Kitchen furniture of every description whatsoever.
- 10th. I give to my two sons, John W. and Julius Allen, at the death of my wife, all my farming tools, carts &c. also my guns to be divided between the two.
- 11th. It is my will and desire if any of the children named in this will die leaving no issue of their body that the property bequeathed to the heirs named in this will & be divided share & share alike.
- 12th. I do hereby nominate and appoint my worthy friend Samuel Rowell, Executor to this my last Will and Testament.

In testimony I hereunto set my hand and seal for the purposes herein named in the presence of the subscribing witnesses, the day and date above written.

Witnesses - W. W. Swinson.

Joseph Green.

And the said paper writing being duly pronounced for what is the last Will and Testament of the said Julius Allen in the same was duly proved by the oath of Joseph Green.

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W. W. Swinson, the subscribing witnesses aforesaid and ordered to be filed. Recorded again only to Act of Genl. Assembly, Special Session 1908. Ratified July 1st, 1908. Copied from Old Records, Book E. unpag.

at paper writing purporting to be the Last Will and Testament of John Swann, and also another purporting to be a Codicil to the said Will are exhibited for probate in Open Court by George Davis the executor therein named, and the due execution of both the said paper writings is proved by the oath & examination of James Davis and Stephen Hall the subscribing witnesses. It is therefore considered by the Court the said paper writings, and every part thereof are the Last Will and Testament of the said John Swann & the same is ordered to be recorded & filed. And thereupon the said George Davis comes into Court and renounces the said Executorship, and his renunciation is allowed and accepted by the Court. And upon motion letters of administration with the will annexed are granted to James Davis upon his giving bond in the sum of thirty-five thousand dollars with George Davis, R. D. Moore and Nathaniel M. Hill as sureties. And the said bond is given accordingly, and the said Administrator qualifies as such by taking the oath required by Law. The following is a copy of said Will, viz:-
In the name of God, Amen! -

I, John Swann, of the County of Brunswick, in the State of North Carolina, being in feeble health, but of sound disposing mind & memory, do make ordain and publish this to be my Last Will and Testament.

- First. - I direct that my body be buried in a decent & becoming manner by my Executor.
- Second. - I devise and direct that all my plantation & lands in the County of Brunswick and also all my cattle and live stock upon my said plantation (except my horses & mules) and also my negroes Robert, a cooper, and Hannah Hall be sold by my Executor at such time and upon such terms as he may deem best and the proceeds applied first to the payment of my debts. And I devise and direct that my indebtedness to John Dawson shall be paid as soon as possible out of the proceeds of said sales so as to relieve my said son David for the benefit of my daughter Susan, as herein after mentioned. My said stock being pledged to secure my said indebtedness to John Dawson.
- Third. - I give and bequeath to my son Richard Jones Swann my shares, Bob, John, Leck, & Ben.
- Fourth. I give and bequeath to my daughter Susan the same

my slaves George, Fred, Paris, and Thomas, in trust for the use and separate use of my daughter Lucy E. Waddell not to be to the disposal or liable for the debts of her husband.

Fifth- I give and bequeath to my Executor my slaves Davis, Sanchez, and Abel in trust for the sole and separate use of my daughter Rebecca Moore Swann, not to be subject to the disposal or liable for the debts of her husband.

Sixth- I give and bequeath to my Executor my slave Philis and her future increase born after this date in trust for the sole & separate use of my daughter Mary Hall, not to be subject to the disposal or liable for the debts of her husband.

Seventh- I give and bequeath to my daughter Ann Ivey Swann, all my stock in the Wilmington and Weldon Rail Road Company, and my slaves Fanny, and her ^{two} children Abram and Lucy Ann and her future increase born after this date - upon condition, however that she shall support and maintain my daughter Fanny M. Swann, during her life. And in case my daughter Ann shall marry or die before the death of my daughter Fannie I desire and direct that she shall settle one half of the Rail Road stock given to her to provide for the support & maintenance of Fanny during her life, and I declare and direct that the support and maintenance of my daughter Fanny, during her life, shall be charged upon all the property hereby bequeathed to my daughter Ann but subject to the said charge, the said property is to belong absolutely to my daughter Ann, and be at her own disposal.

Eighth- I direct that after the payment of my debts out of the proceeds of the sales directed in the second clause my Executor shall invest the sum of four hundred dollars in the purchase of a little maid servant for my daughter Fanny which I give to her absolutely.

Ninth- I also direct that after payment of my debts out of the proceeds of the said sales my Executor shall invest four hundred dollars in the purchase of a little maid servant to be held by him in trust for the sole and separate use of my daughter Lucy E. Waddell as directed in the fourth clause in regard to the slaves given to her.

Tenth- After the payment of my debts and the purchase of the two little maid servants, I give out of the proceeds of said sales the sum of one thousand dollars to each of my four grand children to wit: James, John and Francis, children of my son James, and Alice, child of my son John to be held and invested by my Executor in trust for the said children. And the moneys of the said children shall share equally with their respective children in the income of the said investments as long as they, the mothers shall remain unmarried.

Eleventh- After the payment of my debts and the purchase of the

two little maid servants, and the payment of the legacies to my four grand children, I give all the residue of the proceeds of the sales directed in the second clause of any, to my beloved wife Frances M. Swann. I also give, devise and bequeath to my said wife my carriage and harness, one wagon & cart, all my horses and mules and all my household and kitchen furniture wherever the same may be, also all my lands in the counties of Moore and Harvett, and all my live stock & farming utensils upon the said lands.

Twelfth- I give ^{by bequest} to my children Frederick, Rebecca, Ann and Fanny absolute in common my negro boy William for house servant

Lastly- I constitute and appoint my friend George Davis to be sole executor of this my will. In witness whereof I have hereunto set my hand and seal this thirteenth day of Nov^r, A.D. 1856.

John Swann ^{Test}
Signed, published and declared by the Testator as his last will in the presence of us, who in his presence & in the presence of each other, and at his request have subscribed the same as witnesses. ^{Witness} Junius Davis, Stephen Hall.

State of North Carolina. - I, John Swann, do make & publish this Codicil to my foregoing Will, hereby ratifying the same in all things, except as in this Codicil is mentioned. I give and bequeath my woman Hannah to my wife, Francis M. Swann absolutely. I also give to her, during her life, my negro boy, William, and after her death, I give the said boy to my son, Frederick J. Swann solely and absolutely. Instead of giving my said wife all of my mules I wish her to have two, which she shall choose, and the rest to be sold with the plantation and for the same purposes. In witness whereof I have hereunto set my hand & seal this 24th day of November, A.D. 1856.

John Swann ^{Test}
Signed, published and declared by the Testator as a Codicil to his last Will in the presence of us, who in his presence, and the presence of each other and at his request have subscribed it as witnesses.

State of North Carolina, } Junius Davis, Stephen Hall,
Brunswick County, } County Court, March Term 1857.

The foregoing paper writing purporting to be the last Will and Testament of John Swann and a Codicil to said Will was exhibited in Open Court and duly proved by the oath of Junius Davis and Stephen Hall the subscribing witnesses. This Court considered by the Court that the said paper writing and the last Will and Testament of John Swann and the same are valid to be received and acted upon as such. Noted. T. M. D. Moore, Clerk.