

be necessary to the true execution of this clause in any case that they take the same into their own possession.

Lastly, - I hereby nominate and appoint and constitute my sons William Frink, & John Frink, Executors to this my Last Will and Testament, hereby revoking and declaring void all other and Testaments by me hitherto made.

In testimony whereof I have hereunto set my hand & seal this 7th day of September, A.D. 1857.

William Frink, *Testator*

Signed, sealed, published and declared by the Testator to be and contain his last Will and Testament in presence of us who in his presence and in the presence of each other have at his request hereunto set our names as subscribing witnesses. The words "of my Executors" in the first clause underlined & crossed and same interlined in the devise to my son John on page - also the words "be paid her" on second page, interlined before signing.

Joseph Standaland,

E. W. Grisett

Saml. Langdon.

And the execution of the said paper writing being duly proved in open court by the oath of Joseph Standaland & Samuel Langdon, two of the subscribing witnesses thereto it considered by the Court that the said paper writing is the last will & testament of William Frink and sufficient in law to pass the real estate and personal property therein devised. It is therefore ordered that said Will be admitted to probate & be recorded in the Book of Wills. Whereupon William Frink & John Frink duly qualified as Executors to said Last Will and Testament.

Recorded agreeably to act of Genl. Assembly, Special Session 1908.
Ratified Febr'y 1st, 1908.

copied from old records - Book E - unpagged.

State of North Carolina.

No. 251

In the name of God, Amen! I, Mary Jane Smith, wife of Daniel Smith, of Brunswick County, being of sound disposing mind though weak in body, and considering the uncertainty of this life, do make, publish and declare the following and no other to be and contain my last Will and Testament, that is to say - I give, devise and bequeath unto my beloved husband Daniel Smith, all the property, real and personal of every description which I may be possessed of or in any manner entitled to at the time of my death, to have and to hold, use occupy and enjoy the same so long as he remains a widower. At his marriage or death I wish the said property equally divided among my heirs at law and next of kin, according to the law of North Carolina. And I do hereby appoint my said husband Daniel Smith my Executor.

In testimony whereof I have hereunto set my hand and seal this 18th day of November, A.D. 1857.

Mary Jane Smith, *Testatrix*

Signed, sealed, published and declared by the Testatrix to be her Last Will and Testament in our presence, who in her presence and in the presence of each other, do at her request hereunto set our names as subscribing witnesses.

W. B. Curtis, Saml. Langdon.

Was duly proved by the oaths of Dr. W. B. Curtis and Samuel Langdon the subscribing witnesses thereto, whereupon it is ordered that said Will be admitted to probate and recorded. Daniel Smith then duly qualified as Executor.

Recorded agreeably to act of Genl. Assembly, Spec. Session 1908.
Ratified Febr'y 1st, 1908.

copied from old records - Book E - unpagged.

No. 59

A paper writing purporting to be the Last Will & Testament of Daniel B. Evans was exhibited in open Court by J. C. Evans, named as Executor in said Will for probate. The due execution thereof by Daniel B. Evans was duly proved by the oath & examination of Dr. J. W. Potter a subscribing witness thereto. It is therefore considered by the Court that the said paper writing and every part thereof is the Last Will and Testament of the said Daniel B. Evans and the same is ordered to be recorded and filed. Whereupon the said Jacob A. Evans, Executor as aforesaid, duly qualified as such by taking the oath required by law.

In the name of God, Amen!

I, Daniel B. Evans, of the County of Brunswick, and State of North Carolina, being of sound disposing mind and memory, do make and ordain this my Last Will and Testament in manner and form following that is to say.

- First- I give and bequeath to my son Thomas Smith one hundred acres of land known as the Palmers Bay Tract.
- Second- I give and bequeath to my son Henry Selay one hundred acres of land known as Seelivant Tract,
- Third- I give and bequeath to my daughter Caroline Rebecca, one bed, bedstead and necessary furniture.
- Fourth- I lend to my beloved wife Elizabeth H. Evans all the land between Jacob A. Evans, John B. Evans & Anselm H. Evans lands including my residence also stock consisting of horses, cows, hogs, tools, household & kitchen furniture belonging on the place during her natural life, then after her death the land to return to Caroline Rebecca and all furnishable property to be equally divided between all of my heirs, viz: John Jones, Jacob Alexander, Thomas Smith, John Bass, Caroline Rebecca, Henry Selay, & Archam Harris.
- Lastly- I nominate and constitute my son Jacob A. Evans, Executor of this my Last Will and Testament. In witness whereof I have hereunto set my hand and seal this 29th Novr, A.D. 1866.

Daniel B. Evans

Signed, sealed and delivered in presence of us who at the request of the Testator & in his presence, subscribed our names.

J. W. Potter.

Recorded agreeably to an order of Court cheerfully, April Session 1908.
Ratified Feb. 1st, 1908.

Copied from Record. Book Co. page 20, 21.

No. 243

A paper writing purporting to be the Last Will and Testament of William Smith, deceased, is exhibited in open Court by Henrietta Smith the Executrix therein named, and the execution thereof by the said William Smith is proved by the oath and examination of John P. Lammor one of the subscribing witnesses thereto.

It is therefore considered by the Court that the said paper writing and every part thereof is the Last Will and Testament of the said William Smith and the same is ordered to be recorded and filed. And thereupon the said Henrietta Smith Executrix as aforesaid duly qualified as such by taking the oath required by law.

viz:-

I, William Smith, of the County of Brunswick, and State of North Carolina, being of sound mind and memory, but considering the uncertainty of my earthly existence, do make & declare this my Last Will and Testament in manner and form following that is to say.

- First- That my Executor (hereinafter named) shall provide for my body a decent burial, suitable to the wishes of my relations and friends and pay all funeral expenses, together with my just debts, taxes and to whomsoever owing out of the moneys that may come into his hands as a part or parcel of my estate.
- Item- I give and devise to my beloved wife, Henrietta Smith, one hundred and twenty five acres of land, a portion of a two hundred and fifty acre tract so as to include my mansion house, all out houses, cotton improvements, to have & to hold to her, the said Henrietta Smith for and during the term of her natural life, in satisfaction for & in lieu of her dower. Also I give and bequeath to my beloved wife, Henrietta, one bed and furniture, her choice, all the household kitchen furniture, also my entire stock of cattle and hogs & my entire crop.
- Item- I give and devise to my grandson, William B. Smith, one hundred and twenty five acres of land, the balance of the aforesaid two hundred and fifty acre tract, it being a portion of my home tract.
- Item- I also give my interest, which is one half, of a bowing boat now in charge of Solomon Webb, also my cart to my beloved wife Henrietta Smith which after death to be divided equally between all my children, with the exception of the one hundred and twenty five acre tract I give and bequeath to my beloved grandson Wm. B. Smith hereinafter mentioned.

And lastly I do constitute, nominate and appoint my trusty and much beloved wife, Henrietta Smith, my lawful Executrix to all intents & purposes to execute this my Last Will and Testament according to the tenor & meaning thereof, and every part and clause thereof, fully revoking and declaring utterly void all other wills and testaments by me heretofore made. In testimony whereof