

No. 563

STATE OF NORTH CAROLINA
COUNTY OF BRUNSWICK

LAST WILL AND TESTAMENT
OF
MALISSA JACKSON.

I, Malissa Jackson, of the aforesaid County and State, being of sound and disposing mind and memory, but considering the uncertainty of my earthy existence so make, ordain, declare and publish this my last will and testament.

FIRST: I give, devise and bequeath to my beloved son, John Jackson, all of the land comprising the farm on which he now lives in fee simple. And also one acre near the highway.

SECOND: I give, devise and bequeath to my beloved son, Junious Jackson, all the land comprising the farm on which he now lives.

THIRD: I give, devise and bequeath to my beloved son, Samuel Jackson, all land comprising the farm upon which he now lives for his lifetime. Should this not be of equal value with the lands devised herein to my sons John and Junious, then and in that event, I devise and additional amount of my land to bring his share to an equal value of the same.

FOURTH: I give to my son Tom Jackson an equal share of my land which I may leave of my estate undivided.

FIFTH: I give to my son Isaac Jackson an equal share of my land in which I may leave of my estate undivided, and after his death, my wishes are; I want his interest of said land which I devise to him to go to his sisters Faithie Jackson, Thalia Jackson, and Essie Causton and Carrie Elizabeth Jackson. Also to Essie and Carrie, the piece of land between the railroad and the Supply road, and the piece across the Supply road to the Savanna road, I want to go with my undivided estate. And my house, cows, chickens, and personal property, to go to Faithie, Thalia, Essie, and Carrie Jackson.

SIXTH: I give, devise and bequeath to my nephew, George Jackson, that certain tract or part of the land containing one acre which he has cleared or is now clearing in fee simple.

SEVENTH: I give, devise and bequeath to my grandson, Junious Jackson, Jr., in fee simple that tract of one acre upon which he now lives.

EIGHTH: It is my express wish and desire that no other member of my family, or any devisee named in this my last will and testament shall in any manner molest or interfere with the bequests here-in- before mentioned in this my last will and testament, that they shall be allowed to enjoy the premises herein devised, to live on them unhampered and unmolested.

NINTH: I give, devise and bequeath to my granddaughters, Helen Hall and Esther Hall, the share of lands which would have gone to their deceased mother in case she was living at the time of my death as set forth under paragraph of this instrument except as hereinafter mentioned.

TENTH: It is my express wish and desire that the lands hereinbefore disposed of remain forever in the Jackson family, and I hereby request that any devisee hereunder who wishes to dispose of their share shall first give the other heirs a chance to purchase same.

ELEVENTH: I hereby devise to to Faithie Jackson, Essie Causton, and my granddaughter, Carrie Elizabeth Jackson, that certain tract of land containing twenty-four acres known as the Jack Gardner tract in fee simple. I do not want any of my boys to have any of this land.

TWELFTH: I give to my sons, Samuel Jackson, Tom Jackson, and Isaac Jackson and my daughters to share and share alike of my undivided estate.

THIRTEENTH: I give, and devise to my granddaughters, Carrie Elizabeth Jackson and Essie Causton, all of my land across the railroad. And I also give and devise to my grandson, Isaac Jackson, one acre near my grandson, Junious Jackson, Jr., I myself Malissa Jackson out this July 12, 1941 her a home somewhere on the estate.

FOURTEENTH: I hereby nominate, constitute, and appoint my son John Jackson, my lawful Executor of this my last will and testament to execute same according to the true intent and meaning thereof, hereby revoking and declaring utterly void all of the other wills by me heretofore made.

In witness thereof, I have hereunto set my hand and seal, this 27 day of 11-27-1940.

Malissa Jackson

Signed, sealed, published and declared by the said Malissa Jackson to be her last will and testament, in the presence of us, who at her request and in her presence, and in the presence of each other, have subscribed our names as witnesses thereto.

This the 27 day of Nov. 1940.

WITNESS: Mrs. Fannie Robbins

WITNESS: J. W. Stanley Jr.

WITNESS: Howard C. Lee

CODICIL

My son, John Jackson, herein appointed executor of this my last will and testament having

died, I here by constitute and appoint my son, Samuel Jackson, as executor in his stead, to execute this my last will and testament. All property herein devised to John Jackson I give and devise to my beloved daughter, Faithie Jackson.

her
Malissa X Jackson
mark

WITNESS: Mrs. Fannie Robbins

WITNESS: J. James Moore
his
John Wiley X Joyner
mark

State of North Carolina)
County of Brunswick)

In the Superior Court---Before The Clerk.

A paper- writing purporting to be the last will and testament of Malissa Jackson, deceased is exhibited before me, the undersigned clerk of the Superior Court of Brunswick County, by Samuel Jackson, the executor mentioned therein and the due execution thereof by the said Malissa Jackson is proved by the oath and examination of Fannie Robbins and Howard Lee, two of the subscribing witnesses thereto, and each for himself depose and saith that he is a subscribing witness thereto, that is, the paper writing now shown him, purporting to be the last will and testament of the said Malissa Jackson; that the said Malissa Jackson in the presence of this deponent subscribed her name at the end of said paper writing now shown as aforesaid, and which bears the date of November 27th, 1940; and said deponents further saith that the said Malissa Jackson, testator as aforesaid declared the paper writing so subscribed by her and exhibited to be her last will and testament, and this deponent did thereupon subscribe his name at the end of said will as an attesting witness thereto and at the request of and in the presence of said testator. And this deponent further saith that at the said time when the said testator subscribed her name to the last will as aforesaid, and at the time of the deponents subscribing his name as attesting his name as attesting witness thereto as aforesaid, the said Malissa Jackson was of sound mind and memory, of full age to execute a will and was not under any restraint to the knowledge, information or belief of this deponent, and said deponents further saith not.

Howard C. Lee

A paper- writing purporting to be a codicil to the last Will and Testament of Malissa Jackson, deceased, is exhibited before me the undersigned clerk of the Superior Court of Brunswick County, North Carolina, by Samuel Jackson, the executor therein named and the due execution thereof by the said Malissa Jackson is proved by the oath and examination of Fannie Robbins and James Moore two of the subscribing witnesses thereto, who, being duly sworn do depose and say and each for himself and saith, that he is a subscribing witness to the paper writing now shown him, purporting to be a codicil to the last will and testament of Malissa Jackson; that the said Malissa Jackson in the presence of this deponent subscribed her name at the end of said paper writing now shown as aforesaid which bears no date; And the deponent further saith that the said Malissa Jackson, the testator as aforesaid, did, at the time of subscribing his name as aforesaid declare the said paper writing so subscribed by him and exhibited to be a codicil to her last will and testament, and thereupon this deponent did subscribe his name at the end of said will as an attesting witness thereto, and in the presence of and at the request of said testator. And this deponent further saith, that at the said time when the said testator subscribed her name to the said codicil to the said last will and testament as aforesaid, and at the time of the deponents subscribing his name as an attesting witness thereto as aforesaid, the said Malissa Jackson was of sound mind and memory, of full age to execute a codicil to a will, and was not under any restraint, to the knowledge, information or belief of this deponent. And further these deponents say not.

Mrs. Fannie Robbins

James Moore

Severally sworn subscribed to this the 16 day of August 1944.

B. J. Holden

Asst. Clerk Superior Court, Brunswick County, N. C.

State of North Carolina
County of Brunswick

In the Superior Court.

It is therefore, considered and adjudged by the court that the said paper writing, and every part thereof, is the last will and testament, together with the codicil, of Malissa Jackson, deceased, and the said Last Will and Testament and Codicil thereto, with the foregoing examination and this certificate are ordered to be recorded and filed.

This the 16 day of Aug, 1944

B. J. Holden