

No. 55

The following paper, writing, purporting to be the Last Will and Testament of Peter Friend, Decd., was duly proved in open Court at Decd. Term, 1854, and ordered to be recorded and filed - To wit: - In the name of God, Amen! I, Peter Friend, being weak in body and in a gradual decline; but being of sound and disposing mind, do make and ordain this my last Will & Testament -

- First - I bequeath my body, to the dust from whence it came, and my soul to God who gave it.
- Secondly - It is my Will that my Executor, hereinafter named, shall see my body respectfully interred, and defray all funeral expenses.
- Thirdly - It is my desire that my Executor shall next see that all my debts, which are few & small, are paid at once upon my decease.
- Fourthly - It is my will and desire that what money I may have on hand at my death, shall after the payment of my debts, go to my beloved wife, Caroline Friend.
- Fifthly - It is my will that all other property of whatever description and all my rights to property in possession or in action (in which I include the house and lot on which I now live, being a part of the lot known in the plan of the Town as lot No. 7 (seven), also all my negroes, consisting of three; Amanda, about seventeen years old, Jim, about twenty-two years old, and Bett, about thirty-nine years old, shall go to my beloved wife Caroline Friend, for and during her natural life, and at her death, it is my will that all said property, that is all my estate & rights, excepting money on hand at my death, shall go to my adopted child, little Caroline Friend, to be her own property, from the day of the death of my said wife, to her, her heirs & assigns forever.
- Lastly - It is my will that my kind friend John W. Calloway act as my Executor.

Peter Friend.

Executed and published

in presence of W. L. Lewis & P. Peileau.

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

Copied from Old Records, Book E. - unframed.

No. 58

I, Sterling B. Everett, of Smithville, in the County of Brunswick, and State of North Carolina, being feeble in body but of sound disposing mind, and feeling anxious to make such disposition of my property as will best and most certainly secure to my family a comfortable support after I have left them, do make, publish and declare the following to be my last Will and Testament, hereby revoking and declaring null and void all other Wills and Testaments by me hitherto made.

- First - I charge and require my Executors, hereinafter named to pay all my just debts at the earliest possible day. There are good notes owing to me and falling due on the first of January next amply sufficient for this purpose and they must be so applied.
- Secondly - It is my will and I so direct that my Executors rent my Real Estate, except the Dwelling house in Smithville, and hire out my negroes from year to year, either publicly or privately as to them may seem best, and pay over the net income to my wife, Amelia, during her widowhood for the support of herself and family. And I desire and direct that whatever moneys may remain, after the payment of my debts, be invested in bonds of the State of North Carolina, or stock of the Bank of the State of North Carolina or bank of Cape Fear at the discretion of my Executors, and the increase applied in the same manner as the rent and hire.
- Thirdly - At the death of my wife, Amelia, or in case of her marriage I direct that after setting aside, and safely investing a sum the income of which will be sufficient for the comfortable support of my daughter, Marietta, the balance of my estate, Real & Personal, be equally divided among my other children to wit: Julia Baker, wife of D. B. Baker, Caroline A., Ann P., Ellen W., and Edward. In case of the marriage of my wife, she to share equally with the children in the division. And in apportioning the negroes I wish a boy named Simon to be allotted to Edward, a girl named Emma to Caroline A., a girl named Mary to Ellen W., a boy named John, child of Marrietta, to Ann P. - the said slaves to be fairly valued so that the division of the property may in all respects be equal - no one share exceeding the others. The share of my daughter, Julia, to be vested in my Executors for her use and benefit during her life, and at her death to be divided among her brother and sisters.
- Fourthly - Upon the death of my daughter Marietta, the sum reserved for her support, as above directed, is to be equally divided between her brother and sister.

4
Fifthly - I wish the present house-servants to remain as domestic in the family - therefore they are excepted from that clause requiring all the negroes to be hired out, and this exception embraces Sam and his wife Mary.

Lastly - I hereby nominate, constitute and appoint Robert F. Brown of Wilmington, and my nephew Saml. Langdon of Smithville, Executors to this my Last Will and Testament to carry the same into effect according to its tone, intent and meaning. In testimony whereof I hereunto set my hand and seal, this 5th day of May, 1853.

S. B. Everett, Real

Signed, sealed, published and declared by the Testator to be his Last Will and Testament in presence of us, who at his request have hereunto set our names as subscribing witnesses. The words "and Sisters" interlined before signing.

D. S. D. Thurston,
Samuel Langdon,
John Brown.

The foregoing paper-writing, purporting to be the Last Will and Testament of Sterling B. Everett was offered in open Court by Samuel Langdon (for probate) one of the Executors therein named, and the same was duly proved as said Last Will and Testament by the oaths of D. S. D. Thurston and John Brown, two of the subscribing witnesses. And the said Samuel Langdon was duly qualified as Executor thereof.

Recorded agreeably to Act of the Genl. Assembly, Special Session of 1908. Ratified Feb'y 1st., 1908.

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In the name of God, Amen!

I, Mary Rothwell, of the County of Brunswick, in the State of North Carolina, being now aged and infirm, but of sound and disposing mind, memory and understanding, and being desirous to declare what disposition of my estate shall be made after my death, exhibit I have strength and capacity to do so, do make, publish and declare the following as and for my Last Will and Testament. I give, devise and bequeath all and singular my estate, property, and effects, real and personal of every kind and description whatsoever the same may be, and of which the same may consist, to my four grand children, James Rothwell, Mary Corbett Rothwell, Catherine Taylor Rothwell and Henrietta Perrin Rothwell to be held by them as tenants in common.

I hereby nominate my son Jonathan H. Rothwell, father of the before named devisees & legacies, sole Executor of this my Last Will and Testament.

In testimony whereof I have hereunto set my hand and seal this the 8th day of March, A. D. 1853.

Mary Rothwell Real

Signed, published and declared by the above named Mary Rothwell as and for her last Will and Testament in our presence.

Stephen King, Felix King.

Was offered for probate by Jonathan H. Rothwell, the Executor named therein, and the same was duly proved by the oaths of Stephen King, one of the subscribing witnesses to the same. Jonathan H. Rothwell took the oath of office and was duly qualified as Executor aforesaid.

Recorded agreeably to Act of the Genl. Assembly, Special Session of 1908, Ratified February 1st., 1908.

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