

of said testatrix. And this deponent further saith, that at the same time when the said testatrix subscribed her name to the said last Will as aforesaid, and at the time of the deponent's subscribing her name as attesting witness thereto, as aforesaid, the said Mrs. M. E. Ward 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 further these deponents say not.

Severally sworn and subscribed, this 15th day of March, 1933, before me.

S. B. Frink
Clerk Superior Court.

J. B. Ward

Edna Ward

NORTH CAROLINA) IN THE SUPERIOR COURT.
BRUNSWICK COUNTY {

It is therefore considered and adjudged by the Court that the said paper writing and every part thereof is the last Will and Testament of Mrs. M. E. Ward deceased. Let said Will, together with the probate, be recorded and filed.

This 15 day of March, 1933.

S. B. Frink
Clerk Superior Court.

No. 450.

State of North Carolina County of Brunswick

I W. M. Smith do a Gree and Make this My Last Will I give bequeath and devise to My son B. L. Smith in complete and Perfect ownership of all My rights and Property of Ever Kind and Nature Wether real Personal or Mixed Wherever situated for the taken care of Me the said W M Smith and for My Berial at My death

sign
W. M. I Smith
mark

Seal

Subscribed before Me this the 29 day of March 1933

R. S. Milliken J P

Witness Lester Smith

STATE OF NORTH CAROLINA,) IN THE SUPERIOR COURT.
Brunswick County. }

A paper purporting to be the last Will and Testament of W. M. Smith deceased, is exhibited before me the undersigned, Clerk of the Superior Court for said County, by B. L. Smith, the devise therein mentioned, and the due execution thereof by the said W. M. Smith by the oath and examination of R. S. Milliken and Lester Smith, the subscribing witness thereto; who being duly sworn, doth depose and say, and each for himself depose and saith, that he is a subscribing witness to the paper-writing now shown him, purporting to be the last Will and Testament of W. M. Smith that the W. M. Smith in the presence of this deponent subscribed his name at the end of said paper-writing, which is now shown as aforesaid, and which bears date of the 29th day of March, 1933.

And the Deponent further saith, That the said W. M. Smith the testator aforesaid, did at the time of subscribing his name as aforesaid declare the said paper-writing so subscribed by him, and exhibited to be his 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 and in the presence of said testator. And this deponent further saith, that at the same time when the said testator subscribed his name to the said last Will as aforesaid, and at the time of the deponent's subscribing his name as an attesting witness thereto, as aforesaid, the said W. M. Smith was of sound mind and memory, of full age to execute a Will, and was not under any restraint, to the knowledge, or belief of this deponent: And further these deponents say not.

R. S. Milliken
Lester Smith

Severally sworn and subscribed, this 2 day of August 1933, before me.

S. B. Frink
Clerk Superior Court.

STATE OF NORTH CAROLINA,) IN THE SUPERIOR COURT
Brunswick County. }

Is therefore considered and adjudged by the Court that the said paper-writing and every part thereof is the last Will and Testament of W. M. Smith, deceased. Let the said Will, together with the probate, be recorded and filed.

This 2 day of August 1933.

S. B. Frink
Clerk Superior Court.

State of North Carolina, :: In Superior Court.
Brunswick County. :: Judgment.

Re Will of William M. Smith.

The Caveator, W. A. Smith, having failed and refused to give bond as required under the law, and the proponent having moved to dismiss his caveat for failure and refusal to do so, after notice having been heretofore given and served on said W. A. Smith, thru his Attorney, it is therefore, ordered and adjudged that the said Caveat be and the same is hereby dismissed for failure and refusal to give the required bond. This the 20th. February. A. D. 1934.

Caveat filed to this will, by W. A. Smith, this the 10th day of Dec. 1933. J. B. Frink, C.

of said testatrix. And this deponent further saith, that at the same time when the said testatrix subscribed her name to the said last Will as aforesaid, and at the time of the deponent's subscribing her name as attesting witness thereto, as aforesaid, the said Mrs. M. E. Ward 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 further these deponents say not.

Severally sworn and subscribed, this 15th day of March, 1933, before me.

S. B. Frink
Clerk Superior Court.

J. E. Ward

Edna Ward

NORTH CAROLINA } IN THE SUPERIOR COURT.
BRUNSWICK COUNTY }

It is therefore considered and adjudged by the Court that the said paper writing and every part thereof is the last Will and Testament of Mrs. M. E. Ward deceased. Let said Will, together with the probate, be recorded and filed.

This 15 day of March, 1933.

S. B. Frink
Clerk Superior Court.

No. 450.

State of North Carolina County of Brunswick

I W. M. Smith do a Gree and Make this My Last Will I give bequeath and devise to My son B. L. Smith in complete and Perfect ownership of all My rights and Property of Ever Kind and Nature Wether real Personal or Mixed Wherever situated for the taken care of Me the said W M Smith and for My Bearial at My death

sign
W. M. I Smith
mark

Seal

Subscribed before Me this the 29 day of March 1933

R. S. Milliken J P

Witness Lester Smith

STATE OF NORTH CAROLINA, } IN THE SUPERIOR COURT.
Brunswick County. }

A paper purporting to be the last Will and Testament of W. M. Smith deceased, is exhibited before me the undersigned, Clerk of the Superior Court for said County, by B. L. Smith, the devise therein mentioned, and the due execution thereof by the said W. M. Smith by the oath and examination of R. S. Milliken and Lester Smith, the subscribing witness thereto; who being duly sworn, doth depose and say, and each for himself depose and saith, that he is a subscribing witness to the paper-writing now shown him, purporting to be the last Will and Testament of W. M. Smith that the W. M. Smith in the presence of this deponent subscribed his name at the end of said paper-writing, which is now shown as aforesaid, and which bears date of the 29th day of March, 1933.

And the Deponent Further Saith, That the said W. M. Smith the testator aforesaid, did at the time of subscribing his name as aforesaid declare the said paper-writing so subscribed by him, and exhibited to be his 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 and in the presence of said testator. And this deponent further saith, that at the same time when the said testator subscribed his name to the said last Will as aforesaid, and at the time of the deponent's subscribing his name as an attesting witness thereto, as aforesaid, the said W. M. Smith was of sound mind and memory, of full age to execute a Will, and was not under any restraint, to the knowledge or belief of this deponent: And further these deponents say not.

R. S. Milliken
Lester Smith

Severally sworn and subscribed, this 2 day of August 1933, before me.

S. B. Frink
Clerk Superior Court.

STATE OF NORTH CAROLINA, } IN THE SUPERIOR COURT
Brunswick County }

Is therefore considered and adjudged by the Court that the said paper-writing and every part thereof is the last Will and Testament of W. M. Smith, deceased. Let the said Will, together with the probate, be recorded and filed.

This 2 day of August 1933.

S. B. Frink
Clerk Superior Court.

State of North Carolina, :: In Superior Court.
Brunswick County. :: Judgment.

Re Will of William M. Smith.

The Caveator, W. A. Smith, having failed and refused to give bond as required under the law, and the proponent having moved to dismiss his caveat for failure and refusal to do so, after notice having been heretofore given and served on said W. A. Smith, thru his Attorney, it is therefore, ordered and adjudged that the said Caveat be and the same is hereby dismissed for failure and refusal to give the required bond. This the 26th. February, A. D. 1934.

Caveat filed to this will by W. A. Smith, this 15th day of Dec. 1933. J. E. Frink, C. C.

Wilmington, N. C.
October 19, 1931.

TO WHOM IT MAY CONCERN:

Know ye all men by these presents that I, George H. Ruark, of sound mind and body, employed at this time by J. W. Brooks of Wilmington, N. C., do hereby and herewith bequeath to my wife Louise Ellen Ruark, (familiarily known as Lou Ella) all of my worldly goods and belongings, consisting of all real estate of whatsoever nature, and all personal property; for to have and to hold in her own name. If for any good reason, she should wish to sell or dispose of any of such property, or any part of said property for her own comfort or for her good, she may be and is hereby made free to do so. The real estate owned at this time is all situated in Southport, N. C., where my wife now lives, and where I spend my week-ends while employed in my present capacity. For any legal advice and assistance, I would like Mr. C. Ed. Taylor to handle the affairs.

Witness my hand and seal this 19th day of October, 1931.

Signed. ...George H. Ruark.....

Witness:

...G. C. Gilbert.....
...Wilmington N. C.....

Witness:

...A. M. Sholar.....
...Wilmington N. C.....

NORTH CAROLINA

BRUNSWICK COUNTY.

IN THE SUPERIOR COURT-BEFORE THE CLERK.

In the Matter of the Will of George H. Ruark, Deceased.

This paper-writing hereto attached and purporting to be the last will and testament of George H. Ruark deceased, is exhibited before the undersigned Clerk of the Superior Court of Brunswick County, North Carolina, by C. Ed. Taylor, atty for Louise Ellen Ruark therein named, and thereupon the following proof thereof is taken by the oath and examination of G. C. Gilbert and A. M. Sholar, the subscribing witnesses thereto, as follows:

NORTH CAROLINA, Brunswick County.

G. C. Gilbert and A. M. Sholar being duly sworn, depose and say, each for himself deposes and says, that he is a subscribing witness to the said paper-writing now shown him, purporting to be the last will and testament of George H. Ruark, and that he saw him execute this writing as his last will and testament, and that affiant attested it in the presence and at the request of said George H. Ruark, deceased; and at the time of its execution said George H. Ruark was, in affiant's opinion, of sound mind and disposing memory.

G. C. Gilbert

A. M. Sholar

Severally subscribed and sworn to before me, this 28 day of November, 1933.

S. B. Frank
Clerk Superior Court
County.

And thereupon it is considered and adjudged by the Court that the paper-writing and every part thereof is the last will and testament of George H. Ruark, deceased, and it is ordered that the same, with the foregoing information and this certificate, be recorded and filed.

This 28 day of November, 1933

NORTH CAROLINA :

NEW HANOVER COUNTY:

I, Luella W. Kirby, of the aforesaid County and State, being of sound mind, but considering the uncertainty of my earthly existence do hereby make and declare this my last will and testament, to-wit:

FIRST: My executors hereinafter named, shall give my body a decent burial, suitable to the wishes of my friends and relatives, and pay all funeral expenses, together with all my just debts, out of the first moneys coming into his hands belong to my estate.

SECOND: I give and devise and bequeath unto my trustees, hereinafter named, all the rest and residue of my property, both real and personal, for the following purposes; that, My said Trustees shall invest and re-invest said principal of my estate, in its discretion, and pay over to my daughter, Luella McK. Kirby such income as may be derived, after paying all taxes, commissions and other necessary expenses. My said Trustees are also authorized and empowered to pay to my said daughter, any additional amount above income, as may be necessary for her proper maintenance and education. My said Trustees are further authorized and empowered to sell, at their discretion, any part of said principal or real estate, held in my estate, at either private or public sale, and to make execute and deliver unto purchaser or purchasers proper conveyance of property. When my said daughter shall have reached the age of twenty one years, then my said Trustees hereinafter named are authorized, directed and empowered to turn over to my said daughter, all the rest and residue of my estate held at that time, together with any unpaid income.

I hereby constitute and appoint my brother, A. E. McKeithan and the Wilmington Savings and Trust Company, Wilmington, N. C., my lawful executors and trustees to execute this my last will and testament according to the true intent and meaning of the same, and every part and clause thereof, hereby revoking and declaring utterly void all other wills and testaments by me heretofore made.

In witness whereof, I, the said Luella W. Kirby, do hereunto set my hand and seal this the 22nd day of January, 1930.

Luella W. Kirby (SEAL)

Signed, sealed, published and declared by the said Luella W. Kirby to be her 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 hereto.

F. B. Harris

Richard S. Rogers

STATE OF NORTH CAROLINA :

NEW HANOVER COUNTY :

I, W. N. Harris, Clerk of the Superior Court of the aforesaid State and County, do hereby certify that the foregoing to be a true and correct copy of the Last Will and Testament of Luella W. Kirby, deceased, as the same is taken from and compared with the original on file in this office.

Witness my hand and seal of office this 9th day of July, 1934.

W. N. Harris

Clerk of Superior Court,
New Hanover County.

(Court Seal)