

No. 387

STATE OF NORTH CAROLINA.  
COUNTY OF BRUNSWICK

I, Walker Swain, of the aforesaid State and County, being of sound mind, but considering the uncertainty of my earthly existence, do make and declare this as my last Will and Testament:

FIRST: My executrix, 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 which may come into my hands belonging to my estate.

SECOND: I give and devise to my beloved children, Victoria Swain Galloway, Addie Swain Patterson, Annie Swain Robinson and Douglass Swain, share and share alike, that is, an undivided one fourth (1/4) interest each, in and to my lot, or parcel of land, situated on College Street in the city of Southport, North Carolina, and also all other real property, which I now own, or may hereafter acquire, and wheresoever situated or located, in fee simple absolute.

THIRD: I give and bequeath to my said children share and share alike, all my personal property, of whatever kind, and wheresoever found, absolutely.

FOURTH: I give, devise and bequeath all my property, whether real or personal, or mixed, which I now own or may hereafter acquire, and wheresoever located situated or found, to my aforesaid beloved children, in fee simple absolute.

FIFTH: I hereby constitute and appoint my beloved daughter, Victoria Swain Galloway, my lawful executrix to all intents and purposes, 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 be me heretofore made.

IN TESTIMONY WHEREOF, I, The said Walker Swain, do hereunto set my hand and seal, this the 8th, day of December A.D. 1926.

his  
Walker x Swain, (seal)  
mark

Signed, sealed, published and declared by the said Walker Swain to be his 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 thereto.

W.M. McKensie  
T.B. Carr  
Robert W. Davis.

NORTH CAROLINA.  
BRUNSWICK COUNTY.

IN THE SUPERIOR COURT.  
BEFORE THE CLERK.

IN THE MATTER OF THE WILL OF WALKER SWAIN, DECEASED.

The paperwriting hereto attached and purporting to be the last will and testament of Walker Swain, deceased, is exhibited before the undersigned Clerk of the Superior Court of Brunswick County, North Carolina, by Victoria Swain, the executrix therein named, and thereupon the following proof thereof is taken by the oath of W.M. McKensie and T.B. Carr, the subscribing witnesses thereto as follows:

NORTH CAROLINA.  
BRUNSWICK COUNTY.

Wm. McKensie and T.B. Carr being duly sworn, depose and say, and each 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 Walker Swain, and that he saw him execute (or heard him acknowledge the execution of) this writing as his last will and testament, and that affiant attested it in the presence and at the request of said Walker Swain deceased; and that at the time of its execution (or at the time its execution was acknowledged) said Walker Swain was, in affiant's opinion, of sound mind and disposing memory.

W.M. McKensie  
T.B. Carr

Severally subscribed and sworn to before me, this 30th, day of March 1927.

A.T. McKeithan,  
Clerk Superior Court  
Brunswick County.

And thereupon it is considered and adjudged by the Court that the said paper writing and every part thereof is the last will and testament of Walker Swain deceased, and it is ordered that the same, with the foregoing examination and this certificate, be recorded and filed.

This 30th, day of March 1927.

A.T. McKeithan,  
Clerk Superior Court Brunswick County.

No. 398  
NORTH CAROLINA.  
BRUNSWICK COUNTY

I, John R. McRacken, of the above named County and State, being of sound and disposing mind, but considering the uncertainty of my earthly life, do make, ordain, declare and publish this my last will and testament.

FIRST: I give, devise and bequeath to my wife Annie Neal McRacken all my personal property of every kind and description, and all my real estate wherever located, to use and enjoy during her natural life, or so long as she remains unmarried as much of the personal estate and the income therefrom as may be necessary for the needs and comfort of herself and the family, but in the event of her marriage, and at her death, all my estate to go as hereinafter directed.

SECOND: In the event of the marriage of my wife, or should she die before my youngest child arrives at the age of eighteen years, then, and in either of said events, all my property, both real and personal shall be held and managed by my oldest son, Morris Thompson, until the youngest child shall arrive at the age of eighteen years, and then divided as hereinafter set out.

THIRD: I give, devise and bequeath to my two sons, Morris Thompson and John Robert, Jr., all my real estate, wherever located, and my horses, cattle, hogs, sheep, and stock of every description, and all my farming tools and implements of every kind, and they (my two sons) shall pay, in cash to my three daughters, Lucille, Sophia and Thelma, the sum of Five Hundred (500.) Dollars each. This item is subject to items first and second.

FOURTH: I give, and bequeath to my five children, Morris Thompson, John Robert Jr., Lucille, Sophia and Thelma all the balance of my personal estate of all kinds and descriptions, to be equally divided among them, share and share alike, this item is subject to items first and second.

I hereby nominate, constitute and appoint my wife Annie Neal McRacken, my sole Executrix of this my last will and testament, but in the event of her marriage, then and in that event, I hereby nominate, constitute and appoint my son Morris Thompson, McRacken my sole Executor of this my last will and testament.

In testimony whereof I do hereunto set my hand and seal, this the \_\_\_\_\_ day of October 1906.

John R. McRacken, (seal)

Signed, sealed, declared and published by the said John R. McRacken to be his 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 and witnesses thereto.

Robert W. Davis,  
E.H. Cranmer