

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 Kelay 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 Kelay, & 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 the Court, April Session 1908.
Ratified Feb. 1st, 1908.

Copies from Records. Book Co. page 20, 21.

No. 243

at 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 intrest, 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 witness whereof

said William Smith do hereunto set my hand and seal this 6th day of June, A.D. 1866.

William ^{his} Smith ^{and}
Signed, sealed and published and declared by the said William Smith to be his Last Will and Testament in the presence of us who at his request & in his presence do subscribe our names as witnesses.

M. M. Bordenaux, John A. Lennard.
Recorded agreeably to an Act of Genl. Assembly, Special Session 1908 & Ratified July 1st, 1908. Copied from Old records Book C., page 22 v.

No 9. A paper writing purporting to be the Last Will and Testament of William J. L. Bryan, deceased, is exhibited for probate in open Court by Philip Poirlean the Executor therein named, and the due execution thereof by the said William J. L. Bryan is proved by the oath & examination of Christopher C. Morse one of the subscribing witnesses. 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 J. L. Bryan and the same is ordered to be recorded and filed. And thereupon the said Philip Poirlean, Executor of aforesaid duly qualified as such by taking the oath as required by law Joseph Green has qualified likewise at Decr. Term, 1867.

In the name of God, Amen!
I, William J. L. Bryan, of Brunswick County, in the State of North Carolina, being sick and weak of body, but of a sound and disposing mind, memory and understanding, considering the uncertainty of my earthly existence, to the end that I may be the better prepared to leave this World with a satisfied and tranquil mind whenever it shall please God to call me hence, have now determined to direct what disposition shall be made of my property after my decease; and I do make, publish and declare this to be my Last Will and Testament hereby revoking & making null & void all former Wills and Testaments and writings in the nature thereof by me heretofore made and my Will is—

First—That after my decease my body shall receive decent interment and that my funeral charges and just debts shall be paid by my Executors hereinafter named.

With regard to the residue of my estate and property which shall not be required for the payment of my debts and the expenses incurred about the execution of this my Will and the administration of my estate I give, devise and dispose of, as follows, to wit: I give and bequeath to my beloved wife, Elizabeth, all my household furniture of every kind and description, my money

and all and every other of my personal chattels and effects which I have and to hold the same to her and her heirs, executors, and administrators forever. I also give and devise unto my beloved wife, Elizabeth, my house and land near the Cape Fear River, being the same where I lately resided & which was conveyed to me by my father Joseph J. Bryant. It is more particularly described as follows—Beginning at the mouth of Joseph J. Bryant's Mill Creek at a sweet gum, running with the Creek up to his Mill until it intersects a little branch at the Mill, thence up the branch until it intersects with the Mill road, thence with the said road until it intersects the Avenue that runs from the house, thence with the Avenue to Bay branch, thence to McCoy's corner, and thence with McCoy's line to Vernon's line, & thence with Vernon's line to the Cape Fear River, & thence with the course of said river to the beginning; to have & to hold to her & her heirs forever. I do nominate and appoint my esteemed friends Joseph Green & Philip Poirlean to be the Executors of this my last Will and Testament. In witness whereof I the said William J. L. Bryan do hereunto set my hand and seal this 6th day of June A.D. 1867.

Wm. J. L. Bryan, ^{and}
Signed, sealed, published and declared by the said W. J. L. Bryan to be his last Will and Testament in the presence of us, who at his request and in his presence do subscribe our names as subscribing witnesses.

Swift Galloway, C. C. Moore.
Recorded agreeably to an Act of Genl. Assembly, Special Session, 1908. Ratified July 1st, 1908.

Copied from Old records Book C. page 45 v.