

same, according to its true intent and meaning.

Signed, sealed, published and declared by the above named Jane Ward, as and for her last will and testament, in the presence of us, who, at her request, and in her presence, have subscribed our names as witnesses thereto, on this the second day of September one thousand eight hundred and sixty-seven.

In presence of
Wm. H. Rogerson
L. C. Howland

Jane Ward (decd)

State of North Carolina } Court of Probate.
Carteret County } Sept. 14th. 1868.

The foregoing paper, writing, purporting to be the last will and testament of Jane Ward deceased, is offered for probate, and the execution thereof, by the said Jane Ward, is proved by the oaths and examination of William H. Rogerson, and L. C. Howland, the subscribing witnesses thereto, who swear that they saw the said Jane Ward execute the said paper writing as her last will and testament; that they attested it in her presence and at her request, and that at the time of its execution, she was in their opinion, of sound mind and disposing memory. It is therefore considered that the said paper writing, and every part thereof, is the last will and testament of the said Jane Ward. And thereupon Durant H. L. Bell, the executor therein named, qualifies as such, by taking the oath required by law.

Jas. Rumley, Judge of Probate.

The following is the affidavit filed in the matter of the probate of the last will and testament of Jane Ward decd.

State of North Carolina } Court of Probate
Carteret County } Sept. 14th. 1868.

In the matter of the probate of the last will and testament of Jane Ward deceased.

Durant H. L. Bell maketh oath, that he is the executor of Jane Ward deceased, named in the will of said deceased.

That the property of the testatrix consists of real estate, being half of lot of ground No. 137, Sit. in Beaufort, & improvements and household and kitchen furniture; the value of the whole being fifteen hundred dollars;

That the names of the parties entitled to the said property are Durant H. L. Bell and wife Fannie T. Bell, who have an estate for life therein, and their children, who are minors, without guardians, as follows: Church Bell, Fannie B. Bell, Ann Maria Bell, and John H. Bell. All reside in the town of Beaufort, Carteret County N. C.

D. H. L. Bell

Sworn to and subscribed before me.

Jas. Rumley

Judge of Probate.

I, Charles J. Foreman of the County of Carteret and State of North Carolina, being of sound mind and memory, but considering the uncertainty of my earthly existence, do make and declare my last will and testament in a 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 howsoever and to whomsoever owing, out of the moneys that may first come into his hand as a part or parcel of my estate.

Now I give and devise to my beloved wife ten acres of land, being the tract whereon I now live, to be laid off so as to include my present house and all out houses and other improvements, to have and to hold to her the said wife or tophine W. Foreman, for and during the term of her natural life in satisfaction for and in lieu of her dower and thirds of and in and my real estate. I also leave to the use of my beloved wife during her natural life, one bed and furniture, one table, one chair, one clock, cooking utensils and a chair.

one mare pony named Duke, one spinning wheel and loom, two hogs, four head of cattle, and three of five wood from my upper place known as the hattie. the four head of cattle is to be given to my children as the said wife see proper.

Item I give and devise to my eldest daughter Orpha H. Langley, wife of William Langley, all that tract of land whereon I now live except the life estate of my wife devised in a former item of this my will, to have and to hold at her disposal, absolutely forever. Also I give and devise to my eldest daughter two thirds of a certain strip of land lying between the main road and a small branch, beginning at Ambrose Jones' corner, running with his line to the branch, thence with the branch two thirds the way thence across to the said road the same bearings as Jones' line, thence with the road to the beginning to her disposal absolutely forever.

I also give to my eldest daughter Orpha the mare pony named Duke, except the life estate of my wife devised in a former item; also one bed I lent her the said Orpha, and bedstead, one half mahogany table, one loom and two hogs.

Item I give and devise to my son James M. Foreman all my upper tract of land known as the hattie land, except a small piece on the North side of the Poor House Road and on the West side of the main road, to have and to hold to him and his heirs in fee simple forever.

I also give and devise to my son James M. Foreman one horse pony named Toby, one mare named Fann, one bed and bedstead, one cart, one cradle, one buggy, one candle stand, one bureau, one clock after the death of my wife one spotted sow and pigs to have and to hold to his own proper use forever.

Item I give and devise to my youngest daughter Susannah Day, wife of John W. Day, all that tract of land whereon she now lives, bounded by the Poor House Land on the West and on the South by the Poor House road to have and to hold to her and her heirs in fee simple forever.

I also give the said Susannah B. Day, my said daughter, one large mahogany table, excepting my wife's life estate in said table, one bed and bedstead I lent her one loom known as hers one horse named Maggie two hogs, to have and to hold to her own disposal absolutely forever.

Item My will and desire is that all the residue of my estate (if any) after taking out the devise and legacies above mentioned, shall be sold, and the debts owing to me collected, and if there should be any surplus over and above the payments of debts, expenses and legacies that surplus shall be equally divided and paid over to my said wife and all my children in equal portion share alike to them and each and every of them their executors, administrators and assigns absolutely forever.

And lastly I do hereby constitute and appoint my trusty friend William G. Langley, my lawful executor to all intents and purports 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.

Item I give and devise to John S. Norris one small mahogany table to have and to hold to his own disposal forever.

In witness whereof I the said Charles L. Foreman do hereunto set my hand and seal this 24th. March 1866.
Charles L. Foreman (Seal)
Signed, sealed, published and declared by the said Charles L. Foreman, 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 witnesses thereto.

John S. Guthrie
B. H. Simpson

North Carolina } Court of Probate
Carteret County } Dec. 28th. 1868.

The execution of the foregoing will is proved before me according to law, by the oaths and examination of John S. Guthrie and Bryan H. Simpson the subscribing witnesses thereto, who swear that they saw Charles F. Foreman the testator, execute the same as his last will and testament; that they attested it in his presence and at his request; and that at the time of its execution, he was, in their opinion, of sound mind and disposing memory.

Jas. Rumley, Judge of Probate.

State of North Carolina } Court of Probate
Carteret County } Dec. 28, 1868.

John B. Russell offers for probate a paper writing purporting to be the last will and testament of Charles F. Foreman deceased, and makes oath that he is the agent and attorney of William F. Langley the executor named in said will; that the property of the testator consists of Real Estate, household and kitchen furniture, farming implements, cattle, horses and hogs; the value of the whole being about fifteen hundred dollars; and that the names of the parties entitled to said property are, Orpha H. Langley, wife of William F. Langley, James Foreman, the school boy, wife of John B. Day, Sophia H. Foreman and John S. Norris; that Orpha H. Langley resides in Pitt County; the other parties entitled reside in Carteret County.

John B. Russell.

Sworn to & subscribed before me, Jas. Rumley, Judge of Probate.

I, Elijah Hamilton, of the County of Carteret and State of North Carolina, being of sound mind and memory, but considering the uncertainty of my earthly existence, do make and 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.

Item. I give and devise to my beloved wife forty acres of land to be set out in metes and bounds to include my dwelling house where I now live, together with all my beds and furniture of every kind I give also one cow to have and to hold during her lifetime or widowhood.

Item. I give and devise to my daughter Nancy's two boys, Wm. R. Willis and James Griffin Willis, the above named lands and improvements, at the death of my wife.

I give and devise to my daughter Charilla Fisher five acres of land to join the place where my daughter Nancy now lives to have and to hold to her heirs in fee simple forever.

Item. I give and devise to my daughter Rosa the above named cow, with all her increase at the death of my wife, to have and to hold to her and her heirs forever.

Item. I give and devise to my daughter Zephia Myron one bed at the death of my wife to have and to hold to her heirs forever. And lastly I do hereby constitute and appoint my trusty friend, Jobiah Fisher my lawful executor 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 by me heretofore made.

In witness whereof I the said Elijah N. Hamilton do hereunto set my hand and seal this twenty-sixth day of June A.D. 1868, eighteen hundred