

North Carolina
Barclay County

I Christopher E. Simmons, of the State and County aforesaid, being of sound mind, but considering the uncertainty of my earthly existence, do make and declare this my last Will and Testament:-

First: My executrix, hereafter named, shall give to my body a burial suitable to her wishes; pay all funeral expenses, together with all my just debts out of the first money which may come into her hands, belonging to my estate;

Second: I give, devise and bequeath to my sister Sarah A. Davis, should she survive me, for the term of her natural life, all my estate, right, title and interest, the same being one half thereof, or whatever estate I may own at the time of my decease, in and to the following described properties, to-wit:-

(1) A certain tract or parcel of land situate in the town of Beaufort, State and County aforesaid, and more particularly described as follows:- adjoining the lands of Emma D. Mason on the West; the John D. Davis property on the East; Jas. E. Mason property on the North; and fronting South, running with Front Street from Emma D. Mason's east line east to J. D. Davis' west line - being the lot and surrounding property on which now stands the Davis House; together with all buildings, houses, out-houses, and any and all improvements whatsoever on said premises; also including furniture, fixtures, equipment, and all personal property whatsoever now belonging, or which may or shall belong on said premises, or appertain thereto at my decease.

(2) Also I give, devise and bequeath to my said sister, for her natural life, all my right, title and interest in and to that portion of lands lying South of Front Street and running parallel with said Street up to the East and West boundary lines extended of the Davis House premises; the said premises being known as Water Lots; together with all buildings, wharves, and all other improvements thereon, or appertaining thereto, and all personal property of whatever nature situate thereon, or in any manner appurtenant thereto.

Third: After the decease of my sister, Sarah A. Davis, in consideration of the love and affection which I bear

to Charles Lucas Duncan, son of E. C. Duncan, I give, devise and bequeath to him, and his heirs, all my estate, right, title and interest in and to the following described real and personal property, together with all improvements thereon, or appertaining thereto, to-wit: a certain lot or parcel of land, situate in the town of Beaufort, N.C., in that part of the town known as Old Town, and designated on the plan of said town by the number thirty-one (31), which said land herein conveyed is that part of lot number thirty-one (31), Old Town, which lies west of a line forming the western boundary of that part of lot number thirty-one (31) which belonged to the late John Merritt and Susan Merritt; which line runs from Front Street parallel with Moor Street direct to the back line of said lot and touches the outside chimney of the dwelling house of the John D. Davis; also that part of water lot number two hundred thirty-four (234), Old Town, which lies west of a line running from said western boundary line of the Merritt ground and parallel with Moor Street, through the said lot number two hundred thirty-four (234), making the part hereby conveyed equal in width to that part of lot number thirty-one (31) hereinbefore conveyed, and directly opposite thereto, being the land heretofore conveyed by James E. Howland to George W. Taylor, by deed bearing date the 15th day of July, 1863, which said deed is registered in the Register of Deeds office in Barclay County, in book B. B. on page 805, October 21st, 1863; and by the said George W. Taylor to Richard S. Donnell, by deed bearing date the 9th day of February, 1867; and by the heirs of the said Richard S. Donnell - to-wit: Thomas M. Kane, Ann M. Donnell and J. R. Donnell - to Elizabeth Davis, my mother, by deed bearing date June 1st, 1871, and recorded in book F. F. on pages 345-351, November 13, 1872, in the Register of Deeds office of Barclay County. And it is understood that this description conveys also all the furniture and contents of every description in the said Donnell House; also the kitchen on said premises, with all its contents and furniture; and all other property of whatever nature or kind being on said property at my decease.

Fourth: After the decease of my sister, Sarah A. Davis, in consideration of the love and affection which I have for E. C. Duncan, "Carl", I give, devise and bequeath to him and his heirs, all my estate, right, title and interest in and to the following described real and personal property, together with all improvements thereon, or appertaining thereto:

one half of a certain lot or parcel of ground situate in the town of Beaufort, N.C., in that part of the town known as Old Town and designated on the plan of said town by the number thirty-two (32); said being the east half of said lot as set out in the records in the office of the Register of Deeds for the County of Currituck in book D.D. page 236, said conveyance having been made to my mother, Elizabeth Davis, and by me inherited from her; also to the said E. C. Duncan, "Carl", I give and devise all that certain property lying on the South side of Front Street in the town of Beaufort, N.C., and known and designated in the plan of said town as lot number 233, same being known as water lot together with all improvements thereon being, and all appurtenances and appurtenances or fixtures thereof appertaining.

Fifth: To Sallie Gaskill and Mary D. Gaskill, I give, devise and bequeath, subject to the life estate of my sister, Sarah A. Davis, all my right, title and interest in and to that property on Front Street in the town of Beaufort, N.C., remaining after the provisions numbered three and four in this will shall have taken effect; that is to say, that property lying west of the devise heretofore made to E. C. Duncan and being the west half of lot number thirty-two (32) Old Town, Beaufort, N.C.; and this devise shall include such improvements and effects as may be on said property thus remaining; also to said Sallie Gaskill and Mary D. Gaskill such property as I may own on the South side of Front Street abutting lot number 233 and bounding same on the Eastern boundary; that is to say such property on South of Front Street as has not been given to E. C. Duncan and Charles Lican Duncan, his son.

Sixth: To the Methodist Episcopal Church of Beaufort, N.C. I give and bequeath all my right, title and interest in and to five (5) shares of the Capital Stock of the Bank of Wayne, Goldsboro, N.C., with dividends accrued thereon at the time this interest shall vest (denoted by certificates #112, 121, and 125).

Eighth: To the Beaufort Graded School, its trustees and their successors, I give and bequeath all my right, title and interest in and to ten (10) shares of the Capital Stock of the Beaufort Banking and Trust Company. To have and to hold the same to the trustees of said school for the use

and benefit of said school so long as same shall be conducted according to law, as such school. And in the event that said school shall not be so conducted or shall be abandoned or discontinued for a period of twelve calendar months, then and in that event this bequest shall fail and vest absolutely in the Methodist Orphanage at Raleigh, N.C., the its trustees or other proper authorities in charge of said institution.

Ninth: I hereby constitute and appoint my beloved sister Sarah A. Davis, 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 heretofore made.

In Testimony Whereof, I, Christopher E. Simmond, do hereunto set my hand and seal this 9th day of February, A.D. 1910.

Chr.
E. Simmond (seal)
mark

Signed, Sealed, published and declared by the said Christopher E. Simmond to be her last will and testament in the presence of us, who, at her request and in her presence and in the presence of each other, do subscribe our names as witnesses hereto.

W. A. Mace
J. F. Duncan

State of North Carolina,
Currituck County.

In the Superior Court.

A paper purporting to be the last will and testament of C. E. Simmond, deceased, is exhibited before me, the undersigned, Clerk of the Superior Court for said County by Sarah A. Davis, the executrix therein mentioned, and the due execution thereof by the said C. E. Simmond, by the oath and examination of W. A. Mace and J. F. Duncan the subscribing witnesses thereto, who being duly sworn, doth depose and say, and each for himself depose and swear, that he is a subscribing witness to the paper writing now shown him, purporting to be the last will and testament of C. E. Simmond; that the said

C. E. Sirmont, in the presence of this deponent, subscribed her name at the end of said paper writing, which is now shown as aforesaid, and which bears date of the 9th day of February, 1910.

And, this deponent further saith, that the said C. E. Sirmont, the testatrix aforesaid, did at the time of subscribing her name as aforesaid declare the said paper writing as subscribed by her and exhibited to be her 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 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 his name as an attesting witness thereto, as aforesaid, the said C. E. Sirmont 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, this deponent says not.

W. A. Grace
J. F. Duncanson

Severally sworn and subscribed, this 8th day of July, 1912, before me.

T. C. Wade
Clerk Superior Court.

North Carolina, } In the Superior Court.
Carteret County } ss.

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 C. E. Sirmont, deceased. Let the said Will, together with the probate, be recorded and filed.

This 8th day of July, 1912.

T. C. Wade
Clerk Superior Court.

North Carolina, Wayne County.

I, Benjamin Lincoln, of said County, being in full health, but of sound mind and memory, do hereby make, declare and publish this, my last will and testament, in manner and form following: to wit:

I give and bequeath unto my sister, East Jones, the sum of one hundred dollars in money.

I give and bequeath unto Jane Williams, wife of my nephew, James Williams, a polygon my life in the Elks Society, and all the money which would come to my estate at my death therefrom.

All the rest, residue and remainder of my estate and property, real, personal or mixed, in possession or in action, and whomever it might, I give, devise and bequeath unto my nephew, James Williams, and his heirs, in fee, absolutely, and forever; and I hereby appoint the said James Williams executor of this will.

In witness whereof, I hereto subscribe my name, this 26th day of December, 1908.

Benjamin Lincoln

Witnesses:

John H. Clark,
D. F. Dorch,

I, Jas. R. Hatch, Clerk Superior Court of Wayne County, North Carolina, do hereby certify that the foregoing is a true and perfect copy of the will of Benjamin Lincoln, as appears on the records in my office.

Witness my hand and official seal, this 23rd day, 1909.

(Official Seal)

Jas. R. Hatch
Clerk Superior Court,
Wayne County, N. C.