

with Him. I give and devise to my oldest son Thomas W. Smith the residue of my land that I now own (reserved to my said wife during her widowhood) to have and to hold to him and heirs forever.

5th Item. I give and bequeath to my said beloved wife Elizabeth Smith five beds, bedsteads and furniture all the household and kitchen furniture and all my stock of cattle, sheep and hogs, all the domestic fowls and poultry, all my farming tools of every description, one horse, bridle and saddle one mare one cart all the crop and stock of provisions, money and notes and everything owned by me or due me at the time of my death for and during her widowhood. And at her marriage or death the horse, bridle and cart I give to my son Isaiah Smith to him and his heirs forever. And the mare to my son Francis M. Smith to him and his heirs forever.

6th Item. My will and desire is that all my estate that may remain at the marriage or death of my beloved wife Elizabeth Smith after taking out the devises and legacies above mentioned shall be equally divided among my three daughters, viz: Julia Stroud wife of Jonas A. Stroud, Zilpha Stroud wife of Mr. Stroud and Leah Smith, without a sale.

And lastly I do hereby constitute and appoint my esteemed friend Hugh Maxwell, 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 testimony whereof I the said Job Smith do hereunto set my hand and seal this the 20th day of August, A.D. 1879.

Signed sealed published and declared by the said Job Smith 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.

Thomas W. Smith
Francis M. Smith.

Job ^{his} Smith ^{Seal}
_{mark}

Hemaris Whitfield.

Will.

Senioir County—In the Probate Court

In the matter of the will of Hemaris Whitfield. } Before Wm. K. Hunter,
Judge of Probate.

W. K. Whitfield being sworn, doth say:

That Hemaris Whitfield late of said County is dead, having first made and published her last will and testament and that William K. Whitfield is the Executor named therein.

Further, that the property of the said Hemaris Whitfield consisting of land, stock of hogs and cattle, sheep, &c., and household and kitchen furniture, is worth about \$1800.00, so far as can be ascertained at the date of this application and that Thomas J. Whitfield, William K. Whitfield, George B. Whitfield, Elizabeth Fields, Sarah E. Fields, Alice A. V. Fields, and Hemaris B. Whitfield are the parties entitled under said will to the said property.

Sworn to and subscribed before me this 5th day of December, 1879.

Wm. K. Hunter,
Probate Judge.

W. K. Whitfield.

North Carolina
Senioir County.

Probate Court

A paper purporting to be the last will and testament of Hemaris Whitfield, deceased, is exhibited before me by W. K. Whitfield, the executor, and the due execution thereof by the said deceased is proved by the oath and examination of George L. Taylor and Jane Fields, the witnesses thereto, who, each, being duly sworn, say, that they are subscribing witnesses to said paper writing now shown them as aforesaid, that the said Hemaris Whitfield in the presence of these deponents subscribed at the end of said paper writing, shown shown as aforesaid, bearing date Oct. 10, 1879. And the deponents further say that the said deceased, did, at the time of signing her name as aforesaid, declare the said paper writing to be her last will and testament, and these deponents did thereupon subscribe their names at the end of said will as attesting witnesses thereto, at the request and in the presence of said deceased. And the said deponents further say that at the said time when the said deceased subscribed her name to the said will as aforesaid.

at the time of the deponents signing the same as witnesses aforesaid, the said deceased was of sound mind and memory, of full age to execute a will, and was not under any restraint to the knowledge or information of these deponents. And further these deponents say not.

Sworn to and subscribed }
before me, Dec. 5, 1879. } Jane Fields.
Wm. H. Hunter, } Geo. L. Taylor.
Probate Judge. }

Lenoir County Probate Court. Dec. 5, 1879

On reading and considering the application of William K. Whitfield to admit a paper writing purporting to be the last will and testament of Semaris Whitfield, deceased, to probate, and to be qualified as executor thereof, according to the appointment thereby made, and having examined on oath Jane Fields and Geo. L. Taylor, the subscribing witnesses thereto, as to the execution thereof; It is adjudged that the said paper writing is the last will and testament of the said Semaris Whitfield, dec'd, and the same as such is ordered to be recorded and filed.

And thereupon William K. Whitfield, the executor aforesaid, comes forward and takes and subscribes the following oath:

State of North Carolina, }
Lenoir County. } In the Probate Court.

I, William K. Whitfield, do solemnly swear, that I believe this writing to be and contain the last will and testament of Semaris Whitfield, dec'd, and that I will well and truly execute the same, by first paying her debts and then her legacies, as far as the said estate shall extend or the law will charge me; and that I will well and faithfully execute the office of an executor, agreeable to the trust and confidence reposed in me, and according to law, so help me God.

Sworn and subscribed before }
me, this 5th day of Dec., 1879. } W. K. Whitfield.
Wm. H. Hunter. }
Probate Judge. }

whereupon letters testamentary are issued to the said W. K. Whitfield as executor of the said last will & testament.

Wm. H. Hunter, Probate Judge.

I Semaris Whitfield, of the County of Lenoir 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 to whomsoever owing, out of the moneys that may first come into his hands as a part or parcel of my estate.

Item 2nd. I give and devise to my beloved sons Thomas J. Whitfield, William K. Whitfield and George R. Whitfield all my lands and tenements with this distinct understanding That the said Thomas J. Whitfield, William K. Whitfield and George R. Whitfield pay to each of my daughters the following sums of money, that is to say, they shall pay to my beloved daughter Elizabeth Fields, the wife of Samuel Fields the sum of two hundred dollars, and to my beloved daughter, Sarah E. Fields the wife of L. H. Fields the sum of two hundred dollars, and to my beloved daughter, Alice A. V. Fields, wife of Wm. S. Fields, two hundred dollars, and to my beloved daughter Semaris B. Whitfield two hundred dollars. And therefore if my said sons shall fail to pay over the said sums of two hundred dollars to each of my daughters as named above then my will and desire is that my said daughters shall share equally in all of my said lands with my said sons.

Item 3rd. My will and desire is that my said sons Thomas J. William K. and George R. Whitfield pay annually to my beloved daughter Semaris B. Whitfield forty dollars during her singleness or until she becomes twenty years of age.

Item 4th. I give to my beloved daughter, Semaris B. Whitfield two beds and all the necessary furniture, to the same, one folding leaf table (a small one) one long looking glass in parlor.

Item 5th. I give one bed to my sons Thomas J. William K. and George R. Whitfield, and all the bed clothing to be equally divided between them.

Item 6th. I give my beloved daughter, Semaris B. Whitfield one white back cow and calf.

Item 7th. My will and desire is that all my stock of every description not otherwise disposed of at the time of my demise be equally between my beloved sons Thomas J. William K. and George R. Whitfield. I also give my sons one bed.

the one used by them for shaving purposes.
Item 8th. I give to my beloved daughter Alice A. V. Fields
one work stand.

And lastly, I do hereby constitute and appoint my son
William K. Whitfield my lawful executor to all intents
and purposes to execute this my last will and testament
according to the true meaning and intent of the same
and every part and clause thereof, hereby revoking all
other will and testaments by me made.

In witness whereof, I hereunto set my hand and seal
this the tenth day of Oct., 1879.

Witness:

Geo. L. Saylor.

Jane Fields.

Demario ^{his} Whitfield ^{mark} (Seal)

Recorded in the office of the Superior Court Clerk and
Probate Judge of Lenoir County the 5th day of Dec., 1879.

W. H. H. Hunter,
Probate Judge.

James Davis.

Will.

Lenoir County— In the Probate Court

In the matter of the will } Before W. H. H. Hunter,
of James Davis, decd. } Judge of Probate.

David S. Davis, being sworn, doth say:

That James Davis, late of said county is dead, having
first made and published his last will and testa-
ment; and that David S. Davis is the executor named
therein. Further, that the property of the said James
Davis, consisting of household and kitchen furniture,
horse, harness, and farming utensils, cattle and hogs
is worth about two hundred dollars, as far as can be
ascertained at the date of this application, and that
Mary Catherine Davis is the party entitled under
said will to the said property.

Sworn to and subscribed before
me, this 26th day of December, 1879.

W. H. H. Hunter,
Probate Judge.

A. S. Davis.

North Carolina,
Lenoir County.

Probate Court

A paper purporting to be the last will and testament
of James Davis, deceased, is exhibited before me by David
S. Davis, the Executor, and the due execution thereof of said
deceased is proved by the oath and examination of M. E.
Robinson and Ella Miller, the subscribing witnesses thereto;
who being sworn, doth depose and say, and each for him-
self, 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 James Davis, decd, that the said
James Davis 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 tenth day of Febru-
ary, 1879.

And the deponent further saith that the said James Davis
the testator aforesaid, did, at the time of subscribing his
name as aforesaid, declare the said paper writing as sub-
scribed by him and exhibited, to be his last will and tes-
tament. And this deponent did, thereupon, subscribe his
name at the end of said will as an attesting witness ther-
to, and at the request and in presence of said testator.

And this deponent further saith that at the said 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, the said
James Davis 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, note
Severally sworn and subscribed
this 26th day of December, 1879,
before me.

Ella E. Miller (Seal)
M. E. Robinson, (Seal)

W. H. H. Hunter,
Probate Judge.

Lenoir County— Probate Court December 26, 1879.

On reading and considering the application of David S.
Davis, to admit a paper writing purporting to be the last
and testament of James Davis, decd, to probate, and
examined, on oath, Ella E. Miller, and M. E. Robinson,
subscribing witnesses thereto, as to the execution thereof.