

Item 7. I give and bequeath to my niece
Emeline Whorton Daughter of my Brother Robert P.
Whorton five hundred dollars in money to have and
possess Absolutely.

Item 8. All the rest of my estate not already
mentioned including all the interest of my husband's
estate, I may become entitled to as by his will, I
do hereby give and bequeath to all the above named
legatees of this my last will and testament to be
divided equally between them share and share
alike and to have and possess absolutely.

And Lastly, I hereby constitute and appoint my
friend L. H. Speir of Belle Ferry Pitt County and
State of North Carolina my lawful executor to execute
this my last will and testament and every part &
clause thereof according to the true intent and
meaning of the same. hereby revoking and de-
claring all other wills and testaments heretofore
made by me null and void.

In testimony whereof I have hereunto set my
hand and seal this 10th day October 1857.
Emeline McCotter (seal)

Signed, sealed, published
and declared by Emeline McCotter
to be her last will and testament in
our presence, who at her request and
in her presence subscribed our names
as witnesses thereto.

Joel Patriack }
S. V. Langhinsmaier } Belle Ferry N. C.

Probate of State of North Carolina,
Will } Lenoir County } In Superior Court

In the matter of the last will of Emeline McCotter.
It appearing to the court by the oath and examination
of Joel Patriack and S. V. Langhinsmaier the subscribing
witnesses thereto, that the paper writing purporting to be
the last will and testament of Emeline McCotter and that the same
was duly executed by said Emeline McCotter in the
presence of said witnesses and that at the time

of signing the same the said Emeline McCotter
was of sound mind. It is thereupon adjudged
that the said paper writing be admitted to probate
as the last will and testament of the said Emeline
McCotter and the executor therein named qualify
as such.

This 27. day of December 1857.

E. H. Biggell
Clerk Superior Court

Recorded in the Office of the Clerk of the Superior
Court of Lenoir County. This 27. day of December 1857.
E. H. Biggell
Clerk Sup. Court

Martha E. Jones
Application
of
George H. Jones
for
Letters Testamentary

State of North Carolina, } Before
Lenoir County } E. H. Biggell
Clerk Superior Court

In the matter of the last Will of }
Martha Elizabeth Jones.

George H. Jones being duly sworn, deposes and says:
That Martha Elizabeth Jones, late of said County, is dead,
having first made and published her last will and testa-
ment; and that he George H. Jones is the executor named
therein. Further, that the property of the said Martha
Elizabeth Jones consisting of Real and personal property
is worth about \$5000. or far as can be ascertained at
the date of this application; and that Franklin P. Jones,
George F. Jones, Lewis P. Jones, William H. Jones, Earnest
Jones, Comedor A. Jones, and Dry Jones, All minors except
the first named, Franklin P. Jones, are the parties en-
titled under said will to the said property.
Sworn to and subscribed before me
the 2nd day of Jan'y 1858.

E. H. Biggell
Clerk Superior Court } L. H. Jones

Examination
of
Witnesses

State of North Carolina, In the Superior Court,
Lenoir County }

A paper purporting to be the last will and testa-

of Martha Elizabeth Jones deceased, is exhibited before me, the undersigned, Clerk of the Superior Court for said County, by George St. Jones the executor therein mentioned, and the due execution thereof by the said Martha Elizabeth Jones by the oath and examination of ^{the following witnesses} ~~Mr. P. Hardy~~ one of the subscribing witnesses thereto, who, being duly sworn, doth depose and say, and for himself deposes and saith that he is a subscribing witness to the paper-writing now shown him, purporting to be the last will and testament of Martha Elizabeth Jones; that the said Martha Elizabeth Jones, 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 1st day of May A.D. 1870.

And the deponent further saith, that the said Martha Elizabeth Jones the testator aforesaid, did, at the time of subscribing her name as aforesaid, declare, the said paper-writing so 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 the said testator. And this deponent further saith, that at the said time when the said testator subscribed her name to the said last will as aforesaid, and at the time of deponent's subscribing his name as an attesting witness thereto, as aforesaid, the said Martha Elizabeth Jones 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

H. E. Hardy

Sworn and subscribed this
2nd day of January 1871.
before me E. H. Bizzell.
Clerk Superior Court

Affidavit of
H. H. Hunter acts
signature of Samuel
F. Armannie deceased
of the witnesses to
said will.

North Carolina, Superior Court
Lenoir County } January 2, 1871

In the matter of the will of
Martha Elizabeth Jones. } Affidavit

Personally appeared before me, the undersigned

clerk of said Court, Mr. H. H. Hunter, who, being by me, duly sworn, says; that he has examined the paper-writing exhibited by George St. Jones, purporting to be the last will and testament of Martha Elizabeth Jones, deceased, which bears date of the 1st day of May 1870, and subscribed by Samuel F. Armannie and Mr. P. Hardy as witnesses thereto, that the said Samuel F. Armannie, one of said witnesses, is dead; that he is well acquainted with the handwriting of the said Samuel F. Armannie, having often seen him write, and that the name of the said Samuel F. Armannie, signed at the end of said will, as a witness, as aforesaid, is in his own proper handwriting.

H. H. Hunter

Sworn to and subscribed
before me January 2, 1871
E. H. Bizzell C. C. C.

Oath

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

I, George St. Jones do solemnly swear (or affirm) that I believe this writing to be and contain the last Will and Testament of Martha Elizabeth Jones deceased; and that I will will 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 will 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 2nd day of January 1871.
E. H. Bizzell
Clerk Superior Court

G. St. Jones

The Will

In the name of God Amen! I Martha Elizabeth Jones of the County of Lenoir and State of North Carolina, being of sound mind & 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: I give and devise to my

Children Franklin L. Jones, George F. Jones, Lewis P. Jones, William H. Jones, and Earnest Jones and such other child or children as I may hereafter have issue of my body, all my real estate to have & to hold to them and their heirs in fee simple forever, and all my personal estate to them and their assigns forever, upon the conditions as follows to part or portion of said real estate is to be sold or disposed of until my youngest child then living shall arrive at the age of twenty one years; that the dwelling house I now occupy or such other as many hereafter be built, shall be and constitute a home for my husband George H. Jones during his life and for each and every one of my children until my youngest child then living shall arrive at the age of twenty one years; that the annual rent, profits, incomes &c derived from my plantation or any other source shall be devoted and applied to the support and education of my children, to the necessary repair of houses and plantation & the surplus or excess of such annual rents, profits & incomes, shall and may be used in such manner by my executor hereinafter named, as he may deem best without his being required to render any account of the same. When my youngest child then living shall arrive at the age of twenty one years, it is my will and desire that all my real and personal estate shall be divided equally between my aforesaid named children and such child or children as I may hereafter have issue of my body share and share alike and should either or any of them die without issue then their share shall be equally divided between my other children then living, or should either or any of them die leaving issue then such distribution share shall go to such issue so left.

I hereby give and bequeath to my husband George H. Jones one dollar.

And lastly I do hereby constitute and appoint my beloved husband George H. Jones 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, hereby

and declaring utterly void all other wills and testaments by me heretofore made, and it is my special request and desire that no bond or security of any kind be required of my husband the said George H. Jones as executor of this my last will and testament.

In witness whereof I the said Martha Elizabeth Jones do hereunto set my hand & seal this 1st day of May A.D. 1875.

Martha Elizabeth Jones

(Seal)

Signed, sealed, published and declared by the said Martha Elizabeth Jones to be her last will and testament in the presence of us, who, at her request and in her presence do subscribe our names as witnesses thereto.

Samuel F. Armanie

Wm L. Hardy

Probate

State of North Carolina,

Lenoir County

In Superior Court

In the matter of the last will of Martha Elizabeth Jones. It appearing to the Court by the oath and examination of Wm L. Hardy one of the subscribing witnesses thereto, and the affidavit of Wm H. Hunter as to the handwriting of the other witness Samuel F. Armanie dead, that the paper writing propounded by the executor therein named is the last will and testament of Martha Elizabeth Jones and that the same was duly executed by said Martha Elizabeth Jones in the presence of said witnesses and that at the time of signing the same the said Martha Elizabeth Jones was of sound mind.

It is therefore adjudged that the said paper writing be admitted to probate as the last will and testament of the said Martha Elizabeth Jones and the executor therein named qualify as such.

This 2nd day of Jan'y 1876.

E. H. Bizzell

Clerk Superior Court

Recorded in the office of the Clerk of the Superior Court of Lenoir County, Jan'y 11, 1876

E. H. Bizzell

Children Franklin L. Jones, George H. Jones, Lewis P. Jones, William H. Jones, and Earnest Jones and such other child or children as I may hereafter have issue of my body, all my real estate to have & to hold to them and their heirs in fee simple forever, and all my personal estate to them and their assigns forever, upon the conditions as follows: to part or portion of said real estate is to be sold or disposed of until my youngest child then living shall arrive at the age of twenty one years, that the dwelling house I now occupy or such other as many hereafter be built, shall be and constitute a home for my husband George H. Jones during his life and for each and every one of my children until my youngest child then living shall arrive at the age of twenty one years; that the annual rents, profits, incomes &c derived from my plantation or any other source shall be devoted and applied to the support and education of my children, to the necessary repair of houses and plantation & the surplus or excess of such annual rents, profits & incomes, shall and may be used in such manner by my executor hereinafter named, as he may deem best without his being required to render any account of the same. When my youngest child then living shall arrive at the age of twenty one years, it is my will and desire that all my real and personal estate shall be divided equally between my aforesaid named children and such child or children as I may hereafter have issue of my body share and share alike and should either or any of them die without issue then their share shall be equally divided between my other children then living, or should either or any of them die leaving issue then such distribution share shall go to such issue so left.

I hereby give and bequeath to my husband George H. Jones one dollar.

And lastly I do hereby constitute and appoint my beloved husband George H. Jones 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, hereby

and declaring utterly void all other wills and testaments by me heretofore made, And it is my special request and desired that no bond or security of any kind be required of my husband the said George H. Jones as executor of this my last will and testament.

In witness whereof I the said Martha Elizabeth Jones do hereunto set my hand & seal this the 1st day of May A.D. 1875.

Martha Elizabeth Jones

(Seal)

Signed, sealed, published and declared by the said Martha Elizabeth Jones to be her last will and testament in the presence of us, who, at her request and in her presence do subscribe our names as witnesses thereto.

Samuel F. Armanie

Wm L. Hardy

Probate

State of North Carolina,

Lenoir County

In Superior Court

In the matter of the last will of Martha Elizabeth Jones, It appearing to the Court by the oath and examination of Wm L. Hardy one of the subscribing witnesses thereto, and the affidavit of Wm H. Hunter as to the handwriting of the other witness Samuel F. Armanie dead, that the paper writing propounded by the executor therein named is the last will and testament of Martha Elizabeth Jones and that the same was duly executed by said Martha Elizabeth Jones in the presence of said witnesses and that at the time of signing the same the said Martha Elizabeth Jones was of sound mind.

It is thereupon adjudged that the said paper writing be admitted to probate as the last will and testament of the said Martha Elizabeth Jones, and the executor therein named qualify as such.

This 2nd day of Jan'y 1878.

E. H. Biggell

Clerk Superior Court

Recorded in the office of the clerk of the Superior Court of Lenoir County, Jan'y 11, 1878

E. H. Biggell

State of North Carolina } Superior Court
Lenoir County } Before E. H. Biggell
J.C.

Luisa C. Lassiter Plt

vs.
Geo. A. Pitts & A. Pitts } Petition
Mary E. Pitts, Eugene
Cross and Lora Cross Dfts

To the Clerk of Lenoir Superior Court.

Your petitioner would respectfully show to the Court:

- 1 That Sally Pitts late of the state and County aforesaid, died Nov. 30. 1857 leaving her surviving as her heirs at law, Your petitioner and all of the above named Defendants;
- 2 That on Oct 6th 1857, the said Sally Pitts duly executed and published her last will and Testament which is herewith attached and filed;
- 3 That your petitioner Luisa C. Lassiter is the executrix named in said will;
- 4 That the property of said Sally Pitts, consisting of real and personal property, is worth about three thousand dollars so far as can be ascertained at the date of this petition.
- 5 That your petitioner Luisa C. Lassiter and the defendant Mary Pitts are the parties entitled under said will to said property.

Therefore your petitioner respectfully asks that the said defendants be served with notice to appear before the Court aforesaid and "see the proceedings," and show cause, if any, why the will of the said Sally Pitts should not be duly probated according to the true intent and purposes thereof.

Dec 14. 1857

J. R. Biggell Atty
for Plaintiff.

Luisa C. Lassiter being duly sworn says that the facts set forth in the above petition are of her own knowledge true except as to those

stated on information and belief and as to those she believes them to be true.

Sworn to and subscribed } Luisa C. Lassiter
before me this Dec. 14. 1857 }
E. H. Biggell J.C.

State of North Carolina } Superior Court
Lenoir County } Before E. H. Biggell J.C.

Luisa C. Lassiter Plt

vs.
Geo. A. Pitts and others }

Order

This cause coming on to be heard on the petition of the above action, and being heard, it appears to the Court that facts therein stated are true. It is therefore, on motion ordered that notice be served on each of said defendants to appear before the Clerk of Lenoir Superior Court on the 4th day of Jan'y 1858, to answer or demur to the petition aforesaid, if they may deem it proper to do so
Dec 14. 1857

E. H. Biggell
J.C.

State of North Carolina } Lenoir Superior Court
Lenoir County } Before E. H. Biggell J.C.

Luisa C. Lassiter

vs.
Geo. A. Pitts, A. Pitts } Notice
Mary E. Pitts Eugene Cross
and Lora Cross }

To Geo. A. Pitts Mary E. Pitts & Eugene Cross.

A paper writing purporting to be the last will and Testament of Sally Pitts dec'd, together with the petition of Luisa C. Lassiter the executrix therein named being this day duly exhibited and filed in the Office of the Clerk of Lenoir Superior Court, Now therefore the said Geo. A. Pitts