

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

A paper purporting to be the last will and testament of Job Smith, deceased, is exhibited before me, the undersigned, Judge of Probate for said county, by Hugh Maxwell, the executor therein named, and the due execution thereof, by the said Job Smith, by the oath and examination of Thomas W. Smith and Francis M. Smith, the subscribing witnesses thereto, who, being duly sworn, doth depose and say, and each for himself, 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 Job Smith, that the said Job Smith, 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 20th day of August, 1879.

And the deponent further saith, that the said Job Smith, the testator aforesaid, did, at the time of subscribing his name, as aforesaid, declare the said paper writing so subscribed by him, and exhibited, to be his 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 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, as aforesaid, the said Job Smith 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 unto

Severally sworn and subscribed, this 14th day of December, 1879, before me.

H. W. Smith, (Seal)
Probate Judge

Thomas W. Smith, (Seal)
F. M. Smith, (Seal)

State of North Carolina, } In the Probate Court
Lenoir County. } Dec. 14th, 1879.

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On reading and considering the application of Hugh Maxwell to admit a paper writing purporting to be the last will and testament of Job Smith, dead, to probate, and he, having refused to qualify as executor, according to the appointment therein made, and having examined on oath, Thomas W. Smith and Francis M. Smith, the subscribing witnesses thereto, as to the execution thereof; it is adjudged that the said paper writing, and every part thereof, is the last will and testament of Job Smith, dead, and the same, as such, is ordered to be recorded and filed.

H. W. Smith, (Seal)
Probate Judge.

I Job Smith 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 to be 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 friends and relatives and pay all funeral expenses together with my just debts howsoever and to whomsoever owing out of the monies that may first come into his hands as a part or parcel of my estate.

1st Item I give and devise to my beloved wife Elizabeth Smith all the lands whereon I now live for and during her widowhood for and in lieu of her dower and thirds for her natural lifetime.

2nd Item I give and devise to my son Isaiah Smith sixty acres of land to be laid off on Buck Branch and Trent by a line from John V. Nobles line to Trent reserved to my said wife during her widowhood, to have and to hold to him and his heirs forever.

3rd Item. I give and devise to my youngest son Francis M. Smith sixty acres of land to be laid off adjoining the lands of M. L. Lenoir including the house and plantation where I now live reserved to my said wife Elizabeth during her widowhood I also give and devise to my daughter Leah Smith ten acres of this item including the building for and during her single lifetime and at her marriage or death her right ceases) to have and hold to him and his heirs forever.

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.