

of John A. Taylor, one of the subscribing witnesses thereto. And it appearing to the satisfaction of the Court that J. P. Polky is an inhabitant of another Government, it is considered by the Court, that the said paper writing, and every part thereof, is the last will and testament of Henrietta Ureghardt, and sufficient to carry the bequests therein made.

Teste Scmb. J. Bunting Clk.
Jr. Edward J. Dy. Clk.

In the name of God. Amen.

I, Edward P. Hall, of Wilmington, North Carolina, being of sound and disposing mind, do make, ordain, and publish this to be my last Will and Testament,

First, I direct all my just debts to be paid as soon as may be convenient after my death.

Second, I give and bequeath to my beloved wife Eliza J. Hall, all my stock in the Bank of Cape Fear, all my stock in the Bank of Wilmington, N. C. and all my stock in the Commercial Bank of Wilmington, to receive the dividends and profits thereof during her life. I also give devise and bequeath to her for life such one of my houses and lots as she may choose for a residence, and all my household and kitchen furniture; and at her death the said house and lot and furniture shall go into and form a part of the general residue of my estate for the benefit of my sons as hereinafter directed.

Third, After the death of my wife I give all the stock in the Bank of Cape Fear, bequeathed to her for life, to my son William H. Hall, to equalize him with advances already made to his brother.

Fourth, I give and bequeath to my grandson Edward Lane Hall, Ten shares of stock in the Wilmington and Manchester Rail Road Company; I also give to him, after the death of my wife, Twenty shares of the stock of the Bank of Wilmington, N. C. bequeathed to her for life.

Fifth, I give to my nephew E. J. Hall, son of my brother Thomas P. Hall, the sum of One Hundred and Fifty Dollars.

Sixth, I give to Joseph Smith the sum of One Hundred Dollars.

Seventh, I give, devise and bequeath to my said wife Eliza J. Hall and her heirs and assigns, absolutely, one equal fifth part of all my estate not herein before disposed of (exclusive of the house and lot and furniture

given to her for life in the second clause). And I direct that in the division of my negroes my wife shall have the privilege of choosing such as she may wish to compose her share, to be taken at a fair valuation.

Eight. All the rest and residue of my estate (including, after the death of my wife, the house and lot and furniture given to her for life) shall be divided into four equal parts or shares; three of which I give to my three sons Edward, Eli, and William, their heirs and assigns forever, one ^{share} to each of them.

Ninth. I give devise and bequeath the remaining fourth part or share of the said residue of my estate to my wife Eliza B. Hall, and my son William H. Hall, and to the survivor of them, and to the heirs and assigns of such survivor, for, upon, and under the trusts, conditions, powers, limitations and provisions herein after declared, and none other; that is to say, in trust to receive the rents, hires and profits thereof, and out of the same to expend and apply the sum of six hundred dollars, annually, and every year, for the benefit, maintenance, and support of my son John Hall, during his life, and no longer, so that the said sum, or annuity shall not be subject to be sold, disposed of, charged or anticipated by him, nor be in any manner liable for his debts, contracts, or encumbrances, now existing, or hereafter to be incurred; and after his death, I give the said fourth part of the said residue, and also the surplus of the rents, hires and profits thereof over and above the said annual sum of six hundred dollars, during his life, to be equally divided between my three sons Edward, Eli, and William. Provided, however, and it is hereby expressly directed, limited and declared, that if my said son John, should at any time, by any deed, conveyance or other instrument, attempt to alienate, dispose of, mortgage, charge or anticipate the interest, or annuity hereby given him; or if any of his creditors, present or future, should at any time cause his body to be taken upon any writ of capias ad satisfaciendum, or should, by suing out, or commencing, any writ, process, bill, plaint, or proceeding whatsoever, in any court of law or equity, seek to sell the said John's interest ~~by~~ the said annuity, or in any manner to subject the same to the payment or satisfaction of any of his debts, (which said writ, process, bill, plaint or proceeding, if finally carried out and finally completed to judgment or decree, would, but for the limitations herein contained

be proper and effectual for that purpose), then, in any, or either of the above mentioned cases, upon the signing by my said son of any such conveyance, deed, or other instrument; or upon the service of any such capias ad satisfaciendum, or upon the filing, suing out, issuing or commencing, of any such writ, process, bill, plaint, or proceeding, the said annuity, and all the trust and interest hereby created and declared for the benefit of my said son John, shall immediately cease and be forever at an end; and the said fourth part of the said residue of my estate shall go, and belong to my three sons Edward, Eli, and William, their heirs and assigns, absolutely, freed and discharged from the said annuity, and from every other trust or incumbrance whatsoever. And I do hereby authorize and empower my said wife and son William, or the survivor of them, whenever it may be deemed advantageous, to sell all or any portion of the said fourth part of the said residue, devised and bequeathed in this clause, and to invest the proceeds in any way they, or the survivor, may think desirable, upon the trusts and limitations herein declared in respect to the property so sold.

Lastly, I constitute, nominate and appoint my three sons Edward, Eli, and William to be joint executors to this my will.

In witness whereof I have hereunto set my hand and seal this 15th day of April. A. D. 1865.

Signed, published & declared by the testator as his last will in the presence of us, who in his presence, and the presence of each other, and at his request have subscribed the same as witnesses.

E. P. Hall ^{Ex. conf.}
Secy

John McKae
Geo. Davis

State of North Carolina, Court of Pleas & Quarter Sessions
New Hanover County, March Term 1865.

This paper writing purporting to be the last will and testament of Edward P. Hall decd. is exhibited for probate in open Court by Eli H. Hall one of the Executors therein named; and the due execution thereof by the said Edward P. Hall is proved by the oath and examination of John McKae one of the subscribing witnesses thereto. It is therefore considered by the Court that the said paper writing and every part thereof, is the last will and testament

of the said Edward P. Hall and the same is
ordered to be recorded and filed. And thereupon
the said Eli H. Hall duly qualifies as Executor
by taking the oath required by law.

Wm. J. Spruill Clerk
for Woodbury Dept. Clk.

In the name of God, Amen.

I Robert Smith of the town of Wilmington, State
of North Carolina, being of sound and disposing
mind and memory, but being weak in body, do
make ordain publish and declare this to be my
last will and testament, hereby revoking and ma-
king void all others by me at any time before made.
Item 1st. I give bequeath and devise unto my beloved
wife Catharine Smith for and during the term of her
natural life my house and lot situate on the South
side of Mulberry Street between fourth and fifth Streets
in the town of Wilmington, being the same now occupied
by me together with all my household & kitchen fur-
niture, and every other article of property of every
kind on said lot contained. And after the death of
my said wife Catharine, I give devise and bequeath
the remainder interest in said house lot household
kitchen furniture and other property of every description
on said lot unto unto my daughter Catharine Smith
to her her heirs and assigns in fee simple. It is further
my will and desire that the power be vested in her
by will to devise said real estate to my grandson Robt.
Smith to the exclusion of her other heirs at law if she
see fit even though at the time of the execution of such
will she may be a femme-covert.
Item 2^d. I give devise and bequeath unto my beloved
daughter Mary Rore for and during the term of her
natural life a certain lot piece or parcel of land on
the South side of Walnut Street in the town of Wilmington
beginning ninety nine feet on Walnut Street, East
from the corner of Walnut & Fourth Streets (Lot No. 125)
running thence sixty six feet east to a lot belonging
to the estate of A. S. McCalib decd. thence South sixty six
feet to a lot owned by Dr. Thomas H. Knight, thence
along his line West 66 feet, thence North 66 feet to the
beginning. Also all the household and kitchen furniture
in and about said house. To her sole and separate
use during her life. And it is my desire that during