

- In the name of God Amen. I, John Walker, of the town of Wilmington in the State of North Carolina, being informed, but in my perfect mind and senses, calling to mind the uncertainty of life, and knowing that it is appointed for all men once to die, do make and publish this my last Will & Testament in manner, and form following, that is to say,
- 1st. I design my soul into the hands of my maker, to leave it, and my body to the earth to be buried at the discretion of my Executors;
 - 2nd. I nominate and appoint, Hanson Holley, William M. Jones, and John D. Souney, Executors to this my last Will & Testament;
 - 3rd. I give and devise to my Executors in trust for my beloved brother, Thomas Walker, who resides in Berwick upon Tweed in England, and his heirs forever, with the exception of my nephew John Walker ^{his son} now in Wilmington North Carolina) seventy five shares of stock, in the Cape Fear Bank, and one hundred and fifty three shares of stock, in the State Bank, of North Carolina;
 - 4th. I give and devise to my Executors in trust for my beloved Sister, Apoline Woodhouse, wife of John Woodhouse residing in Alnwick, Northumberland England, Fifty shares of stock, in the Cape Fear Bank, and one hundred shares of stock, in the State Bank, of North Carolina to her and her heirs forever;
 - 5th. I give and devise to John Moseley Walker, son of Carleton Walker, two town lots on the hill near Cape Fear gates, No one hundred and twelve and No one hundred and seventeen, Ten negroes, and fourteen shares of stock, in the Bank, of Cape Fear, in addition to six shares which I subscribed for him in the State Bank, of North Carolina, to him and his heirs forever, with the proviso herein after, expressed;
 - 6th. I give and devise to Lucile Jane Walker, daughter of Carleton Walker, seven negroes, and fourteen shares of stock in the Bank, of Cape Fear, in addition to the six shares I subscribed for her, in the State Bank, of North Carolina, to her and her heirs forever, with the proviso herein after, expressed;
 - 7th. I give and devise to Olga Henrietta Walker, daughter of Carleton Walker, twenty one shares of stock, in the Cape Fear Bank, and seven negroes, provided, that if any of the children of Carleton Walker, herein mentioned, should die under age and without lawful issue, the property devised to them shall be divided amongst all the children of Carleton Walker, then living;
 - 8th. I give and devise to Jane Walker, mother of Carleton Walker, three negroes during her life time, and after her death to my nephew John Walker, and his heirs forever;
 - 9th. I give and devise to a negro girl Apoline, who has been

of Saml. Hanson

late, at my request, emancipated by the County Court, then
negroes, during her life, and after her death to my nephew John
Walker, and his heirs forever.

10th. I give and devise to my Executors a mulatto girl named
Elsey, in trust, to use every means in their power to obtain her
emancipation; they know my reasons for wishing it, done.

11th. I give and devise to my nephew John Walker, son of my
brother Thomas Walker, in addition to the property I have given
to him by deed, fifty shares of stock in the Cape Fear Bank,
twenty negroes, all my stock of horses, cattle, hogs, sheep,
together with all my household furniture, plate and wearing
apparel.

12th. I direct that my Executors may divide the negroes herein
devised in such manner as to them may seem equitable and
right, with this restriction only, that Anne and her children
may not be separated in the division, and make a return
of the same in writing under their hands and seals to the County
Court, which shall be evidence of the title of the devisees.

13th. My will and desire is that the property devised to Carleton
Walker's children, be not delivered to any person but a guardian
appointed by the County Court, who shall first have given bond
with sufficient security for the performance of his duty.

14th. All the rest and residue of my property, both real & personal
of which I may die possessed or have claim to and not otherwise
devised; I give and bequeath to my Executors, in trust for the
purposes herein after expressed, namely, to be held by them
for a term not exceeding five years, during which time if
in their opinion or any two of them, expressed in writing and
filed with my will in Court, they should deem the conduct
of my nephew John Walker, now residing with me, such as
to deserve it, and of this they are to be the sole judges, then the
whole of the said residue to be delivered over to my nephew John
Walker, without security for the redelivery of it to answer the
conditions, proviso, or limitations herein after named, provided
that if my Executors should not as aforesaid, deem him des-
erving of it by a declaration of the same under the hands of
any two of them filed as aforesaid, the property shall be divided
in the following manner, to wit, One third to the children of my
brother Thomas Walker, and their heirs, One third to children of my
sister Apolonia Woodhouse and her heirs, and one third to the
children of Carleton Walker and their heirs, provided also, if
the said property contained in the above clause, should be
delivered over to my nephew John Walker, and he should die
without lawful issue, then I give it to be divided as last men-
tioned between the children of my brother, sister, and of Carleton's

Walker, and I hereby revoke all former wills by me made.
 In witness whereof I have hereunto set my hand and
 seal the thirtieth day of October, in the year of our Lord one
 thousand eight hundred and twelve.
 Signed, sealed and published in presence of us, who in the presence of
 the testator and of each other, have
 subscribed our names as witnesses
 to the same.

John Walker, Seal

The words "his son" between the
 eleventh and twelfth lines being
 first interlined, and also the words
 "of New Hanover," between the thirty
 fifth and thirty sixth lines being first
 interlined.

Gilbert Gee
 Jas H Draughon

Codicil

I having sold property to John Walker, Junior and taken bond
 for the payment of the money, I direct that my Executors
 shall give him up his bonds, and I discharge him from
 the payment of the same. In witness whereof I have here-
 unto set my hand and seal this 18th day of January, 1813.

John Walker, Seal

Witness
 Jas H Draughon
 Gilbert Gee

New Hanover County } County Court. November Term 1813.
 The execution of the within will of
 Major John Walker, was proved by the oath of Gilbert Gee &
 James H Draughon subscribing witnesses thereto and ordered
 to be recorded, at the same time William M Jones, Hanson
 Kelly and John D Toomer, qualified as Executors thereto.

Witness
 Thos J Davis. Cky

I admit the validity of Major John Walker's will and release
 all right to contest it now or hereafter, having received
 from John Walker a valuable consideration for the same.

In witness whereof I have hereunto set my hand and seal
 this 20th of February 1818.

John Walker, Seal

Witness
 James L Speer