

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 Wooddy 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 ordains publish and declare this to be my last will and testament, hereby revoking and making 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 furniture, 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

her life she join in no conveyance for the sale or lease of
interest in the same. I give devise and bequeath
the remainder interest, in said house and lot and furni-
ture after the determination of her life estate unto her
children Mary Susan Leonora Ann and Margaret, and
such other children as she may hereafter have, to them
their heirs and assigns in fee simple.

I hereby nominate constitute and appoint my true
and trusty friend Junius R. Gardner my executor to this
my last will & testament. In testimony whereof I
have hereunto set my hands & seal this 21st day day
of Sept. 1857.

Robt. Smith

Signed, sealed & published
in our presence, at the
request of the testator
E. H. Hall
J. P. Quince

State of North Carolina
New Hanover County Court, March Term 1863
This paper writing, purporting to be the last will and
testament of Robert Smith deceased, is exhibited for pro-
bate in open Court, by Junius R. Gardner the Executor
therein named, and the due execution thereof by the said
Robert Smith is proved by the oath and examination of
E. H. Hall 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 Robert Smith, and the same
is ordered to be recorded & filed. And thereupon the said
Junius R. Gardner, Executor as aforesaid, duly qualifies
as such, by taking the oath required by law.
Done at New Hanover County, N. C. this 21st day of Sept. 1857.
J. P. Quince Clerk.