

J. E. W. Smith's Last Will & Testament

State of North Carolina }
Union County }

In the name of God, Amen

I J. E. W. Smith of the County of Union and State of North Carolina being of perfect sound mind and disposing memory considering the uncertainty of life and the certainty of death do make this my last will and testament in manner and form as follows that is to say

Item First I will and desire that after my death that all of just debts shall be paid to gather with my funeral expenses

Item 2 I will and desire that ~~after my death that all of just debts shall be paid to gather with my funeral expenses~~ my beloved wife L. J. Smith shall have the tract of land I now live on at Olive Branch containing eighty four acres to gather with all my household and kitchen furniture during her natural life or widowhood

Item 3 I will and desire that my daughter Martha A. Brown shall have the tract of land heretofore deeded her valued at three hundred and fifty dollars

J. E. W. Smith's Last Will & Testament, continued

Item 4 I will and desire that my son George W. Smith have the tract heretofore deeded to him valued at three hundred and fifty dollars

Item 5th I will and desire that my son William L. Smith and my daughter Lydia D. Smith and my daughter Ella J. Smith and my Emma C. Smith and son Robert L. Smith to gather with my affor mentioned son George W. Smith and affor mentioned Daughter Martha A. Brownson shall have the tract of land where on I now live at Olive Branch Equally divided between them at the death of my wife L. J. Smith

Item 6th I will and devise that at my death that all of my stock and farming tools and whatever effects I may have shall be sold at public sale and the proceeds equally divided between my seven above named children

Item 7 I do hereby appoint my trusty son George W. Smith and my wife L. J. Smith to be my executor and executrix to this my last will and testament

Item 7 I do hereby appoint my trusty son George
H. Smith and my wife L. J. Smith to be my
executor and executrix to this my last will
and testament

Signed under my hand and seal this the
4th day of April 1889
Test J. E. W. Smith (seal)
Test W. A. Austin

State of North Carolina } In the Superior Court
Union County }

A paper purporting to be the Last Will and Tes-
tament of J. E. W. Smith, deceased is exhibited before
me, the undersigned, clerk of court for said County
by George H. Smith the Executor therein mentioned,
and the due execution thereof by the said J. E. W.
Smith is proven by the oath and examination of
W. A. Austin (on December 24th 1894) and by J. H. Smith
(on August 3rd 1895) the subscribing witnesses thereto,
who being duly sworn, doth depose and say, each
for himself, that he is a subscribing witness to the
paper writing now shown him purporting to be the
Last Will and Testament of J. E. W. Smith; that

J. E. W. Smith's Last Will & Testament, continued

Will

the said J. E. W. Smith in his presence subscribed his name at the end of said paper writing and which bears date of the 4th day of April 1889, that the said J. E. W. Smith did, at the time of subscribing his name as aforesaid declare the said paper writing to be his Last Will and Testament, and that he 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, that at the time the said testator subscribed his name to the said Last Will as aforesaid, and at the time he subscribed his name as a witness thereto, the said J. E. W. 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 the deponent. It is therefore adjudged that the said paper writing and every part and clause thereof is the Last Will and Testament of J. E. W. Smith, deceased, and ordered that the same be recorded and that Letters Testamentary be issued to George W. Smith, the Executor therein named, (L. J. Smith having renounced her right to qualify as Executrix) who thereupon takes the oath required by law and Letters Testamentary are issued to him.

of the 4th day of April 1889, that the said J. E. W. Smith did, at the time of subscribing his name as aforesaid declare the said paper writing to be his Last Will and Testament, and that he 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, that at the time the said testator subscribed his name to the said Last Will as aforesaid, and at the time he subscribed his name as a witness thereto, the said J. E. W. 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 the deponent. It is therefore adjudged that the said paper writing and every part and clause thereof is the Last Will and Testament of J. E. W. Smith, deceased, and ordered that the same be recorded and that Letters Testamentary be issued to George W. Smith, the Executor therein named, (L. J. Smith having renounced her right to qualify as Executrix) who thereupon takes the oath required by law and Letters Testamentary are issued to him. This 14th day of September, 1893.
A. H. Wolfe Jc.

William Griffin's Last Will and Testament