

North Carolina }
Washington County }

I William Capeheart of the
African County and State being of sound mind
and memory do make and declare this to be my last
Will and Testament

1st My Executors hereinafter named shall give my
body a decent burial suitable to the wishes of
my immediate friends and relations and pay
all funeral expenses out of the first money
which may come into her hands belonging to my
estate

2nd I Give and devise to my beloved wife Pauline
Capeheart the tract of land whereon I now
live containing about one half acre with
improvements thereon situate near Plymouth NC
adjoining E. W. Jones Saml Wiggins and
others - To have and to hold to her the said
Pauline during her natural life or widowhood
and in the event of her death or remarriage, I will
and desire that the property named and
do so desire shall be given to Phillis Capeheart
my Son now living at Cape May N. J. Leroy
Capeheart & Willie Capeheart my Son also
and Laura Harding wife of Harding of
Marion County N.C. My Daughter and Pauline Williams
now living with my wife and me to have and to
to them in fee simple as tenants of equal interest
and right and then their heirs

3rd My Personal Property of every description I Give
Absolutely to my wife Pauline

4th I hereby Name and appoint my beloved wife
Pauline Capeheart my Executor to Execute this my
last Will and Testament

In witness whereof
I the said William Capeheart do hereunto set
my hand and seal this August 20th 1889

William Capeheart

The above and Pauline Williams now living with
my wife and me between lines 6 & 7 pag 2
inserted before signing

Signed Sealed Published and delivered by the said
William Capeheart 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
this Aug 20th 1889

J. P. Williard
J. P. Williard

State of North Carolina } S. S. in the Superior Court
Washington County }

A paper writing purporting to be the last will and testament
of William Capeheart deceased is exhibited before me
The undersigned Clerk of the Superior Court for said
County, by Pauline Capeheart the executrix therein
mentioned and the due execution thereof by the said
William Capeheart is proved by the oath and examination
of J. P. Williard the subscribing witnesses thereto who
being duly sworn do depose and say each for
himself depose and say that he is a subscribing
Witness to the paper writing now shown him
purporting to be the last will and testament of
William Capeheart that the said William Capeheart
in the presence of said deponent subscribed his
name at the end of said paper writing now shown
as aforesaid and which bears date of the 20 day of Aug 1889
And the deponent further saith that the said William Capeheart
the testator aforesaid did at the time of subscribing
his name as aforesaid declare the said paper writing
so subscribed by him and executed 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 the 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 a
foresaid and at the time of deponent's subscribing
his name as an attesting witness thereto as aforesaid
The said William Capeheart 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 says deponent says not
soberly sworn and subscribed J. P. Williard (Seal)
this 10 day April 1897 before me

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

A paper writing purporting to be the last Will and testament of William Capshaw deceased is exhibited for probate in open Court by Pauline Capshaw one of the executors therein named and it is thereupon proved by the oath and examination of W. H. Stubbs that Thos S Armistead one of the subscribing witnesses there to is dead and it is also proved by the oath and it is further proved by the oath and examination of the said W. H. Stubbs that he is well acquainted with the handwriting of the said Thos S Armistead having often seen him write and that the name of the said Thos S Armistead subscribed as a witness to the said Will is in the handwriting of the said Thos S Armistead and it is also proved by the oath and examination of the said W. H. Stubbs that he is well acquainted with the handwriting of the said Thos S Armistead having often seen him write and that the name of the said Thos S Armistead subscribed as a witness to the said Will is in the handwriting of the said Thos S Armistead 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 William Capshaw and the same is ordered to be recorded and filed

This 10th day of April 1897

Thos J. Harrison J.C.

State of North Carolina }
Martin County } In the name of God Amen

I William Allbrooks of the above State and County of sound mind and memory (blessed be God) do make declare and publish this my last will and testament hereby revoking all others.

First

I give devise and bequeath to my son James the tract of land on which I now live lying on the Obit Road containing four hundred acres more or less. I also give to my son James the third part in value of all my Negroes, I give him also as horse his choice one bed and furniture a side Board and half a dozen chairs.

Secondly

I give devise and bequeath to my Daughter Sabra E. Harrison my two tracts of land lying in Washington County, one of them lying on one side of the tract owned and occupied by her husband Isaac Harrison to the other one on the other side.

I also give devise and bequeath to my said daughter one third part in value of all my Negroes, the foregoing lands and Negroes so given and to have for her life, these only are given to her separate and apart from her husband and she is not to be liable for the debts, contracts or act of her husband and after her death the said lands and Negroes are to go to the children of my said daughter & the children of such as are dead

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4
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All the balance of my estate of every kind I give to be sold the proceeds to go in equal parts (viz) One part to my son James, one part to my daughter to be held by her as the other property given her is held and one to Henry S Lloyd to be held in trust by him as said land and Negroes are for James, Albert his & Nussans children. Witness my hand and seal this the 25th August 1896.

William Allbrooks
made

Signed sealed declared and published in the presence of us who subscribed the same in the presence of the testator and at his request.

A. B. Williams
J. D. Catham

Martin County
Superior Court
North Carolina

A True copy from the records
This 17th June 1897

J. S. Peel Clerk
W. D. Crawford
Deputy Clerk