

I M^r Spruill of the Town of Plymouth in North Carolina do make and declare this to be my last Will and Testament in manner and following, that is to say:

First, I give and devise Lot No One Hundred and six (No 106) in the Town of Plymouth to Mary Louisa Spruill and her heirs forever.

Second, I give and devise Lot No One Hundred and twenty (No 120) in the Town of Plymouth to my half brother Benjamin F. Fessenden now resident in the City of Brooklyn in New York, and his heirs forever.

Third, I give and bequeath my gold watch and chains to Lizzie Fessenden, daughter of the aforesaid Benjamin F. Fessenden.

Fourth, I give and devise the Water Part of Lot No One Hundred and fifty eight (No 158) in the Town of Plymouth to Robert Bruce Latham, the youngest son of my friend Charles Latham Esq and his heirs forever.

Fifth, I give and devise the Water Part of Lot No One Hundred and fifty nine (No 159) in the Town of Plymouth to Camille Latham, the only daughter of my friend Maj. L. B. Latham and her heirs forever.

Sixth, I give bequeath and devise the Upper Parts of Lots Nos One Hundred and fifty eight (No 158) One Hundred and fifty nine (No 159) One Hundred and sixty (No 160) and One Hundred and sixty one (No 161) in the Town of Plymouth lying on the south of Water Street, together with all the furniture, books, portraits, works of Art, plate, silverware, apparel, privies and appurtenances thereunto in any wise belonging, to the Wardens, Vestry and Trustees of Grace Church of Plymouth and the members of the said Congregation (the said Church being a Church of Protestant Episcopal Church in the Diocese of North Carolina) and their heirs and successors in office to be by them held as a Rectory or residence for the ministers of said Church and I hereby Will and declare that the same shall not be disposed of, sold, or used in any other way or for any other purpose than the one designated in this clause of my will.

Seventh, I give and devise to the said Wardens, Vestry and Trustees of the said Church and the members of the said Congregation and their heirs and successors in office the Water Part of Lot No One Hundred and forty eight (No 148) and my two thirds of the Upper Part of the same Lot in the Town of Plymouth, to be held, used, enjoyed and

disposed of by them for the benefit of said Church.

Eighth, I authorize, empower and instruct my Executors hereinafter named, or either of them in case the other should fail to qualify or die before the execution of this trust, to sell Lots No Ninety six and One Hundred and seven (Nos 96 & 107) in the Town of Plymouth upon such terms as he or they think best and out of the proceeds of such sale to pay and discharge all just debts and claims against me and the expenses of the administration of my estate and the execution of my will.

Ninth, All the residue of my estate of every kind and description, real, personal and mixed, including the residue of the proceeds of sales of Lots Nos Ninety six and One Hundred and seven (Nos 96 & 107) money, notes, bonds, rents due or to become due &c &c I give devise and bequeath to the Wardens, Vestry and Trustees of said Grace Church and the members of the said Congregation and their heirs, next of kin and successors in office, to be held, used, enjoyed and disposed of by them for the benefit of said Church, and I hereby instruct my Executors hereinafter named to pay the same over to them.

Tenth, I constitute and appoint my friends Charles Latham Esq and Major L. B. Latham the Executors of this my last Will and Testament.

Eleventh, I hereby utterly revoke all other Wills by me heretofore made.

In Witness whereof I the said M^r Spruill have hereunto set my hand and Seal the twelfth day of April in the year of Our Lord One Thousand Eight hundred and Seventy Five

M^r Spruill Seal

Signed Sealed, published and declared by the said M^r Spruill as and for her last Will and Testament in the presence of us, who at her request and in her presence and in the presence of each other have hereunto subscribed our names as witnesses thereto.

M^r J. Sanderson

J. F. Norman.

Whereas I M^r Spruill have made my last Will and Testament in writing, bearing date on the Twelfth day

I M^r Spruill of the Town of Plymouth in North Carolina do make and declare this to be my last Will and testament in witness and following: that is to say:

First. I give and devise Lot No One Hundred and six (No 106) in the Town of Plymouth to Mary Louisa Spruill and her heirs forever.

Second. I give and devise Lot No One Hundred and twenty (No 120) in the Town of Plymouth to my half-brother Benjamin F. Fessenden now resident in the City of Brooklyn in New York and his heirs forever.

Third. I give and bequeath my gold watch and chain to Lizzie Fessenden, daughter of the aforesaid Benjamin F. Fessenden.

Fourth. I give and devise the Water Park of Lot No One Hundred and fifty eight (No 158) in the Town of Plymouth to Robert Bruce Lathau, the youngest son of my friend Charles Lathau Esq. and his heirs forever.

Fifth. I give and devise the Water Park of Lot No One Hundred and fifty nine (No 159) in the Town of Plymouth to Camille Lathau, the only daughter of my friend Maj. E. C. Lathau and her heirs forever.

Sixth. I give bequeath and devise the Upper Parts of Lots Nos One Hundred and fifty eight (No 158) One Hundred and fifty nine (No 159) One Hundred and sixty (No 160) and One Hundred and sixty one (No 161) in the Town of Plymouth lying on the south of Water Street together with all the furniture, books, portraits, works of Art, plate, silver-ware, apparel, jewels and Appurtenances thereunto in any wise belonging to the Wardens, Vestry and Trustees of Grace Church of Plymouth and the members of the said Congregation (the said Church being a Church of Protestant Episcopal Church in the Diocese of North Carolina) and their heirs and successors in office to be by them held as a Rectory or residence for the ministers of said Church and I hereby Will and declare that the same shall not be disposed of, sold, or used in any other way or for any other purpose than the one designated in this clause of my will.

Seventh. I give and devise to the said Wardens, Vestry and Trustees of the said Church and the members of the said Congregation and their heirs and successors in office the Water Park of Lot No One Hundred and forty eight (No 148) and my two thirds of the Upper Part of the said Lot in the Town of Plymouth, to be held, used, enjoyed and

disposed of by them for the benefit of said Church.

Eighth. I do authorize, empower and instruct my executor hereinafter named, or either of them in case the other should fail to qualify or die before the execution of this trust, to sell Lots No Ninety six and One Hundred and seven (No 96 & No 107) in the Town of Plymouth upon such terms as he or they think best and out of the proceeds of such sale to pay and discharge all just debts and claims against me and the expenses of the administration of my estate and the execution of my will.

Ninth. All the residue of my estate of every kind and description, real, personal and mixed, including the residue of the proceeds of sales of Lots No Ninety six and One Hundred and seven (No 96 & No 107), money, notes, bonds, rents due or to become due &c I give devise and bequeath to the Wardens, Vestry and Trustees of said Grace Church and the members of the said Congregation and their heirs, next of kin and successors in office, to be held, used, enjoyed and disposed of by them for the benefit of said Church, and I hereby instruct my executor hereinafter named to pay the same over to them.

Tenth. I constitute and appoint my friends Charles Lathau Esq. and Major E. C. Lathau the executors of this my last Will and testament.

Eleventh. I hereby utterly revoke all other Wills by me heretofore made.

In Witness whereof I the said M^r Spruill have hereunto set my hand and seal the Twelfth day of April in the year of Our Lord One Thousand Eight hundred and Seventy Five.

M^r Spruill *read*

Signed, Sealed, published and declared by the said M^r Spruill as and for her last Will and testament in the presence of us, who at her request and in her presence and in the presence of each other have hereunto subscribed our names as witnesses thereto.

M^r F. Sanderson
J. F. Norman.

Whereas I M^r Spruill have made my last Will and testament in writing, bearing date on the Twelfth day

of April in the year of Our Lord One thousand Eight Hundred and Seventy Five and have thereby made sundry devises and bequests according to the then existing circumstances of my estate, but which circumstances having now materially changed, I do by this writing which I hereby declare to be a Codicil to my said will to be taken and construed as a part thereof. Will and direct that portion of Lot number One Hundred & Twenty (120) (being now only the upper one half) heretofore devised to Benjamin F. Jessenden, I hereby give and devise to Mary Louisa Spruill and her heirs forever.

I also give and bequeath to said Mary Louisa Spruill five large Fathoms (silver).
Second I give and bequeath to Lizzie Jessenden, daughter of Benj. F. Jessenden, all the balance of my silver ware of every kind.

M. F. Spruill ^{her} _{max} (Seal)

Signed, Sealed, published & declared by the said M. F. Spruill to be a Codicil or part of her last Will and Testament in presence of us who at her request and in her presence and in the presence of each other do subscribe our names as witnesses thereto.
This 28th Novr 1880

J. F. Norman
J. B. Hillon

State of North Carolina

Washington County } In the Probate Court
A paper purporting to be the last Will and Testament of M. F. Spruill deceased, is exhibited before me, the undersigned Judge of Probate for said County by Charles Sathau one of the executors therein mentioned and the due execution thereof by the said M. F. Spruill by the oath and examination of J. F. Norman, and W. J. Sanderson the other subscribing witnesses being dead, the handwriting of said witnesses was proven by the oath of M. H. Shippo, and the execution of the Codicil was proven by the oath and examination of J. F. Norman and J. B. Hillon the subscribing witnesses thereto, who, being duly sworn, do depose and say, and each for himself depose and oath, that he is a subscribing witness to the paper writings now shown him purporting to be the last Will and Testament of M. F. Spruill; that the said M. F. Spruill in the presence of this deponent, subscribed his name at the end of said paper writing, which is now shown as aforesaid and which bears date of the 12th day of April 1875 and the Codicil dated Novr 28th 1880.
And the deponent further saith that the said M. F. Spruill the testator aforesaid, did, at the time of subscribing her name as aforesaid, declare the said paper writing to be her 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 her name to the said last Will as aforesaid and at the time of deponent's subscribing his name as an attesting witness thereto, as aforesaid, the said M. F. Spruill 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 these deponents say not.

Solemnly sworn and subscribed
this 21st day of March 1881 before me
Saml W. Sathau
Probate Judge.

J. F. Norman (Seal)
J. B. Hillon (Seal)