

State of North Carolina } Court of Pleas & Quartersessions
Washington County } May Term 1867

Ordered that this will be recorded & filed in the Clerk's office and that the proceedings of the Superior Court be entered on the Minute Book of this Court. James D. Melson the executor comes into Court & takes the oath & is duly qualified. Test W. F. Sanderson Clk

State of North Carolina }
Washington County } In the Probate Court.

I James A. Melson Clerk of the Superior Court do hereby Certify that the foregoing & within is a correct copy of John Phelps will as recorded in my office given under my hand & official seal at office this the 1st day of October 1870

(Seal) (New Stamp)

J. A. Melson Clk
& Probate Judge for
Washington County

Recorded May 25, 1929,

North Carolina.
Washington County.

I Charles Dickson Gaylord, of the aforesaid County and State, being of sound mind, but considering the uncertainty of my earthly existence, do make and declare this my last will and testament:

Item One. My executor hereinafter named, shall give my body a decent burial, suitable to the wishes of my friends and relatives, and pay all funeral expenses together with all bills for medical attendance and supplies, out of the moneys received from my policies of insurance.

Item Two. I give and devise unto my cousin Isaac Gaylord Johnston all of the property, rights in land, buildings, stock, fixtures and equipment of every kind owned by me at the time of the execution of this will, and which is known as the New England Filling Station. I do further give unto the said Isaac Gaylord Johnston my Ford sedan,

Item Three. I give and bequeath to Marie Kennedy Jordan after deducting the expenses directed to be paid therefrom in Item One hereof, all my policies of life insurance, which are as follows:

Policy No. 688155, issued by the Mutual Life Insurance Company of New York, for \$1,000.00, and on which I have borrowed from the said company about \$360.00,

Policy No. 1167625, issued by the Mutual Life Insurance Company of New York, for \$1,000.00, and on which I have borrowed from the said company about \$589.00.

Item Four. It is my will and desire that the property devised and bequeathed in Item One hereof to Isaac Gaylord Johnston shall be treated as a trust and that the same shall be responsible for all of the debts owing by me at the time of my death and which were contracted in the operation of the said filling station, together with any sum owing on my said car, and any liens on any of said property.

My executor is directed to turn over the said property to the said Isaac Gaylord Johnston immediately upon my death, and provide for the discharge of the remainder of my estate from the payment of the said debts, if possible, and to let his continue

to retain same without further molestation unless and until it shall appear to him necessary to possess same for the purpose of applying it to the payment of the debt hereby made a special charge against same, and for the purpose of preventing the remainder of my estate from being made subject to this payment.

Item Five. I direct my executor to pay all of the expenses of the administration of my estate from the proceeds of my policies of insurance as well as the sums provided to be paid therefrom in Item One hereof, before paying same to Marie Munnally Jordan under the terms of Item Three of this will.

Item Six. I especially declare that my daughter Joy Gaylord Abbott is not omitted in the making of devise and bequest in this will by mistake, but by purpose.

Item Seven. I hereby constitute and appoint my trusty friend, Carl L. Bailey, my lawful executor to all intents and purposes, to execute this my last will and testament according to the true intent and meaning of the same, and every part and clause thereof, hereby revoking and declaring utterly void all other wills and testaments by me heretofore made.

In witness whereof, I, the said Charles Dickens Gaylord, do hereunto set my hand and seal this 1st day of March 1929.

Charles Dickens Gaylord, (Seal)

Signed, sealed, published and declared by the said Charles Dickens Gaylord to be his last will and testament in the presence of us, who, at his request and in his presence, and in the presence of each other, do subscribe our names as witnesses thereto.

L. L. Allen,

H. O. Norman,

State of North Carolina,
Washington County, } In the Superior Court before the Clerk,

A paper writing purporting to be the last will and testament of Charles Dickens Gaylord, deceased, is exhibited before me, the undersigned, Clerk of the Superior Court for said County, by Carl L. Bailey, the executor therein mentioned, and the due execution thereof by the said Charles Dickens Gaylord is proved by the oath and examination of L. L. Allen and H. O. Norman, the subscribing witnesses thereto, who, being duly sworn, do depose and say, and 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 Charles Dickens Gaylord; that the said Charles Dickens Gaylord, in the presence of this deponent, subscribed his name at the end of said paper writing now shown as aforesaid, and which bears date of the 1st day of March 1929,

and the deponent further saith that the said Charles Dickens Gaylord, the testator aforesaid, did, at the time of subscribing his name as aforesaid, declare the said paper writing so subscribed by him and exhibited, to be his last will and testament, and this deponent did therefore 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 time when the said testator subscribed his name to the said last will as aforesaid, and at the time of the deponent's subscribing his name as attesting witness thereto, as aforesaid, the said Charles Dickens Gaylord 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.

L. L. Allen,

H. O. Norman,

Personally sworn and subscribed, this
24th day of May, 1929 before me.

C. W. Tinsboro

Clerk Superior Court,

North Carolina,

Washington County, } In the Superior Court.

It is therefore considered and adjudged by the Court that the said paper writing, and every part thereof is the last will and testament of Charles Dickens Gaylord, deceased, and the same, with the foregoing examinations and this certificate, are ordered to be recorded and filed.

This 24th day of May, 1929.

C. W. Tinsboro

Clerk Superior Court,

to retain same without further molestation unless and until it shall appear to him necessary to possess same for the purpose of applying it to the payment of the debt hereby made a special charge against same and for the purpose of preventing the remainder of my estate from being made subject to this payment.

Item Five. I direct my executor to pay all of the expenses of the administration of my estate from the proceeds of my policies of insurance as well as the sums provided to be paid therefrom in Item One hereof, before paying same to Marie Emma Jordan under the terms of Item Three of this will.

Item Six. I especially declare that my daughter Ivy Gaylord Abbott is not omitted in the making of devises and bequests in this will by mistake, but by purpose.

Item Seven. I hereby constitute and appoint my trusty friend, Carl L. Bailey, my lawful executor to all intents and purposes, to execute this my last will and testament according to the true intent and meaning of the same, and every part and clause thereof hereby revoking and declaring utterly void all other wills and testaments by me heretofore made.

In witness whereof, I, the said Charles Dickens Gaylord, do hereunto set my hand and seal this 1st day of March 1929.

Charles Dickens Gaylord, (Seal)

Signed, sealed, published and declared by the said Charles Dickens Gaylord to be his last will and testament in the presence of us, who, at his request and in his presence, and in the presence of each other do subscribe our names as witnesses thereto.

L. L. Allen,

H. C. Norman,

State of North Carolina, }
Washington County, } In the Superior Court before the Clerk,

A paper writing purporting to be the last will and testament of Charles Dickens Gaylord, deceased, is exhibited before me, the undersigned, clerk of the Superior Court for said County, by Carl L. Bailey, the executor therein mentioned, and the due execution thereof by the said Charles Dickens Gaylord is proved by the oath and examination of L. L. Allen and H. C. Norman, the subscribing witnesses thereto, who, being duly sworn, do depose and say, and 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 Charles Dickens Gaylord; that the said Charles Dickens Gaylord, in the presence of this deponent, subscribed his name at the end of said paper writing now shown as aforesaid, and which bears date of the 1st day of March 1929,

and the deponent further saith that the said Charles Dickens Gaylord, the testator aforesaid, did, at the time of subscribing his name as aforesaid, declare the said paper writing so subscribed by him and as exhibited, to be his last will and testament; and this deponent did therefore 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 time when the said testator subscribed his name to the said last will as aforesaid, and at the time of the deponent's subscribing his name as attesting witness thereto, as aforesaid, the said Charles Dickens Gaylord 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.

L. L. Allen,

H. C. Norman,

Lawfully sworn and subscribed, this
24th day of May, 1929 before me.

C. W. Tinsborn

Clerk Superior Court,

North Carolina, }
Washington County, } In the Superior Court.

It is therefore considered and adjudged by the Court that the said paper writing, and every part thereof is the last will and testament of Charles Dickens Gaylord deceased, and the same, with the foregoing examinations and this certificate, are ordered to be recorded and filed.

This 24th day of May, 1929.

C. W. Tinsborn

Clerk Superior Court,