

Probate of
Will

State of North Carolina } In Superior Court
Lenoir County }

In the matter of the last will of Elizabeth Phillips.

It appearing to the Court by the oath and examination of C. C. Hayleton and L. M. Howard the subscribing witnesses, is thereto, that the paper writing propounded by the Executors therein named, is the last will and testament of Elizabeth Phillips and that the same was duly executed by said Elizabeth Phillips in the presence of said witnesses and that the time of signing of the same the said Elizabeth Phillips was of sound mind.

It is thereupon adjudged that the said paper writing be admitted to Probate as the last will and testament of the said Elizabeth Phillips and the Executors therein named qualify as such. It is further ordered that the said will together with the foregoing proceedings thereof be recorded and filed and that Letters Testamentary issue.

This 19th day of September 1889.

E. H. Riggall

Clerk Superior Court.

Recorded in the office of the Clerk Superior Court
of Lenoir County. Oct. 11th 1889.

E. H. Riggall

p.s.c.

Application

State of North Carolina }
Lenoir County }

In the matter of the last will of James H. Davis. } Before E. H. Riggall
Clerk Superior Court

Elkanah Davis being duly sworn, doth say:

That James H. Davis late of said County, is dead, having first made and published his last Will and Testament, having named no executor therein, and that he is one of the legates named therein.

Further, that the property of the said James H. Davis consisting of Real and personal property is worth about \$3500. so far as can be ascertained at the date of this application; and that the Elkanah Davis, Almshanda Howard wife of Wm Howard, Gobreiah Noble wife of R. H. Noble, Elizabeth Layton wife of John Layton, Isariah Noble wife of J. H. Noble, Susan B. Canady and J. Herman Canady. (The last named a minor and lives with his father R. H. Canady) all of Lenoir County, are the parties entitled under said will to the said property.

Sworn to and subscribed
before me the 29th day of October
1889

E. H. Riggall

Clerk Superior Court

Elkanah Davis

Examination
of
Witnesses

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

A paper purporting to be the last will and testament of James H. Davis deceased, is exhibited before me, the undersigned, Clerk of the Superior Court for said County, by Elkanah Davis, and the due execution thereof by the said James H. Davis by the oath and examination of W. O. Hyatt and W. E. Hyatt the subscribing witnesses thereto who, being duly sworn, doth depose and say and each for himself depose and swear that he is a subscribing witness to the paper writing now shown him purporting to be the last will

and testament of James H. Davis; that the said James H. Davis, 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 day of 20th 1853.

And the deponent further saith, that the said James H. Davis 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 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 aforesaid, and at the time of deponent's subscribing his name as an attesting witness thereto, as aforesaid, the said James H. Davis 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, wit.

H. O. Hyatt (Said)

V. E. Heyner (Said)

Sorrowsly sworn and subscribed
this 27 day of October 1854, before
me.

E. H. Bizzell

Clark Superior Court

The Will
of
James H. Davis

I, Jas. H. Davis of the County of Lenoir and State of North Carolina, being of sound mind and memory, but considering the uncertainty of my earthly existence, do make and declare this my last Will and testament in manner and form following, that is to say:

First I desire that my body be decently buried, suitable to the wishes of my relations and friends, and such expenses together with my just debts, however and to whomsoever owing, be paid out of the first moneys that may come into my representative hands.

Then I give and devise to my deceased wife's mother Mrs. Susan C. Canady for and during her natural life, the house and lot where I now live, situate, lying and being in the Town of Kingston, just back of the Court House Square, adjoining the lots of Mrs. R. Phillips, Th. L. Mosley & others - Also I give and bequeath unto Mrs. Susan C. Canady all the household furniture of every kind, together with the kitchen furniture, on said premises at my death, to have as hers absolutely. Also I give and bequeath unto her, her choice, one buggy and horse together with harness, out of any that I may have on hand at my death.

Then I give, devise and bequeath unto J. Herman Canady, son of R. H. Canady, the Long property, lying in the town of Kingston, on Queen Street, adjoining the lots of Susan Nichol, J. H. Collins & others, to have and to hold to him and his heirs forever in fee simple.

Then I give and bequeath unto Sarahannah Howard wife of John Howard, Rebekah Nobles wife of R. H. Nobles, and Elizabeth Taylor wife of John Taylor, each for Dollars.

Then The balance and residue of my property, both real and personal of every kind and description whatsoever that I now have or may have at my death, together with the reversionary interest in the house and lot which I have given to Mrs. Susan C. Canady for life - see in them above - and every other interest in lands that I have at my death, I give and devise, to be equally divided, share and share alike, to Sarahah Noble, wife of J. H. Noble, and Elkanah Davis. To have and to hold to them and their heirs in fee simple.

I continue whereof I, Jas. H. Davis have set my hand & seal, this day of 20th 1853.

Jas. H. Davis (Said)

I, J. H. Davis, do hereby certify and declare by the said Jas. H. Davis 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 thereto.

H. O. Hyatt

V. E. Heyner

State of North Carolina }
In Superior Court
Lenoir County }

In the matter of the last will of James H. Davis.
It appearing to the Court by the oath and examination of H. O. H. all and V. E. Myler the subscribing witnesses thereto, that the paper writing purportedly by ~~Charles~~ Charles Davis one of the devisees, (showing no execution) therein named, is the last will and testament of James H. Davis and the same was duly executed by said James H. Davis in the presence of said witnesses and that at the time of signing the same the said James H. Davis was of sound mind.

It is thereupon adjudged that the said paper-writing be admitted to probate as the last will and testament of the said James H. Davis and the same is ordered to be recorded and filed.

This the 29th day of October 1857

E. H. Rizzell
Clerk Superior Court

Recorded in the Office of the Clerk of the Superior Court of Lenoir County Oct. 29th 1857
E. H. Rizzell c.c.

Application
of
Julia E. Gray
for
Letters Testamentary

State of North Carolina }
Lenoir County }

In the matter of the last Will, Bequeath
of Chauncy Gray. } E. H. Rizzell Clerk Superior Court.

Julia E. Gray being duly sworn, deposes,

That Chauncy Gray, late of said County, is dead, having first made and published his last Will and Testament, and that she Julia E. Gray is the executrix named therein.

Further, that the property of the said Chauncy Gray consisting of real estate and personal property is worth about \$2500. so far as can be ascertained at the date of this application; and that she Julia E. Gray is the party entitled under said Will to the said property.

Sworn to and Subscribed before me the 13th day of September 1856

E. H. Rizzell
Clerk Superior Court

Julia E. Gray.

Examination
of
Witnesses.

State of North Carolina } S. S. In the Superior Court,
Lenoir County }

A paper purporting to be the last Will and Testament of Chauncy Gray deceased, is exhibited before me, the undersigned, Clerk of the Superior Court for said County, by Julia E. Gray the Executrix therein mentioned, and the due execution thereof by the said Chauncy Gray by the Oath and examination of A. D. Mashins and J. A. Cummings the subscribing witnesses thereto, who, being duly sworn, deposes and says, and each for himself deposes and saith that he is a subscribing witness to the paper-writing now shown him, purporting to be the last Will and Testament of Chauncy Gray; that the said Chauncy Gray, 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 day of February 1856.

And the deponent further saith, that the said Chauncy Gray the testator aforesaid, died, at the time of subscribing his name as aforesaid, declares the said paper-writing so subscribed by him and exhibited