

Whereas, I, C. D. Barwick, have made my last will and testament in writing bearing date on the 26th day of June, 1885, and have thereby made sundry devises and bequest according to the then existing circumstances of my estate, but which circumstances having been materially changed, I do, by this, which I declare to be a codicil to my said will, to be taken and construed as part thereof, will and direct that my said wife, Sancy A. Barwick, who I have made Executrix in my said will shall have the right, and I hereby empower her as Executrix to my said will to sell the tract of land known as the Barney Phillips land, or so much of it as will be necessary to pay the debts that have been created by myself during my lifetime, provided, however, that if said debts can be settled out of my personal property, or the proceeds from the same, then such sale is not to be made, but my will bearing date June 26th, 1885, to be executed in full to all intents and purposes; and the object of this codicil is to give my said wife the right to make such sale, if she should think best.

In testimony whereof I hereunto set my hand and seal the 31st day of October, 1885.

C. D. Barwick (Seal)

Signed, sealed, published and declared by the said C. D. Barwick to be a codicil or part of his last will and testament in presence of us, who, at his request, and in his presence, and the presence of each other, do subscribe our names as witnesses thereto.

E. J. Brooks
J. E. F. Harper

North Carolina, } Superior Court,
Lenoir County, } November 26, 1885.

The foregoing paper writing purporting to be the last will and testament of C. D. Barwick, and a codicil thereto, are exhibited for probate, before me, the undersigned, Clerk of said Court by Sancy A. Barwick, the Executrix therein named, and the due execution thereof by the said C. D. Barwick is proved by the oath and examination of E. J. Brooks and J. E. F. Harper, the subscribing witnesses to each of said papers-writing. It is therefore, considered and adjudged by the Court that the said papers-writing, and every part and clause thereof are the

last will and testament, and codicil thereto, of the said C. D. Barwick, and the same, as such, are ordered to be recorded and filed. And thereupon the said Sancy A. Barwick, Executrix, as aforesaid, duly qualifies as such by taking the oath required; whereupon Letters Testamentary, with copies of said will and codicil, are issued to her.

W. H. Hunn, C. S. C.

Enrolled in the office of the Clerk of the Superior Court of Lenoir County the 26th day of November, 1885.

W. H. Hunn, C. S. C.
W. H. H. Hunter, D. C.

Margaret Cunningham

Application

of

Asa M. Coyle
for
Letters Testamentary

State of North Carolina, }
Lenoir County. }

In the matter of the last will } Before
of Margaret Cunningham. } W. H. Hunn, C. S. C.

Asa M. Coyle, being duly sworn, says:

That Margaret Cunningham, late of said County, is dead, having first made and published her last will and testament; and that Asa M. Coyle is the executor named therein.

Further, that the property of the said Margaret Cunningham, consisting of one house and lot in the town of Sta. George, N. C., is worth about \$500, so far as can be ascertained at the date of this application, and that Clara Williams M. Coyle, Fannie M. Coyle, William Thomas Corns, and William A. Williams are the parties entitled under said will to the said property.

Asa M. Coyle

Sworn to and subscribed
before me the 17th day of
November, 1885.

W. H. Hunn, C. S. C.

Examination
of
Witnesses.

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

A paper purporting to be the last will and testament of Margaret Cunningham, deceased, is exhibited before me, the undersigned, Clerk of the Superior Court for said County, by Asa M. Coyle the Executor therein mentioned, and who has execution thereof by the said Margaret Cunningham.

ingim is proved, by the oath and examination of H. A. McIntyre and A. J. McIntyre, the subscribing witnesses thereto, who, being duly sworn, doth depose and say, and each for themselves depose and say that they are subscribing witnesses to the paper - writing now shown them purporting to be the last will and testament of Margaret Cunningham in the presence of these deponents subscribed her name at the end of said paper writing, which is now shown as aforesaid, and which bears date of the 1st day of February, 1891.

And the deponents further say that the said Margaret Cunningham, the testatrix aforesaid, did, at the time of subscribing her name as aforesaid, declare the said paper-writing, so subscribed by her, and exhibited, to be her last will and testament, and these deponents did, thereupon subscribe their names at the end of said will as attesting witnesses thereto, and at the request, and in the presence of, the said testatrix. And these deponents further say that at the said time when the said testatrix subscribed her name to the said last will as aforesaid, and at the time of deponents' subscribing their names as attesting witnesses as aforesaid, the said Margaret Cunningham was of sound mind and memory, of full age to execute a witness will, and was not under any restraint to the knowledge, information or belief of these deponents. And further these deponents say not.

H. A. McIntyre (Seal)
A. J. McIntyre (Seal)

Severally sworn to and subscribed
this 17th day of November, 1890, before me

W. H. Dunn, C. S. C.

Oath of the
Executor.

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

I, A. M. Clay, do solemnly swear that I believe this writing to be and contain the last will and testament of Margaret Cunningham, deceased; and that I will well and truly execute the same by first paying her debts, and then her legacies as far as the estate is well satisfied or the law will charge me; that I will well and faithfully execute the office of an executor agreeably to the trust and confidence reposed in me

and according to law: so help me God.

A. M. Clay.

Sworn and subscribed before me
this 17th day of November, 1890.
W. H. Dunn, C. S. C.

The Will.

In the name of God. Amen.

I, Margaret Cunningham, being of sound mind and memory, but considering the uncertainty of my earthly existence do make and declare this to be my last will and testament in manner and form following:

Item first. My will and desire is that after my death decrease (my executor hereinafter named shall provide for my body a decent burial suitable to the wishes of my friends and relatives, and pay all funeral expenses together with my just debts out of the first moneys that may come into his hands as a part or parcel of my estate.

Item 2nd. My will and desire is that after my decease my house and lot situated in the town of La Grange shall be rented until the amount of rents shall reach a sum sufficient to place suitable tombstones to my own grave and that of Maggie Williams McCloy and that of George McCloy.

Item 3rd. My will and desire is that after the requirements of item 2nd are accomplished and fulfilled that Clara Williams McCloy have and hold my house and lot in the town of La Grange in fee simple forever, and that no order of Court shall be issued to sell it during her minority.

Item 4th. My will and desire is that if the said Clara Williams McCloy should die without issue then said house and lot be sold and the proceeds be equally divided between my son William F. Williams and my daughter Fannie McCloy and William Thomas Coman.

Item 5th. I hereby constitute A. M. Clay my lawful Executor to all intents and purposes with full power to execute all items in this my last will and testament.

In witness whereof I hereunto set my hand and seal
Feb. 21, 1891.

Margaret Cunningham (Seal)

In presence of
H. A. McIntyre
A. J. McIntyre

State of North Carolina, } Superior Court
Lenoir County. } November 17, 1886.

The foregoing paper writing purporting to be the last will and testament of Margaret Cunningham, deceased, is exhibited before me the undersigned, Clerk of said Court by Asa McCoy, the Executor therein named, and the execution thereof, by the said Margaret Cunningham is proven by the oath and examination of M. S. McIntyre and W. H. McIntyre, the subscribing witnesses thereto. It is, therefore, considered and adjudged that said paper writing and every part and clause thereof is the last will and testament of the said Margaret Cunningham, and the same, as such, is ordered to be recorded and filed. And thereupon the said Asa McCoy, executor, as aforesaid, duly qualifies as such according to law, whereupon letters Testamentary, with a copy of said will, are issued to him.

W. H. Dunn, C. S. C.

Enrolled in the office of the Clerk of the Superior Court of Lenoir County the 19th day of March, 1886.

W. H. Dunn, C. S. C.
W. H. S. Smith, D. C.

Margaret Lane.
Application

North Carolina, } Superior Court,
Lenoir County. } Nov. 17, 1886.

In the matter of the last will and testament of Margaret Lane. } Application to prove Will.

Austin Williams being duly sworn deposes and says: That Margaret Lane, late of said County is dead, having in her lifetime made and published her last will and testament bearing date Dec. 22, 1884, by which she appointed this deponent, Austin Williams, her Executor;

That the value of said estate is not over five hundred dollars, as near as can be ascertained, consisting wholly of personal property.

That J. D. Lane, Elizabeth Webb, Susan Weaver, Asa McCoy Lane are the persons entitled as legatees under said will.

That J. D. Lane resides in Lenoir County, and is a minor, and the others are all of full age, and reside in the State of N.C.

That said J. D. Lane is a minor and without guardian; therefore deponent asks that said will be admitted to probate in the usual form.

Austin Williams.

Sworn and subscribed }
before me Nov. 16, 1886.
W. H. Dunn, C. S. C. }

Examination
Witness.

Superior Court, } November 16, 1886.
Lenoir County. }

In the matter of the last will and testament of Margaret Lane. }

W. H. Joyner and Daniel Williams, the witnesses whose names appear on the will referred to in the application of Austin Williams herein, being duly sworn, say, and each for himself says:

That the paper writing now handed him was executed and declared by the said Margaret Lane to be her last will and testament and that deponents signed the same as witnesses at her request and in her presence, and in the presence of each other, and that deponents believe that deceased Margaret Lane to be of lawful age, and full capacity to make said will, and they truly believe the same to be the last will and testament of said Margaret Lane.

W. H. Joyner
Daniel Williams.

Sworn to and subscribed }
before me November 17, 1886.
W. H. Dunn, C. S. C. }

Oath of the
Executor.

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

I, Austin Williams, do solemnly swear that I believe this writing to be and contain the last will and testament of Margaret Lane deceased, and that I will well and truly execute the same by first paying her debts and then her legacies as far as the estate shall extend or the law will charge me; and that I will well and faithfully execute the office of an executor agreeably to the trust and confidence reposed in me, and according