

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.

A. C. Murchison *Dea*
H. H. Hadley *Dea*

Severally sworn and subscribed,
this 27th day of April, 1886
before me,

W. H. Hume, C. S. C.

The Will.

"In the name of God, Amen."

I, Belia Walters, of Lenoir County, N. C., being of sound mind and memory, but recognizing the uncertainty of all earthly things, this day make this my last will and testament in ink and in full following, to-wit:

Item 1st. That after my death my Executor, herein after named, shall provide for my body a suitable burial in the cemetery near La Grange.

Item 2nd. That my Executor shall pay and satisfy all my just debts out of the proceeds of my personal property.

Item 3rd. That I give to my niece Louisa Alberson my lot situated on the corner of James and Hooten streets in the town of La Grange, N. C., containing $\frac{1}{4}$ of an acre more or less, with all improvements thereon during her natural life; after her death the said real estate I desire shall be divided equally in value between the Society of the Presbyterian Church at La Grange for church purposes and Bittie Raspberry, daughter of my niece Louisa Alberson.

Item 4th. I give to Louisa Alberson all my household and kitchen furniture.

Item 5th. I give to Louisa Alberson my entire interest in the land descended to me from the estate of my deceased sister Sallie Smith.

Item 6th. I give and bequeath to my esteemed friend Lizzie E. Hadley my sewing machine and fixtures.

Item 7th. I hereby constitute and appoint H. H. Hadley my lawful executor to execute the provisions of this my last will and testament. - Given under my hand and seal at La Grange, N. C., this 16th day of February, A. D. 1886.

Test:

A. C. Murchison.
H. H. Hadley.

Belia Walters *Dea*

State of North Carolina, } Superior Court,
Lenoir County. } April 27, 1886.

The foregoing paper writing, purporting to be the last will and testament of ~~Belia Walters~~, deceased, is exhibited for probate before the undersigned, Clerk of the Superior Court for said county, by J. M. Hadley, the executor therein named, and the due execution thereof by the said Belia Walters is proved by the oath and examination of A. C. Murchison and H. H. Hadley, the two subscribing witnesses thereto. It is, therefore, considered by the Court that the said paper-writing, and every part and clause thereof, is the last will and testament of the said Belia Walters, deceased, and the same, as such, is ordered to be recorded and filed. And thereupon the said J. M. Hadley, executor as aforesaid, duly qualifies as such by taking the oath required by law, whereupon letters testamentary, with a copy of said last will and testament annexed, as the law directs, are issued to him.

W. H. Hume, C. S. C.

Enrolled in the office of the Clerk of the Superior Court of Lenoir County the 29th day of April, 1886.

W. H. Hume, C. S. C.
W. H. Hume, C. S. C.

Olivia C. Phillips North Carolina,

Application Lenoir County

of

Henry J. Raspberry

for

Selling Testamentary

In the matter of the last will and testament of Olivia C. Phillips deceased } Before W. W. Dwyer
C. S. C.

Henry J. Raspberry being duly sworn, doth say:

That Olivia C. Phillips, late of said County, is dead, having first made and published her last Will and Testament; and that Henry J. Raspberry is the executor named therein.

Further, that the property of the said Olivia C. Phillips consisting of land and money, household and kitchen furniture is worth about \$4000 or so far as can be ascertained at the date of this application; and that Olivia C. Phillips is the party entitled under said will to the said property.

Sworn to and subscribed before me this 22nd day of Sept. 1886.

W. W. Dwyer
C. S. C.

H. J. Raspberry

Examination
of
Witnesses

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

A paper purporting to be the Last Will and Testament of Olivia C. Phillips deceased, is exhibited before me, the undersigned, Clerk of the Superior Court for said County, by Henry J. Barbery the executor therein mentioned, and the due execution thereof by the said Olivia C. Phillips by the oath and examination of Geo. E. Miller and J. J. Jackson the subscribing witnesses therein: who being duly sworn, doth depose and say, and each for himself, depose and saith that he is a subscribing witness to the paper-writing now shown him, purporting to be the last will and testament of Olivia C. Phillips: that the said

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 30th day of July, A.D. 1876. And the deponent further saith that the said Olivia C. Phillips 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 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 testatrix. And this deponent further saith, that at the said time when the said testatrix subscribed her name to the said last will and testament as aforesaid, and at the time of deponent's subscribing his name as an attesting witness thereto, as aforesaid, the said Olivia C. Phillips 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.

Geo. E. Miller *Sub*
J. J. Jackson *Sub*

Sworn to and subscribed
this 22nd day of Sept-
1876, before me
W. W. Dunn
C. S. C.

The Will

I Olivia C. Phillips of Lenoir County 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 It is my will and desire that my executor hereafter named shall provide for my body a decent burial, and suitable to the wishes of my relatives and friends and pay my funeral expenses together with all my just debts, however and to whomsoever owing out of the first money that shall come into his hands as a part or parcel of my estate. Then I give and devise to my daughter Olivia M. Phillips my plantation situated in Lenoir County and State of North Carolina and the south side of New River, adjoining the lands of E. D. Cox, Seander Paulkner and others, it being the tract of land I purchased of E. D. Albritton and for a more perfect description reference is hereby had to a deed from said E. D. Albritton to me to have and to hold during her natural life and then to be equally divided among her children, but if my daughter Olivia M. Phillips shall leave no issue her surviving, and shall leave a husband surviving her then said husband is to have the use of said land during his life and after his death or the death of my daughter Olivia leaving no issue or husband surviving her, then I give one half of said land to my father and mother A. J. Barbery and Cordelia Barbery during their natural life and the life of the survivor. And then other half I give and devise, together with the remainder of the half given to my father and mother, to my brothers and sisters namely A. D. Barbery, H. J. Barbery, M. O. Barbery, Ella Barbery and Minnie Barbery to have and to hold to hold to them and their heirs forever.

Then I give and bequeath all my house hold furniture and my wearing apparel to my daughter Olivia M. Phillips absolutely forever.

Then I direct that my executor shall have erected tomb stones at my late husband's M. C. Phillips grave and also at my grave and pay for the same out of any money that shall come into his hands of my estate.

Then the rest and residue of my estate, if any, after paying my debts and the expenses of the settlement of my estate and for the tomb stones above mentioned, I give and bequeath to my daughter Olivia M. Phillips. And lastly I hereby constitute and appoint my brother Henry J.

my lawful executor to execute this my last will and Testament and every part and clause thereof according to the true intent and meaning of the same hereby revoking and declaring null and void all other wills and Testaments by me heretofore made.

In testimony whereof I hereunto set my hand and seal the 30th day of July A.D. 1886.

Olivia C. Phillips

Signed sealed published and declared by Olivia C. Phillips to be her last Will and Testament, in our presence at her request, and in her presence subscribe our names as witnesses hereunto.
Geo. A. Miller
J. P. Jackson

Oath of the
Executor

North Carolina } In the Superior Court.
Senoit County }

I, Henry J. Rasberry do solemnly swear (or affirm) that I believe this writing to be and contain the last Will and Testament of Olivia C. Phillips deceased; and that I will ~~will~~ ^{truly} execute the same by first paying her debts and then her legacies, as far as the said estate shall extend, or the law will charge me, and that I will well and faithfully execute the office of an executor agreeable to the trust and confidence reposed in me and according to law, so help me God.

Sworn and subscribed before
me, this 22nd day of Sept. } H. J. Rasberry
1886.

W. W. Dunn C. D. C.

State of North Carolina } Superior Court
Senoit County } Sept. 22nd 1886.

The foregoing paper writing purporting to be the last will and testament of Olivia C. Phillips, deceased, is exhibited for probate before the undersigned, Clerk of the Superior Court for said County, by H. J. Rasberry, the executor therein named, and the execution thereof by the said Olivia C. Phillips is proved by the oath and examination of Geo. A. Miller and J. P. Jackson, the two subscribing witnesses thereto. Which considered by the Court that the said paper writing

and every part and clause thereof, is the last will and testament of the said Olivia C. Phillips, deceased, and the same, as such, is ordered to be recorded and filed. And therefore the said H. J. Rasberry, executor as aforesaid, duly qualifies as such by taking the oath required by law, whereupon letters testamentary with a copy of said last will and testament annexed, as the law directs, are issued to him.

W. W. Dunn C. D. C.

Enrolled in the office of the Clerk of the Superior Court of Senoit County, the 29th day of September, 1886.

W. W. Dunn C. D. C.

S. H. Dunn D. C.

Eliza J. Dunn State of North Carolina,
Senoit County.

Application

S. H. P. Abbott

for
Selling Testamentary

In the matter of the last will of } Before W. W. Dunn
Eliza J. Dunn } Clerk Superior Court

S. H. P. Abbott being duly sworn, doth say: That Eliza J. Dunn, late of said County, is dead, having first made and published her last Will and Testament; and that S. H. P. Abbott is the executor named therein. Further, that the property of the said Eliza J. Dunn consisting of about 100 acres of land, farming utensils, cows, carts, and household & kitchen furniture is worth about \$800 or so far as can be ascertained at the date of this application; and that S. H. P. Abbott, E. E. J. Dunn both of Senoit County N. C. are the parties entitled under said will to the said property.

Sworn to and subscribed
before me the 16th day of } Samuel H. P. Abbott
Nov. 1886.
W. W. Dunn C. D. C.

Examination of
Witnesses

State of North Carolina, } In the Superior Court
Senoit County }
A paper purporting to be the last Will and Testament of Eliza J. Dunn deceased, is exhibited before me, the undersigned, Clerk of the Superior Court for said County by S. H. P. Abbott the executor therein mentioned, and that the due execution thereof by the said Eliza J. Dunn