

property.

Item 17th.

I hereby nominate and appoint my trusty friends Anthony Davis and William Hunter Executors to this my last Will and Testament and also Trustees in all cases heretofore mentioned to all intents and purposes to execute this my last Will and Testament according to the true intent thereof and the meaning of the same and every clause thereof.

In testimony whereof I have hereunto set my hand and seal this 18th day of August A.D. 1880.
Richard W. King (Seal)

Signed, sealed, published and declared by the said Richard W. King to be his last will and Testament in 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.

N. O. Hyatt.
Elisha Grady.
Wm. C. Clarke.

Richard W. King.
Hedrick.

I, Richard W. King of the town of Kinston County of Lunenburg and State of North Carolina having made my last will and testament bearing date the 18th day of August, A.D. 1880, now being of sound mind and disposing memory do make this Codicil to be taken as a part of the same.

First: I hereby ratify and confirm said will in every respect save as far as any part of it is inconsistent with this Codicil and whereinsoever the same shall conflict with the provisions of this Codicil said will is hereby revoked.

Second: I hereby revoke the gift contained in the ninth (9th) item of said will, whereby I devise and bequeath my piano to Tiffany West and I hereby give, devise and bequeath said piano to my wife Susan King.

Third: I give, devise and bequeath to my wife Susan King my gray mare named "Bella".

Fourth: It is my will and desire, if I should have an heir, born of ^{my} said wife Susan King, that all gifts, legacies and devises given to William Hunter, Ada Hunter and son Hunter, children of Mary Ann Hunter, and to Hiram West, Tiffany West, and Richard West, children of Sophie C. West, shall be and the same are all hereby expressly revoked, and said property shall all go to my heir or heirs born of ^{the body of} my wife Susan King, but I desire that the loan to my niece Sophie C. West of lot number One Hundred and Five (105) in the town of Kinston, where she now lives, during her life, shall in any event remain unchanged, but I revoke the bequest to Tiffany West of the remainder in said lot in case of the birth of a child or children of Susan King.

Fifth: Whereas ^{my} said will I have nominated and appointed William Hunter to be one of the trustees and Executors thereof; now I hereby revoke the appointment of the said William Hunter as trustee and Executor of ^{said} my will. And hereby nominate and appoint Albert G. Hubbard of the City of New Bern, County of Currituck and State of North Carolina to be a trustee and Executor of my said will in the place of the said William Hunter. And I declare that my said will shall be and shall be construed and take effect as if the name of the said Albert G. Hubbard were inserted in said will throughout instead of the name of William Hunter. And in all other respects I confirm my said will.

R. W. King.

Subscribed by the testator in the presence of each of us, and at the same time declared by him to us to be his last will and Testament and thereupon, at the request of the testator we sign our names hereto as witnesses, this 27th day of Oct. 1881.

N. O. Hyatt.
E. Grady.
Wm. C. Clarke.

North Carolina, } Probate Court.
Lunenburg County.

(Attest: Clerk)

In the matter of } Before
the Will of } W. H. Dunn,
R. H. King, dec'd. } Judge of Probate.

This matter coming on to be heard upon the examination of the witnesses to the aforesaid will and codicils of the said R. H. King, deceased, and being heard:

It is therefore, considered and adjudged by the Court that the said Will and codicils purporting to be the last will and testament and codicil of the said R. H. King is the last will and testament and codicil thereto of the said R. H. King and the same is ordered to be recorded and filed.

And thereupon the said Anthony Davis the Executor therein named as aforesaid duly qualified as such by taking the oaths required by law.

W. H. Dunn,
Judge of Probate.

Recorded in the office of the Superior Court Clerk of Lenoir County, March 26, 1883.

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

North Carolina, }
Lenoir County. }

Before William H. Dunn, Clerk of the Superior Court of said County and ex officio Judge of Probate, this 24th day of March, 1883,

Richard King as only heir at law and next of kin of Richard H. King, deceased, and as one of the devisees and legatees named in the paper writing purporting to be the last will and testament of the said Richard H. King, dec'd, and a codicil thereto, which were admitted to probate on the 10th day of March, A.D. 1883, hereby enters a caveat to the probate of the said paper writing, and asks that an issue be made up and tried as to whether said paper writing, or any part thereof, and if so, what part, are the last will and testament of the said Richard H. King, dec'd.

Richard King,
by his next friend Guilford Johnson

Helen M. Bagby.

Petition of
Cynthia Dunn.

North Carolina, } In the Probate Court.
Lenoir County. }

The petition of Cynthia Dunn, and Walter, Gertrude, and Charley Bagby, the last three of whom are minors without guardian, by their next friend and grand mother the said Cynthia Dunn respectfully shew the Court:

That Helen M. Bagby, wife of George H. Bagby, departed this life on or about the 19th day of April, 1881, having made her last will and testament in writing of which the following is a copy of the original herewith filed in said Court on this 20th day of June, 1881, by Cynthia Dunn, with whom the same was duly deposited by the testatrix, Helen M. Bagby, for safekeeping; the following marked "A" is a true copy, to-wit: I, Helen M. Bagby, 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. That my herein-after-named Executor shall provide for my body a decent burial suitable to the wishes of my relatives and friends and pay all funeral expenses, together with my just debts, however and to whomsoever owing out of the moneys that may first come into his hands as a part or parcel of my estate.

Second. That it is my will and desire that all of my property of every description shall at my death belong to my children who may then be living; it is further my will and desire that a proper judicial tribunal shall appoint a good and discreet person who shall hold said property in trust for the benefit of said children, and that the proceeds therefrom shall be expended only for their maintenance and education, and it is further my will and desire that such children on arriving at the age of twenty-one years or shall marry shall be entitled to draw out from the common stock his or her equal share, said share to his or her heirs in fee simple; it is further my will and desire that should any of my said children die before they are twenty-one years of age or marry then and in that case the surviving shall inherit the share of said