

North Carolina, } Superior Court
 Lenoir County, } Nov 15th 1884

A paper writing purporting to be the last will and testament of Edith Barwick, dec'd, is exhibited before me, the undersigned, Clerk of the Superior Court of said County, by E. C. Parrott, the executor therein named; and the due execution thereof by the said Edith Barwick, is proved by the oath and examination of Thos. J. Denson and T. C. Nakev, the two subscribing witnesses thereto. It is, therefore, considered by the Court and adjudged thereby that the said paper writing, and every part and clause thereof, is the last will and testament of the said Edith Barwick and the same as such, is ordered to be recorded and filed, And, thereupon, the said E. C. Parrott, Executor, as aforesaid, comes forward and qualifies, as such, according to law.

W. H. Dunn, J.C.
 Recorded in the office of the Superior Court Clerk of Lenoir County, the 21st day of November, 1884.
 W. H. Dunn, J.C.
 By T. A. Dunn, J.C.

Sallie E. Newborn State of North Carolina,
 Lenoir County,

Application by
 L. J. Newborn Esq.
 for
 Letters Testamentary

In the matter of the Last Will of } Before W. H. Dunn, C. & C.
 Sallie E. Newborn.

L. J. Newborn being duly sworn, doth say: That Sallie E. Newborn, late of said County, is dead, having first made and published her last Will and Testament, and that L. J. Newborn is the Executor named therein.

Further, that the property of the said Sallie E. Newborn consisting of Real Estate and personal property, is worth about \$4000, so far as can be ascertained at the date of this application; and that L. J. Newborn, L. J. Newborn Jr, and Robt. S. Newborn are the parties entitled under said will to the said property.

Sworn to and subscribed before
 me the 12th day of March 1885. } L. J. Newborn
 W. H. Dunn
 C. & C.

Probate of Will State of North Carolina, }
 Lenoir County, }

L. J. Newborn
 of
 Sallie E. Newborn
 Examination of
 Witness

In the Superior Court. A paper purporting to be the Last Will and Testament of Sallie E. Newborn deceased, is exhibited before me, the undersigned C. & C. for said County, by L. J. Newborn the executor therein mentioned, and due execution thereof by the said Sallie E. Newborn by the oath and examination of L. J. Newborn Jr, one of the subscribing witnesses thereto: who, being duly sworn, doth depose and say, 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 Sallie E. Newborn, that the said Sallie E. Newborn, in the presence of this deponent, subscribed her name at the end of said paper writing which is now shown as aforesaid, and which bears date of the day of June 1871. And the Deponent further saith, that the said Sallie E. Newborn the testator aforesaid, died 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 testator. And this deponent further saith, that at the said time when the said testator subscribed her 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 Sallie E. Newborn 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 this deponent says not.

L. H. Newborn Jr. *(initialed)*

Sworn & subscribed this
17th day of Mch 1865,
before me

W. H. Dunn
C. S. C.

L. J. Newborn Esq. North Carolina,
of Lenoir County. } Superior Court.
Sallie E. Newborn. }
Examination of A paper writing purporting to be the last Will
of L. J. Newborn, deceased, is
as to handwriting exhibited before me, C. S. C. of said County, by
of Warren Kilpatrick L. J. Newborn, the executor, therein mentioned,
Witness: deceased, and it appearing to my satisfaction, upon
the affidavit of Geo. L. Kilpatrick (see Sec. 2148,
Chap. 54, the Code), who states, that he is well
acquainted with the hand writing of Warren
Kilpatrick, one of the subscribing witnesses to
the aforesaid Will and Testament, having
often seen him write, and that his signature
so appearing is genuine; he furthermore states since
the execution of said Will that said Warren

Kilpatrick has died.

G. L. Kilpatrick.

Sworn & subscribed to
before me, this 17th day
of March, 1865;

W. H. Dunn
C. S. C.

Will.

I Sallie E. Newborn 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 executor hereinafter named
shall provide for my body a decent burial and
pay all funeral expenses, together with my
just debts, however and to whomsoever owing,
out of the monies that may first come into
his hands as a part or parcel of my estate.
Second: I give and devise to John F. Newborn
and his heirs all that piece or parcel of
land lying in Louisa swamp, adjoining
the lands of J. M. Newborn, R. A. Bright
and others formerly belonging to L. A. Newborn
and conveyed to me by C. A. Cox, Sheriff of Lenoir
County by deed bearing date November 3rd 1865,
and Recorded in Book 38 on pages 266, 267 &
268, of the Register's office of Lenoir County,
except what I have heretofore conveyed by two
deeds one to C. A. Newborn, bearing date Aug-
ust 19th 1869 and Recorded in Book 38 on pages
553 & 554 of the above office, the other to L. A.
Newborn bearing date November 1869,
and Recorded in Book 38, pages 270 & 276
in the above office: Upon the express
condition nevertheless that the said
John F. Newborn shall within six months
after he arrives at the age of twenty one
execute to his guardian L. J. Newborn a
receipt releasing his said guardian from

any and all responsibility incurred by reason of said guardianship. And it is my will and desire that in case the said John A. Newborn do not execute the said release, then the land in this item devised to him, shall go and be disposed of in the same manner as the remainder of my real estate.

Third: I give and bequeath to my husband L. J. Newborn all my bonds, notes, shares in action and all other personal property of whatever description, to have and to hold to the following uses: that he shall apply the same for the sole use of his children, for their nurture education, or advancement in life in whatever comes may seem to him best.

Fourth: I give and devise to my husband L. J. Newborn, his heirs administrators and executors all my interest in any real estate, together with all the remainder of my lands not hereinbefore given away, to have and to hold to him his heirs, administrators and executors, to the following uses: first he the said L. J. Newborn, shall reserve for his own use the sum of five hundred Dollars during each year of the term of his natural life, out of the rents and profits of said lands, and second all the remainder of the yearly profits of said lands, if any there be, shall be applied according to the directions laid down in item third of this Will.

Fifth: And I hereby invest the said L. J. Newborn with full power to divide all my said real estate among any or all of his children giving them fee simple titles to the same: and if he should die before making such division, then said lands remaining undivided, shall be equally divided, share and share alike among the

lawful heirs of the said L. J. Newborn. And lastly, I do hereby constitute and appoint my husband L. J. Newborn 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.

The words "and his heirs" between lines 14 & 15 were inserted before signing. In witness whereof I, the said Sallie E. Newborn do hereunto set my hand and seal this day of June 1891.

Sallie E. Newborn
Signed, sealed, published and declared by the said Sallie E. Newborn to be her last will and testament, in the presence of us, who at her request, and in her presence do subscribe our names as witnesses thereto.
L. A. Newborn Jr.
Warren Kilpatrick.

L. J. Newborn Executor
of
Sallie E. Newborn
Probate of Will,
North Carolina,
Lenoir County } In Superior Court.

In the matter of the Last Will of Sallie E. Newborn.

It appearing to the Court by the oath and examination of L. A. Newborn Jr. one of the subscribing witnesses thereto, and Geo. L. Kilpatrick, as to the hand writing of Warren Kilpatrick, deca, the other subscribing witnesses thereto, that the paper writing propounded by the Executor therein named, is the last will and testament of Sallie E. Newborn and that the same was duly executed by said Sallie E. Newborn in the presence of said witnesses and that at the time of signing the same the said Sallie E. Newborn was of sound mind. It is thereupon adjudged that the said paper writing

be admitted to probate as the last Will & Testament of the said Sallie E. Newbarn and the Executor therein named qualify as such.

This the 17th day of March 1885;

W. H. Dunn.

C. S. C.

Recorded in the Office of the Superior Court Clerk of Lenoir County March 20th 1885;

W. H. Dunn C.S.C.
Alfred Bacon S.C.C.

State of North Carolina } In the Probate
Lenoir County } Court of Lenoir
County Dec. 2nd 1884

To the Hon. Court of Probate of Lenoir County. Your Petitioners:
Elsey Depper Percy Langston Julia Cashion
Decker Sallie Decker Agnes Decker would represent to the Court that James Decker reported this Will on the 20th day of Feb. 1879. Being a will and Testament. A copy of which is herewith filed, as a part of this petition. And Your Petitioners would represent to the Court that they are the Legatees under the said will and are desirous of Probating the same, and all are desirous of having the said will proved according to its provisions, and ask an order that the same be proved by examination of the subscribing witnesses.

W. H. Dunn
for Petitioners

State of North Carolina } Probate Court.
Lenoir County }

A paper purporting to be the last will and Testament of James Decker, Exhibited by Frank P. Harper and Sarah P. Decker and due execution thereof by the said decedent is proved by the oath and Examination of Robert Harper and Frank P. Harper the subscribing witnesses thereto who being sworn do 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 James Decker and that the said James Decker in the presence of the deponent subscribed his name at the end of said paper writing which is now shown as aforesaid and which bears date of the twenty ninth January 1879, and the deponent further says that the said James Decker the testator aforesaid did at the time of subscribing his name as aforesaid declare the said paper writing as subscribed by him and exhibited by him and exhibited to be his last will and Testament and the 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 said testator, and the deponent further says that at the said time when the said testator subscribed his name to the said last will as aforesaid and at the time of the deponent subscribing his name as an attesting witness thereto as aforesaid the said James Decker 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 the deponent, and further these deponents say not.

Shewally sworn
and subscribed
this 6th day 1884
W. H. Dunn
Probate Judge

Robert Harper
Frank P. Harper

Seal
Seal