

In testimony whereof the said Richard James doth hereunto set his hand and seal, this date first herein written.

Signed sealed, published and declared by the Testator to be and contain his last will and testament in the presence of us, who at his request and in his presence and in the presence of each other subscribed our names as witnesses thereto.

P. Hardee.
Geo. W. Camp.

Richard James
his Xth ^{mark} ^{once} ^{mark}

Recorded in the office of the Superior Court Clerk and Probate Judge of Senoir County Dec. 13th, 1881.

W. H. H. Hunter,
Clerk & Judge.

James L. Canady Senoir County— In the Probate Court

Will.

In the matter of the will } Before W. H. H. Hunter
of James L. Canady, dec'd. } Judge of Probate.

Susan Canady, being sworn, doth say:
That James L. Canady, late of said county, is dead, having first made and published his last will and testament, and that Susan Canady is the executor named therein.

Further, that the property of the said James L. Canady, consisting of real and personal, is worth about \$8000.00, so far as can be ascertained at the date of this application, and that Susan Canady, Nannie Davis, Spencer Phillips, Hannah Gilbert, Mary Jones and Martha Phillips, are the parties entitled under said will to the said property.

Sworn to and subscribed before me } Susan L. Canady.
this 2nd day of March, 1882.

W. H. H. Hunter,
Probate Judge.

North Carolina. } In the Probate Court
Senoir County. } Before W. H. H. Hunter J. Probate.
March 2nd, 1882.

A paper writing purporting to be the last will and testament of James L. Canady, dec'd, is exhibited before me, W. H. H. Hunter, Judge of Probate in and for said County by Susan Canady, executrix thereof in named, and the due execution thereof by the said James L. Canady, by the oath and examination of A. J. Loftin, & D. C. Perry, the subscribing witnesses thereto, who being duly sworn doth depose and say, that he is a subscribing witness to the paper now shown him, purporting to be the last will and testament of James L. Canady.

That the said James L. Canady in the presence of this deponent, did on the 9th day of February, 1882, subscribe the said paper writing purporting to be his will in the presence of them, and that by his request they subscribed the said will in his presence, and the deponents further say that the said James L. Canady at the time of signing said paper writing, declared it to be his last will and testament. They further say at the time the said James L. Canady subscribed his name thereto, that he, the said James L. Canady, 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 these deponents. And further these deponents say not.

Sworn to and acknowledged } A. J. Loftin.
in the presence of me. } D. C. Perry.
W. H. H. Hunter,
Probate Judge.

Senoir County— In the Probate Court

In the matter of the will } Before W. H. H. Hunter
of James L. Canady, dec'd. } Judge of Probate.

A paper writing purporting to be the last will and testament of James L. Canady, dec'd, is exhibited

for probate in open Court, by Susan Cannady, the Executrix therein named, and the due execution thereof by said James L. Cannady, is proved by the oath and examination of A. J. Loftin and H. E. Perry being the subscribing witnesses thereto.

It is, therefore, considered by the Court, that the said paper writing and every part thereof, is the last will and testament of the said James L. Cannady, and the same is ordered to be recorded and filed.

And thereupon the said Susan Cannady, Executrix as aforesaid, duly qualifies as such by taking the oath required by law. This 2nd day of March A. D. 1882.

W. H. K. Hunter,
Probate Judge.

State of North Carolina)

Senioir County: } Probate Court

I, Susan C. Cannady, do solemnly swear that I will execute the trusts reposed in me by the last will and testament of James L. Cannady, dec'd, and that in all things, (according to law) I will comply with the provisions thereof, by first paying his just debts and then pay out, as the will of said dec'd directs the legacies mentioned therein, to the legatees, as said will directs.

March 1, 1882.

Sworn to and subscribed
before me, Mar. 2, 1882

W. H. K. Hunter,

Probate Judge:

whereupon Letters Testamentary are issued to the said Susan C. Cannady, as Executrix of the said last will and testament.

W. H. K. Hunter,
Probate Judge.

I, James L. Cannady, of the town of Kinston, County of Senioir and State of North Carolina, declare this to be my last will and testament.

Item 1st It is my will that my funeral shall be conducted quietly and without parade and that my funeral expenses and all of my just debts

shall be fully paid but it is my express wish that there shall be no sale of any of my property for that purpose, except as may be hereinafter described.

Item 2nd. I give, devise and bequeath to my beloved wife, Susan C. Cannady, in lieu of dower, if she should so elect, all of my real estate in the County of Senioir, with the exception hereinafter mentioned, for life, but upon this special trust that she will, during her life, rent out all of the said real estate, and one third of the net proceeds of which, after expending what may in her judgment be necessary to keep the property in a proper state of repair. She is to retain as her own individual property, and the other two thirds of the net proceeds is to be turned over to my daughter, Nancy E. Davis, wife of Jas. H. Davis.

And after the death of my said wife Susan C. Cannady, I give and devise all of my aforesaid real property, with the exception to be hereafter mentioned to my daughter, Nancy E. Davis, and her heirs in fee.

Item 3- I give and devise to Spencer Phillips, son of Stephen C. Phillips, the following described part or portion of the Barney Phillips tract of land lying and being in the County of Senioir in Contentnea Neck Township and bounded as follows: Beginning at a red oak stump on the edge of the Great Marsh, Pittman's corner, and runs with his line north 55 west 12 3/4 poles to a pine - thence south 25 west 10 poles - thence south 27 west 22 poles, thence south 55 west 40 poles, thence south 23 west 12 poles - thence south 50 west 11 poles - thence south 28 west 23 poles, then North 54 west 19 3/4 poles to a pine on a path - then south 26 west 16 7/8 poles to a pine - Bond's corner - thence south 28 west 20 8 poles - thence south 31 east 6 7/8 poles to a cluster of water oaks - then south 79 1/4 East 68 poles to a small sweet gum - thence north 28 1/2 east 96 poles to the road - thence with said road north 49 west 15 poles - thence north 38 1/4 west 42 1/2 poles, then north 29 1/4 west 58 1/2 poles to the canal bridge, then down the canal north 36 1/4 east 44 poles to a small pond thence down the canal north 59 1/2 east 10 poles to the north 17 east 14 poles - thence north 35 1/4