

Lenoir County, In the Probate Court
In the matter of the will of } Before W. H. Hunter,
Wright Phillips, } Judge of Probate.

William C. Shields, being sworn, doth say:

That Wright Phillips, late of said County, is dead, having first made and published his last will and testament, and that J. T. Freeman is the executor named therein, and that the said Freeman has renounced the said executorship, in favor of William C. Shields.

Further, that the property of the said Wright Phillips, consisting of about 160 acres of land, is worth about \$300., so far as can be ascertained at the date of this application; and that Elizabeth Phillips, Joseph M. Phillips, J. A. Phillips, and Pinckney Phillips and Richard Phillips & Elizabeth Crooney, are the parties entitled under said will to the said property.

Sworn to and subscribed
before me, this 7th day
of March, 1874.
W. H. Hunter,
Probate Judge.

W. C. Shields.

State of North Carolina, } In the Probate Court
Lenoir County }

In the matter of the
estate of Wright Phillips.

Whereas, the executor of the last will and testament of Wright Phillips, J. T. Freeman, named in said last will and testament, has filed his renouncement in my office according to law. And whereas you have failed to apply for letters of administration with the will annexed within the time required by law.

Now, therefore, you are hereby notified to appear before me at my office in Kinston, within 30 days from the service of this notice, and show cause why you should not be declared and decreed to have renounced your right to letters of administration with the will annexed, upon the estate of the said Wright Phillips, dec'd.

Herein fail not

Jan. 2, 1874.

W. H. Hunter, J. J.

Lenoir County Probate Court
To J. T. Freeman, greeting:

I take notice that I shall attend at my office in the Court House in Kinston, on Saturday morning, 10 o'clock, Aug. 23, 1873, for the purpose of hearing a motion to probate the last will and testament of Wright Phillips, at which time and place, you are hereby summoned to appear.

(L. L.)

Witness my hand and official seal. Aug. 21, 1873.

W. H. Hunter,
Probate Judge.

Sheriff's Return.

To hand. Aug. 26th, 1873, served Aug. 27th, 1873, by delivering a transcript to J. T. Freeman.

W. J. Taylor,
Shff

Wright Phillips.

State of North Carolina,
Lenoir County.

In the Probate Court.
A paper purporting to be the last will and testament of Wright Phillips, deceased, is exhibited before me, the undersigned, Judge of Probate for said County, by John T. Freeman, the executor therein named, and the due execution thereof, by the said Wright Phillips, by the oath and examination of S. M. Phillips and Joshua Rouse, the subscribing witnesses thereto, who being duly sworn, doth depose and say, and each for himself, 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 Wright Phillips, that the said Wright Phillips 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 18th day of Jan'y, 1868. And the deponent further saith, that the said Wright Phillips, the testator aforesaid, did at the time of subscribing his name as aforesaid, declare the said paper writing as subscribed by him, and exhibited to be his 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 testator. And this deponent further saith, that at the time when the said testator subscribed his name to said last will as aforesaid, and at the time

copy of this notice was used by the Sheriff and
the time of the return.

W. H. Hunter, Probate Judge.

nents subscribing his name as an attesting witness thereto as aforesaid, the said Knight 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 severally sworn and subscribed this 23rd day of August, 1873, before me.

Wm. H. Hunter,
Probate Judge.

State of North Carolina,
County of Lenoir.

I, Knight Phillips 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, suitable to the wishes of my relations and friends and pay all funeral expenses together here with my just debts, however and whomever owing, out of the moneys that may first come into his hands, as a part or parcel of my estate.

Item 1. I lend to my wife Elizabeth Phillips, all of my entire property, namely, house and kitchen furniture, all of my stock and land of every description, during her natural life and widowhood.

Item 2. And I give to her to do as she thinks proper, two beds and furniture, one cow and calf, one bay horse one cow and pigs.

Item 3. I give and bequeath and alien to my son Richard Phillips, one bed and steed and furniture, one chest heifer yearling and parrel mare, and one set of farming tools for one horse farm, at the death of my wife.

Item 4. I give and bequeath and alien to my grandson Joseph M. Phillips at the death of my wife, one bed and furniture, one trunk and one chest, one steer yearling, and support for one year, at the death of my wife, if on hand.

Item 5. I lend to my son Richard Phillips and my grand son, Joseph M. Phillips, at the death of my wife, currently, five acres of land, around my dwelling house, in common

and if either of them shall die without leaving lawful children I want the other one to have all of the land, and if both should die without leaving lawful children my desire is that it shall go to my sons, J. A. H. Phillips and Pinckney Phillips.

Item 6. I give the balance of all of land to my two sons, J. A. H. Phillips and Pinckney Phillips, to be equally divided between them, if Pinckney Phillips dies without children, then to J. A. H. Phillips and children.

Item 7. I give to my daughter, Elizabeth Crosseney, one dollar to be paid her in money, by my executor.

Item 8. The remainder of my property, if any, to be sold, and after paying all debts to be divided between my three sons equally and grand son J. M. Phillips.

Item 9. I appoint my trusty friend J. T. Freeman, to act as trustee for my wife, and my son Richard Phillips, and my grand son Joseph M. Phillips, to all intents and purposes.

Lastly— I do hereby constitute and appoint my trusty friend John T. Freeman, 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, every part and clause thereof, hereby revoking and declaring utterly void, all other wills and testaments, made by me heretofore. In testimony whereof, I, the said Knight Phillips do hereunto set my hand and seal this 13th January, Anno Domini one thousand eight and sixty eight

signed and sealed
in the presence of
Joshua Rouse.
J. C. Phillips.

Knight Phillips.
mark.

Lenoir County— In the Probate Court
Having considered the renunciation of J. T. Freeman, the executor named in a paper writing purporting to be the last will and testament of Knight Phillips, dead, and having given notice to the next of kin of said dead, to appear and show cause why they should not be deemed to have renounced their right to administer on the estate of said dead. Therefore, on reading the application of W. L. Shields, to admit said paper writing to probate, and to be appointed administrator with the will annexed of said dead, and having examined on oath, J. C. Phillips and Joshua Rouse, the two subscribing witnesses thereto, as to the contents thereof. It is adjudged that the said paper writing is the last will and testament of the said Knight Phillips; it is further