

North Carolina,
Macon County,

I, J. B. Staton,

formerly a Citizen of Edgecombe County,
North Carolina but now residing in Macon
County in said State, being mindful of the
uncertainty of life and desirous of disposing of
my property in the manner hereinafter provided,
do hereby make, publish and declare the following
to be my last Will and Testament, that is to say:

1. I give, devise and bequeath to my daughter
Ella Lyle, in fee simple, my farm in
Pitt County, North Carolina, near Bethel, known
as a part of the Joe Staton place, together
with all live stock, farming implements
and other personal property thereon.

I Will and direct that my said daughter
Ella Lyle shall pay to my granddaughter
Selma Staton the sum of three hundred
and seventy five dollars, and to my grand-
sons John Cheshire and Theophilus Cheshire
the sum of one hundred and eighty seven
and 50⁰⁰ dollars each; The said sum to con-
stitute a lien on the real estate given to
said Ella Lyle in this, Item 1, of my last
Will and Testament

2. I give, devise and bequeath to my said
granddaughter Selma Staton an undivided
one-half interest in a tract of land
in #3 township, Edgecombe County, State of
North Carolina, and described as follows:

Being that identical tract of land con-
veyed to said J. B. Staton by R. H. Lewis, Clerk
and Master in Equity, by deed dated 17th

to be my last Will and Testament, that is to say:
1. I give, devise and bequeath to my daughter
Ella Lyle, in fee simple, my farm in
Pitt County, North Carolina, Near Bethel, known
as a part of the Joe Staton place, together
with all live stock, farming implements
and other personal property thereon.
I Will and direct that my said daughter
Ella Lyle shall pay to my granddaughter
Selma Staton the sum of three hundred
and seventy-five dollars, and to my grand-
sons John Cheshire and I. Hephilus Cheshire
the sum of one hundred and eighty-seven
and 500 dollars each; the said sum to con-
stitute a lien on the real estate given to
said Ella Lyle in this, Item 1, of my last
Will and Testament

2. I give, devise and bequeath to my said
granddaughter Selma Staton an undivided
one-half interest in a tract of land
in #3 township, Edgecombe County, State of
North Carolina, and described as follows:
Being that identical tract of land con-
veyed to said J. B. Staton by N. S. Lewis, Clerk
and Master in Equity, by deed dated 17th
day of January, 1854, registered in Book
30, page 590, of Edgecombe registry, and therein
described as follows: - Two tracts of land
known as the Ezekiel Staton tract and
the Price tract, the said Ezekiel Staton
tract containing 750 acres, more or less,
adjoining the lands of Allen Jones, Mrs.
Pinney Staton, and Joseph John Rippen
and others, and the said Price tract

Containing 300 acres, more or less. And
Applying the lands of Mrs. Piney Stator,
Levin Leggett, and the said Exchequer Stator
tract. Less that tract of land conveyed
to James Walter Howard by ^{Said} J. B. Stator
by deed dated 5th day of December, 1903,
recorded in Book 123, page 64, and
therein described as follows:

Beginning at a corner, Thomas Whitcomb
and J. B. Stator, on the public road known
as Cherry Corner, at the head of a ditch
thence running along said road North
82½ degrees east 26.65 Chains to a bridge,
thence North 14 degrees east 16 Chains to the
mouth of a ditch at the head of Balahack
Canal, thence up said ditch, its var-
ious courses as follows, viz: S. 89 deg. east
14 Chains, N. 57 deg. east. 5 Chains, S. 47½ deg.
east 5 Chains, S. 5½ deg. east 7.10 Chains
S. 36 deg. east 7 Chains, S. 75½ deg. east 7.25
Chains, S. 28¾ deg. east 4.75 Chains, S. 13¾
deg. east 8 Chains, South 35 deg. east 7.25
Chains, S. 64½ deg. east 5.50 Chains, S. 64¼
deg. east 5.50 Chains, S. 14 deg. West 19.50
Chains to the head of said ditch in the
woods, thence same courses continued
South 14 deg. West 10 Chains to a corner
in Warrell line, thence a long said
Warrell and Stator line to a corner
on Neeshy's Worsley land, Pollard
Edmonson land and said Stator's
land, thence North 3¼ deg. east 55 Chains
to the first station, containing 225 Acres,
more or less.

at Cherry Corner, at the head of a ditch
thence running along said road North
89 $\frac{1}{2}$ degrees East 26.65 Chains to a bridge,
thence North 14 degrees East 16 Chains to the
mouth of a ditch at the head of Balahack
Canal, thence up said ditch, its var-
ious Courses as follows, Viz: S 89 deg East
14 Chains, N 57 deg East 5 Chains, S 47 $\frac{1}{2}$ deg
East 5 Chains, S 5 $\frac{1}{2}$ deg East 7.10 Chains
S 36 deg East 7 Chains, S 75 $\frac{1}{2}$ deg East 7.25
Chains, S 28 $\frac{3}{4}$ deg East 4.75 Chains, S 13 $\frac{3}{4}$
deg East 8 Chains, South 36 deg East 7.25
Chains, S 64 $\frac{1}{2}$ deg East 5.50 Chains, S 64 $\frac{1}{4}$
deg East 5.50 Chains, S 14 deg West 19.50
Chains to the head of said ditch in the
woods, thence same Courses continued
South 14 deg West 10 Chains to a Corner
in Warrell line, thence a long said
Warrell and Staton line to a Corner
on Steechys Worsley land, Pollard
Edmonson land and said Staton's
land, thence North 3 $\frac{1}{4}$ deg East 55 Chains
to the first Station, containing 225 Acres,
more or less,

in 3. I give, devise and bequeath to my said
Grandsons John Cheshire and Theophilus
Cheshire in fee simple the remaining
undivided one-half interest in the
lands described in Item 2 of this my
last Will and Testament.

It is further my Will and desire,
and I so direct, that in the event
that either of my said Grandsons

Predecease me without having married the interest herein devised to him shall be and become the property of his surviving brother.

m 4. If I am indebted in any sum at the time of my death it is my Will and desire, and I so direct, that my executor hereinafter named to take entire Control of all the real estate mentioned in this my last Will and testament, and rent the same or have it farmed in such manner as he may deem best, and apply the rents and profits to the discharge of my said debts until the same are fully paid off; and to that end I hereby give my said executor full Authority and Control over my said real estate, to manage the same in such manner as in his opinion will soonest pay off said debts. I also give and bequeath unto my said executor all my live stock and farming implements, to be used by him in carrying on said farming operations until such time as my indebtedness shall be wholly discharged, and I further authorize and empower my said executor to use such portions of the rents and profits as may be necessary to keep my farms supplied with live stock and farming implements and the farms in a proper state of fertility and cultivation, applying the net surplus to the discharge of my debts as here in before provided.

m 5. As soon after my death as my estate shall be free from debt I Will and direct that the live stock, farming implements and all other personal property on my Edge-Combe farm shall be divided into two parts, as nearly equal in value as possible, one of which shall be given to my grand

the rents and profits to the discharge of my said debts until the same are fully paid off, and to that end I hereby give my said executor full Authority and Control over my said real estate, to manage the same in such manner as in his opinion will soonest pay off said debts. I also give and bequeath unto my said executor all my live stock and farming implements, to be used by him in carrying on said farming operations until such time as my indebtedness shall be wholly discharged (and I further authorize and empower my said executor to use such portions of the rents and profits as may be necessary to keep my farms supplied with live stock and farming implements and the farms in a proper state of fertility and cultivation, applying the net surplus to the discharge of my debts as here in before provided)

n 3. As soon after my death as my estate shall be free from debt I will and direct that the live stock, farming implements and all other personal property on my Edgecombe farm shall be divided into two parts, as nearly equal in value as possible, one of which shall be given to my Granddaughter Selma Staton, and the other to my Grandsons, John Cheshire and Theophilus Cheshire

n 6. I here by constitute, nominate and appoint my son-in-law, S. H. Lytle of Franklin, Macon County, North Carolina, executor of this my last Will and Testament,

In testimony whereof I have this day
hereunto set my hand and seal, to wit,
On the 7th day of July, 1906

James B. Stator (Seal)
Signed, sealed and published by
J.B. Stator as his last Will and
testament in the presence of the
undersigned, who, at his request,
and in his presence, and in the presence
of each other hereunto sign our
names as Witnesses.

F. S. Johnston
G. R. Jones,

State of North Carolina, In the
Weldon County ^{SS.} Superior Court,

A paper purporting to be the
last Will and Testament of J.B. Stator,
deceased, is exhibited before me, the
undersigned, Clerk of the Superior Court
for said County, by S. A. Lyle, the
executor therein mentioned, and
the due execution thereof by the
said J.B. Stator, by the oath and
examination of F. S. Johnston and
G. R. Jones, the subscribing Witnesses
thereto, who being duly sworn both
depose and say, and each for himself
deposeth, that he is a subscribing
Witness to the paper-writing now shown
him, purporting to be the last Will and
Testament of J.B. Stator, that the
said J.B. Stator in the presence of

of each name, and names as Witnesses.
F. S. Johnston
G. B. Jones,

State of North Carolina, In the
Marion County ^{SS.} Superior Court,

A Paper purporting to be the
Last Will and Testament of J. B. Stator,
deceased, is exhibited before me, the
undersigned, Clerk of the Superior Court
for said County, by S. A. Lyle, the
executor therein mentioned, and
the due execution thereof by the
said J. B. Stator, by the oath and
examination of F. S. Johnston and
G. B. Jones, the subscribing Witnesses
thereto, who being duly sworn, both
depose and say, and each for himself
deposeth, that he is a subscribing
Witness to the paper-writing now shown
him, purporting to be the Last Will and
Testament of J. B. Stator, that the
said J. B. Stator, in the presence of
this deponent and the other subscribing
witness subscribed his name at
the end of said paper-writing, which
is now shown as aforesaid, and
which bears date of the 9th day
of July 1786.

And the deponent further saith,
that the said J. B. Stator, the

testator aforesaid, did at the time of subscribing his name as aforesaid declare the said paper writing to be his last Will and Testament, and this Depo-
nent 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 in the presence of the other subscribing Witness, (and this Depo-
nent further saith, that at the same time when the said testator subscribed his name to the said last Will as aforesaid, and at the time of the Depo-
nent's subscribing his name as an attesting witness thereto, as aforesaid, the said J. B. Stator 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 Depo-
nent; And further these Depo-
nents say Not,

J. S. Johnston
G. B. Jones.

Severally Sworn
And Subscribed, this
22. day of July, 1908, before me,
R. M. Redford
Clerk Superior Court,

North Carolina }
Macon County, } ss. In the Superior Court,

It is Therefore Considered and
Adjudged by the Court That the said paper-
writing and every part thereof is the last
Will and Testament of J. B. Stator,
and that the said Will is valid.

subscribing Witness, (and this Depoent further
saith, that at the same time when the said
testator subscribed his name to the said last
Will as aforesaid, and at the time of the de-
poent's subscribing his name as an attesting
witness thereto, as aforesaid, the said J. B. Stator
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 Depoent; And further
these Depoents say Not,

H. S. Johnston
G. B. Jones.

Severally Sworn
And Subscribed, This
22. day of July, 1908, before me,
R. M. Ledford
Clerk Superior Court.

North Carolina }
Macon County, } ss. In the Superior Court.

It is Therefore Considered and
adjudged by the Court that the said paper-
Writing and every part thereof is the last
Will and Testament of J. B. Stator,
deceased. Let the said Will, together
with the probate, be recorded and filed.
This 22. day of July 1908
R. M. Ledford
Clerk Superior Court.