

State of North Carolina
Hannover County

I Hardy L. Fennell of the County of Hannover 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, That my executor (herin after named) shall pay all my just debts to whosoever owing, out of the money that may first come into his hands as a part or parcel of my estate.

I give and devise the whole of my estate and property, both real and personal, lands, and, negroes, stock and all other property of whatever description I may possess at the time of my death to my well beloved wife Susan Jane and if a child should be born to me of my wife Susan Jane then said child shall be supported and educated out of my property until said child shall arrive at the age of twenty one; when said child shall have one half of my estate forever, and my wife Susan Jane take the other half for her own use for her life, and at her death the whole property shall go to said child.

If however my ^{said} wife Susan Jane shall die before I Hardy L. Fennell may die without having given birth to a child of whom I may be the Father, then my whole estate shall be equally divided between my Brothers Owen Fennell, John G. Fennell, Dallas W. Fennell, and my Sister Margaret McLaury wife of Charles W. McLaury.

I here state a list of notes, receipts and accounts now due me. One note against Owen Fennell for eight hundred dollars, due one day after date, dated Nov. 2nd 1860. On said note is a credit Dec. 2nd 1860 of one hundred dollars. Also a credit of ninety dollars dated May 22nd 1861. One note in favor of H. B. Blyzel against Valentine Rackley & Wm J. Newton amount thirteen 3/4 dollars dated Jan 30th 1861, due one day after date. H. B. Blyzel has my receipt for said note.

One receipt of J. W. Pridgen Const for a note against J. F. Moore for forty one 21/100 dollars dated Febr 8th 1861 due one day after date said receipt is dated May 11th 1861.

One receipt of J. W. Brown Jr Atty for a note of three hundred and twenty five dollars, dated May 18th 1858, due one day after date against N. H. Fennell, and endorsed by C. F. Fennell. Said note has been put in suit in Hannover County Court, said suit being brought in the name of G. W. Dyer. Judgment obtained; an appeal taken to Superior Court, Judgment there obtained but execution said was delayed by the inter

ference of said G. W. Dyes who acted without any authority and having no interest in said note, the said note belonging to me, said execution on said note is now delayed on account of the stay law of this State.

A. receipt in the hands of J. R. Berman against C. B. Hobson of Warsaw N. C. for a note against two persons by the name of Cherry & G. W. Wallace, the amount of said note being somewhere about fifty dollars moreover date not recollected also in the hands of J. R. Berman a statement of a note against Edw. Watson sent to C. W. Hobson for collection in November 1860 - amount due there being somewhere about sixty two dollars. I am uncertain about the given name of Hobson. One account not made out against Evon Berman for hoop poles for five dollars and more.

I do hereby constitute and appoint John R. Berman of Johnston N. C. my lawful Executor to all intents and meaning of this my last will and Testament.

In witness whereof I the said Hardy L. Fennell do hereunto set my hand and seal this the fourteenth day of June A. D. 1861
Signed sealed and declared by the said Hardy L. Fennell to be his last will & Testament in the presence of us, who at his request and in his presence do subscribe our names as witnesses.

Hardy L. Fennell (Seal)
James Carrason
A. M. Sauck

State of North Carolina September Term 1863
Anytawson County Court
This paper writing purporting to be the last Will & Testament of Hardy L. Fennell, is exhibited in open Court by John R. Berman the executor therein named, and offered for probate and is duly proved by the oath of James Carrason one of the subscribing witnesses thereto, and as such considered by the Court to be an true and correct copy of the last will of Hardy L. Fennell in every part & parcel thereof: and sufficient to convey the property therein bequest - at the said time John R. Berman appeared in open Court and was duly qualified as such. Let the will with this Certificate be registered & filed.

J. M. R. Runtz Ch.