

And further these defendants say not.

Severally sworn and subscribed this 23rd
day of October 1889 before me
Geo W. Hartley, J.S.C.,

Simpson Davis Last Will and Testament

In the name of God Amen.

I Simpson Davis of the State of North Carolina
and County of Lenoir being of sound mind
and memory but in feeble and declining health
and calling to mind the uncertainty of my Ear-
thly Existence and that is appointed for all men
once to die do make and declare this my last Will
and Testament in ^{form and} manner following

that is to say principally and first of all I recom-
end my soul into the hands of Almighty God who
give it. and body to be Buried in a decent Christian
like manner. Subject to the wishes of my Relations
and friends and as touching my Earthly Estate
that it has pleased God to bless me with my will and
desire is that it be disposed of as follows

Item the 1st I give and bequeath to my Wife Rebecca Davis one hundred and fifty acres of land including the house and improvement off of the East end of the land on which I now live

Item the 2nd I give and bequeath unto my Wife all my perishable property of every description for and during her Widowhood to enable her to Raise and Educate my children and for her own support

Item the 3rd my will and desire is that at the death of my wife or her marriage that all the property above bequeathed be Sold to the highest bidder Except the land and equally divided amongst all my children by her.

Item the 4th I give my wife full privilege on all the land that I own or may own at the time of my decease during the minority of children and ^{my} ^{when} all my children come of full age then the land not bequeathed to her shall be given over to them to devise or sell as they chuse

Item the 5th my will is that the land first bequeathed to my wife at her death be divided between all my children by her as there is not enough to make them Equil with the advancements that I have already given to my three first children

Item the 6th my will is that my Executors have in after said

Item the 5th my will is that the land first bequeathed to my wife at her death be divided between all my children by her as there is not enough to make them Equiv with the advancements that I have already given to my three first children

Item the 6th my will is that my Executors here in after named shall out of the money first coming into their hands pay all my just debts together with my funeral expenses and here in give them full power and authority to sell such things as they may deem proper to enable them to carry out this my last will to its full intent and meaning I her in appoint my wife and my son H. G. Davis my Executors this January the 16th 1883 Simpson Davis test A. H. Bass

F. M. Brown

State of North Carolina)
Union County } on the Superior Court

A paper purporting to be the last will and Testament of Davis deceased, is exhibited before me, the undersigned Clerk of the Superior Court for said County by Nathan Davis and H. G. Davis the Executors therein mentioned, and the due execution thereof

by the said Simpson by the oath and examination
of A. M. Bass and J. M. Brown the subscribing wit-
nesses thereto; who, being duly sworn, doth depose and say,
each for himself deposeth and saith, that he is a subscribing
witness to the said paper writing now shown him, purporting
to be the last will and testament of Simpson Davis
that the said, in the 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 16th day of January 1853.

And the deponent further saith, that the said Simpson
Davis 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 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 his name to the said last
will as aforesaid, and at the time of the deponent's
subscribing his name as an attesting witness
thereto, as aforesaid the said Simpson Davis
was of sound mind and memory, of full age

subscribed by him and exhibited, to be his last will and Testament, and this defendant 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 defendant further saith, 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 defendant's subscribing his name as an attesting witness thereto, as aforesaid the said Simpson Davis 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 defendant: And further these defendants do not severally swear and subscribe this

5th day of September 1889 before me } A. W. Bass
Ed. C. M. Lutz, J. C. } J. M. Broom
By C. M. Simpson & Co.

And thereupon letters Testamentary were issued to Reckman & H. H. Davis after taking the oaths prescribed by law - this 5th September 1889
Ed. C. M. Lutz, J. C.