

In the name of God Aming
 I Smith M. Clagen of the County of Washington and
 State of North Carolina, do make this my last will
 and Testament, In manner and form, following. I give devise
 and bequeath unto my son Smith M. Clagen a tract
 of land adjoining Thomas Ballard's then commencing
 at little Creek and running the various corners of
 the creek and swamps until it strikes B. H. Clagen's line
 at deep bottom and thence along B. H. Clagen's line
 to a black gum in the body of a run a right westerly
 course to a sweet gum at the edge of the creek and
 swamp thence the same course to Mackey's Creek thence
 along Mackey's Creek to the first stone in containing
 one hundred acres more or less.
 I give devise and bequeath to my son Smith M.
 Clagen all my horses cattle and hogs except one white
 Pided Steer which I want sold and one Red Steer
 which I give to my Grand son Henry C. Spuill.
 I give devise and bequeath to my son B. H. Clagen one Red
 and Steer. I also give to my Grand son Henry C. Spuill
 one Red and Steer. I give devise and bequeath all the remainder
 of my land not disposed of to be equally divided between
 my Children namely Collier C. Chesson one third
 Chester B. Waborn one third and Bettie Spuill who
 is now dead to her heirs one third.
 I give devise and bequeath to my son Smith M. Clagen all
 of my House hold and kitchen Furniture not all ready disposed
 of. I hereby constitute and appoint B. H. Clagen 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 and every part thereof and I hereby revoking
 and declaring utterly void all other wills and Testaments by
 me heretofore made. In witness whereof I the said Smith
 M. Clagen do hereunto set my hand and seal this 18th day
 of February 1889
 (signed) Smith M. Clagen

Inquest sealed delivered and declared by the said Smith M.
 Clagen to be his last will and Testament in the presence of us
 and at his request and in his presence do subscribe our names
 as witnesses thereto.

(signed) L. M. C. Spuill
 Thomas Ballard

State of North Carolina

Washington County In the Superior Court.
 A paper purporting to be the Last Will and Testament of Smith
 M. Clagen deceased is exhibited before me. The undersigned Clerk
 Superior Court for said County by B. H. Clagen the executor therein
 mentioned, and the due execution thereof by said Smith M. Clagen
 to the oath and examination of J. M. C. Spuill and Thomas Ballard
 the subscribing witnesses thereto, who, being duly sworn, deposed
 and say, and each for himself deposed and said, that he is a sub-
 scribing witness to the paper writing now shown him, purporting to
 be the last will and Testament of Smith M. Clagen, that the
 said Smith M. Clagen, in the presence of the 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 February 1889.
 And he deposed further and said, that the said Smith M. Clagen
 the Executor aforesaid, did at the time of subscribing his name
 aforesaid, declare the said paper writing so subscribed by him and
 attested, 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 said, that at the said
 time when the said testator subscribed his name to the said last
 will as aforesaid, and at the time of deponent's subscribing
 his name as an attesting witness, thereto, as aforesaid, the said
 Smith M. Clagen was of sound mind and memory, of full
 age to execute a will, he was not under any restraint in the
 knowledge, information or belief of this deponent. And further
 these deponents say not.

(signed)

L. M. C. Spuill
 Thomas Ballard

Dea.
 Dea.

Solemnly sworn and subscribed
 this 18 day of July 1889 before
 me,

Thos J. Manning
 Clerk Supr Court