

And thereupon it is considered and adjudged by the Court that the said paper-writing and every part thereof is the last Will and Testament of H. M. Cheson, deceased, and it is ordered that the same, with the foregoing examination and this certificate be recorded and filed.

This 29th day of April, 1908.

C. W. Winston.

Clerk Superior Court.

North Carolina }
Washington County }

I Samuel B. Johnston, being of sound mind, do make and constitute this my last will and Testament in manner and form following:

I give and bequeath unto my beloved wife Caroline F. Johnston, all my property, both real and personal of whatever kind and description, whate'er and wheresoever it may be found at the time of my death.

I do hereby constitute and appoint my friend H. S. Davenport my lawful executor to all intents and purposes to execute this my last Will and Testament according to the true intent of the same.

In witness whereof I the said Samuel B. Johnston do hereunto set my hand and seal this 8th Feb'y, 1908.

S. B. Johnston, (Seal)

Signed sealed and delivered in the presence of the undersigned.

H. M. Spruill.

E. L. Herrington.

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North Carolina, Washington County,

In the Superior Court, before the Clerk.

In the matter of the will of S. B. Johnston, deceased.

The paper-writing hereto attached and purporting to be the last Will and Testament of S. B. Johnston, deceased, is exhibited before the undersigned Clerk of the Superior Court of Washington County, North Carolina, by H. S. Davenport, the executor therein named, and thereupon the following proof thereof is taken by the oath and examination of E. L. Herrington and H. M. Spruill, the subscribing witnesses thereto, as follows:

North Carolina }
Washington County }

E. L. Herrington and H. M. Spruill, being duly sworn, depose and say and each for himself deposes and says, that he is a subscribing witness to the said paper-writing now shown him, purporting to be the last will and testament of S. B. Johnston, and that he saw S. B. Johnston execute (or hear S. B. Johnston acknowledge the execution of) this writing as his last will and testament, and that affiant attested it in the presence and at the request of said S. B. Johnston, deceased, and that at the time of its execution (or at the time its execution was acknowledged) said S. B. Johnston was, in affiant's opinion, of sound mind and disposing memory.

E. L. Herrington
H. M. Spruill,

Severally subscribed and sworn to before me, this 20th day of June, 1908.

C. W. Winston, C. S. C.

Washington County,

And hereupon it is considered and adjudged by the Court that the said paper-writing and every part thereof is the last will and testament of S. B. Johnston, deceased, and it is ordered that the same, with the foregoing examination and this certificate be recorded and filed. This 20th day of June, 1908.

C. W. Winston, C. S. C.

In the name of God, Amen.

I, Caroline Phelps, otherwise Todd, being of sound mind and memory & understanding, praise be to God for the same do make this my last will and Testament in manner and form following:

1st I give devise and bequeath to my beloved sister Eliza Davenport one Dollar in cash.
2^{ndly} I give to my nephew James F. Davenport all the tract of land willed to me by my uncle James Phelps adjoining the lands of C. S. Phelps & Lewis Comstock containing sixty-eight & one-half acres more or less.

3rd I give & bequeath to Claudia Davenport, daughter of James F. Davenport one Bond & covering.

4th and lastly, I constitute and appoint my nephew James F. Davenport my executor to furnish my body a decent burial & to execute this my last will to all intents and purposes.

In witness whereof I the said Caroline Phelps otherwise Todd have hereunto set my hand & seal on this the 10th day of Sept. 1851.

Caroline Phelps otherwise Todd.

Signed declared & published by the above Caroline Phelps otherwise Todd as to her last will & testament in presence of us who at her request & in her presence have subscribed our names as witnesses thereto.

Teste Josephus H. Snell,
R. Edward Russell,

State of North Carolina,
Washington County,

I, W. F. Ansborn, Depy. Clk of the Superior Court, do hereby certify that the execution of the annexed will was this day proven before me by the oath and examination of R. Edward Russell one of the subscribing witnesses thereto, this 12th day of Feby. A.D. 1908.

W. F. Ansborn, Depy. Clk
Superior Court,

State of North Carolina, In the Superior Court,
Washington County, } Before the Clerk,

A paper writing, purporting to be the last will and Testament of Caroline Phelps otherwise Todd, deceased, is exhibited for probate, in open Court, by James F. Davenport, the Executor therein named; and it is thereupon proved by the oath and examination of W. H. Hardison and C. I. Spruill that Josephus H. Snell, one of the subscribing witnesses thereto is dead. And it is further proved by the oath and examination of the said W. H. Hardison that he is well acquainted with the hand writing of the said Caroline Phelps otherwise Todd, having often seen her write, and that the name of the said Josephus H. Snell, subscribed as a witness to the said will, is in the hand writing of the said Josephus H. Snell. And it is also proved by the oath and examination of the said C. I. Spruill that he is well acquainted with the hand writing of the said Caroline Phelps otherwise Todd, having often seen her write, and that the name of the said Josephus H. Snell subscribed as a witness to the said will, is in the hand writing of the said Josephus H. Snell.

W. H. Hardison, (S. ad)

C. I. Spruill, (S. ad)

Subscribed and sworn to before me, this 12 day of Feby. 1908.

W. F. Ansborn, Depy. Clerk
Superior Court,

The facts sworn to in the foregoing affidavits are found to be true. It is therefore ordered that the will of whom Caroline Phelps otherwise Todd, together with the said affidavits, and this order be recorded & filed.

W. F. Ansborn, Clerk
Superior Court,