

State of North Carolina
Washington County,

§ 35. In the Superior Court

A paper writing purporting to be the last will and Testament of Ridden Davenport deceased, is exhibited before me, the undersigned, Clerk of the Superior Court for the said County, by the witnesses therein subscribed and the due execution thereof by the said Ridden Davenport is proven by the oath and examination of L. J. Spear & Joseph A. Phelps the subscribing witnesses thereto, who being sworn, doth depose and say, and each for himself depose and say that he is a subscribing witness to the paper writing now shown as purporting to be the last will and Testament of Ridden Davenport, that the said Ridden Davenport in the presence of this deponent, subscribed his name at the end of said paper writing, now shown as aforesaid, and which bears date of the 17th day of Sept. 1894. And the deponent further saith, that the said Ridden Davenport the testator aforesaid, did at the time of subscribing his name as aforesaid declare the said paper writing so subscribed by him and exhibited to be his last will and testament, and this deponent did thereupon subscribe their names 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 deponent subscribing their name as an attesting witness thereto as aforesaid the said Ridden Davenport 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 deponent. And further than deponent say not.

L. J. Spear (Seal)
Joseph A. Phelps (Seal)

Solemnly sworn and subscribed
this 7th day of Dec 1894 before

me

Thos. J. Mariner
Clerk Supr Court

North Carolina
Washington County,

In the name of God Amen, I Horace F. Phelps of the County of Washington & State aforesaid, being of sound mind & memory, praise be God for the same, do make, this my last will & Testament in manner & form following,

I give devise and bequeath unto my beloved wife Melissa Phelps her heirs & assigns forever, all of my property Real, Personal and Mixed, of what Nature or Kind soever & wheresoever the same shall be at the time of my death, upon the following terms & conditions viz:
First, that the said Melissa & Phelps shall well & truly pay over to my son Wm. M. Phelps the sum of Seven Hundred Dollars without interest on the same. The money to be paid in full at the expiration of seven years, if not before paid.
Second, that the said Melissa & Phelps shall well & truly pay over to my son Richard, the sum of Fifty Dollars without interest the said amt 50th fifty Dollars to be paid at the expiration of seven years if not before paid.

And I do nominate, constitute & appoint my said wife sole executrix of this my last will and Testament, & do declare this my last will & Testament.

In witness whereof I the said Horace F. Phelps have hereunto set my hand this 6th day of January 1895.

H. F. Phelps,

Signed, declared & published by the above named Horace F. Phelps, as & for his last will & testament & in presence of us who at his request & in his presence have subscribed our names as witnesses thereto.

W. M. Phelps.
V. J. Mercer.

State of North Carolina § 35. In the Superior Court
Washington County,

A paper writing purporting to be the last will and Testament of H. F. Phelps deceased, is exhibited before me, the undersigned, Clerk of the Superior Court for said County, by W. M. Phelps the executrix therein mentioned, and the due execution thereof by the said H. F. Phelps is proven

Personally appeared Melissa & Phelps the Executrix Name in said will and first and subscribed to the will prescribed by law for the qualification of executrix and latter were sworn to by (as of this and page 260) this 20th February 1895. J. H. Spear, C. S. C.

by the oath and examination of H. W. Phelps and W. J. Mercer the subscribing witnesses thereto, who being duly sworn, both depose and say, and each for himself depose and saith that he is a subscribing witness to the paper writing now shown them purporting to be the last will and testament of H. W. Phelps that the said H. W. Phelps in the presence of this deponent subscribed his name at the end of said paper writing, now shown as aforesaid, and which bears date of the 6th day of January 1848.

And the deponent further saith, that the said H. W. Phelps the testator aforesaid, did, at the time of subscribing his name as aforesaid, declare the said paper writing so subscribed by him and exhibited, 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 ~~at the end of said will~~ to the said last will as aforesaid and at the time of deponent's subscribing their names as an attesting witnesses thereto, as aforesaid the said H. W. Phelps was of sound mind and memory, of full age to execute a will and was not under and restraint to the knowledge, information or belief of this deponent. And further than deponent say not.

H. W. Phelps
W. J. Mercer

Seal
Seal

Specially Sworn and Subscribed
this 28th day of Feb'y 1848 before
me

Thos J. Maninen
Clerk Sup Court

I Jesse Sawyer of the County of Washington 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 that is to say 1st that my executor hereafter named shall provide for my body a decent burial suitable to the wishes of my relations and friends and pay all funeral expenses together with my just debts whosoever and to whomsoever coming out of the moneys that may first come in his hands as a part or parcel of my estate.

2nd I give to my beloved wife Annis Sawyer the tract or parcel of land whereon I now live on the South side of Soufferning River adjoining the lands of Lewis B. Constock and James J. Davenport and others containing fifteen acres more or less, for during the term of her natural life for and in lieu of her dower and thirds of all of my real estate, after my said wife Annis Sawyer's death then I give and bequeath to Edward L. S. Phelps, son of Michael Phelps and wife Seth Phelps, the above described tract of land to him his heirs and assigns in fee simple forever.

3rd I give and bequeath my mechanical tools to be equally divided between Thomas C. Davis and Lewis B. Constock, in fee simple forever.

4th I give to Thomas C. Davis a note of seventy five dollars and interest which I hold against said Thomas C. Davis and C. S. Pillsbury in fee simple forever.

5th I give my family Bible and Church History and any other books they may wish that I may have at my death to my two daughters Dorcas Constock and Caroline Hough wife of E. A. Hough to be divided by themselves in fee simple forever.

6th I give to my daughter Dorcas Constock the Bedstead, Mattress and Feather bed known as the little bed in fee simple forever.

7th I give and bequeath to my beloved wife Annis Sawyer all the remainder of my personal estate to her her heirs and assigns in fee simple forever.

8th I do hereby constitute and appoint my trusty friend Joseph A. Davis 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 and clause thereof hereby revoking and declaring utterly void all other wills and testaments by me heretofore made in witness whereof I the said Jesse Sawyer do