

his name as aforesaid, declare the said paper writing to
 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 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 Samuel P. Woodley 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 these deponents say not.

Several sworn and subscribed
 this 3^d day of September 1898 before me
 I. M. Nelson Prob. Judge

George W. Spruill (read)
 Aaron W. Davenport (read)

Upon the oath and examination of the witness to Samuel P. Woodley last will
 and testament & the foregoing Probate had before me by them, it
 is adjudged and decreed that the paper writing purporting to
 be the last will of Samuel P. Woodley die in his last will and
 testament and has been duly admitted to Probate, and it is
 further adjudged and decreed that the "will" together with the probate
 be recorded in the "Will Book" of Washington County this the 2^d
 September 1898. - I. M. Nelson P.J.

I Jordan K. Phelps of Washington County 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 as follows this is to say

1. I wish that my Executor hereinafter 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 however and
 to whomsoever owing out of the money that may first come into
 his hands as a part or parcel of my Estate.

2. I lend and devise to my beloved wife Mary a portion of the Tract
 of land where on I now live to include my mansion house and
 all out house, beginning as follows at a Black Gum Willow Corner running
 south along River line to the line of the heirs of Abram Davenport on
 the middle of the Green Swamp, thence running west along said line
 to opposite of the mouth of my main leading ditch on the west side of
 my dwelling house, thence to Run north to said Ditch, thence running the
 Harris Course of said ditch to a ditch which runs along side of my
 path which leads to my Horrace place, thence to run East along said ditch
 to my Road, which leads to the main Road, thence along said Road to the
 first Station containing of thirty acres more or less - to have and to hold
 to her the said Mary Phelps for and during the term of her natural
 life time and widowhood in satisfaction for and in lieu of her
 dower and thirds of and in all of my Real Estate.

3. I give and devise to my Beloved wife Mary One Bed and
 furniture two Rocking Chairs, two Chairs, two Trunks, one pot, one
 Tray one set Glass Dumbbells, One Burrell, one set plates to have
 and to hold to her and her heirs in fee simple for ever

4. I lend and devise to my beloved wife Mary One good Mair
 all of my Hogs and sheep and Cattle and all of my farming uten-
 sels, House hold and kitchen furniture during her life time
 widowhood - and at her death to be returned and Equal
 divided between my son Sons Henderson Phelps and Jerome Phelps
 to them their heirs and assigns for ever in fee simple.

5. I give and bequeath to my son Jerome Phelps at my Death One
 Cart which I call my old Cart to have and to hold to him his heirs
 and assigns for ever.

6. I give and bequeath to my son Jerome Phelps all of my Tract of land
 subject to the portions which I lend to my wife Mary adjoining the
 lands of Joshua B. Davenport the heirs of Abram Davenport and the
 heirs of Jesse Darlington and Ebenezer Davenport by my said son
 Jerome paying the Amount of two hundred fifty dollars to my
 son Henderson Phelps - said Tract of land containing ninety acres
 more or less, to him the said Jerome Phelps his heirs and assigns

for Ever in fee simple.

7- I give and bequeath to my grand son Jordan W. Alexander the sum of my daughter Priscilla the wife of Stephen M. Alexander which is now dead five dollars to be paid into the Clerk's Office for him when he arrives to the age of twenty one - out of my personal Estate at my wife Mary death to have and to hold, unto him in fee simple for Ever.

8- I give and bequeath to my grand daughter Elizabeth Phelps the daughter of my son Ashbury Phelps five dollars to be paid into the Clerk's Office for her when she shall arrive to the age of Eighteen or gets married, out of my personal Estate at my wife Mary death to have and to hold, unto her in fee simple.

9- And lastly I do hereby constitute and appoint my Trusty friend Joshua B. Davenport my lawful Executor to all intent and purpose 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 Jordan W. Phelps do hereunto set my hand and seal this 11 day of October A.D. 1872

Signed sealed published and

Jordan W. Phelps (Seal)

declared by the said Jordan W. Phelps to

be his last will and Testament in the

presence of us who at his request and

in his presence do subscribe our names

as witnesses thereto

Haywood W. Darkenton

David H. Durlough

Codicil

whereas I Jordan W. Phelps have made my last will and Testament in writing bearing date on the 11 day of October 1872 and have thereby made sundry devises and bequests according to the then existing Circumstances of my Estate but with Circumstances having now materially changed I do by this my writing which I hereby declare to be a Codicil to my said will to be taken and construed as a part thereof. will and direct that the Crops on the land at my death that belong to my wife for her yearly support, if houses that hold the Crops for the same purpose.

in testimony whereof I hereunto set my hand and seal the 11 day of October A.D. 1872

Test Haywood W. Darkenton

David H. Durlough

Jordan W. Phelps (Seal)

State of North Carolina
Washington County } ss. In the Probate Court.

A paper purporting to be the last will and Testament of Jordan W. Phelps deceased, is exhibited before me, the undersigned, Judge of Probate for said County by Joshua B. Davenport, the Executor therein mentioned, and the due execution thereof by the said, Jordan W. Phelps by the Oath and examination of Haywood W. Darkenton and David H. Durlough the subscribing witnesses thereto, who being duly sworn, do depose and say, and each for himself depose and swear, that he is a subscribing witness to the paper writing now shown being purporting to be the last will and Testament, & of the Codicil thereto annexed of Jordan W. Phelps that the said, Jordan W. Phelps in 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 11th day of October 1872

And the deponent further swears, that the said Jordan 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 the 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 the deponent further swears 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 subscribing his name as an attesting witness thereto, as aforesaid, the said Jordan W. Phelps 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 these deponents say not.

Haywood W. Darkenton (Seal)

David H. Durlough (Seal)

Solely sworn and subscribed
The 25th day of July 1878
before me J. A. Nelson Not Judge

Upon the foregoing proof and examination it is considered that the paper writing, and the Codicil thereto, is the last will and Testament of the said Jordan W. Phelps deceased, and is duly proved, and admitted to Probate. And it is adjudged that the will, Codicil together with the Probate be recorded in the Record of Wills of Washington County, this 25th day of July A.D. 1878

J. A. Nelson Judge

Joshua B. Davenport has not qualified