

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 Supr 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

hereunto set my hand and seal this the 19th day of
September A.D. 1891.

Signed sealed and published
and declared by The said Jesse
Sawyer to be his last will and
testament in the presence of us
which at his request and in his
presence do subscribe our names
as witnesses thereto

Test

Joshua B. Davenport
William H. Hurdson

Jesse Sawyer 

State of North Carolina } In the Superior Court
Washington County }

A. Paper writing purporting to be the last will
and testament of Jesse Sawyer deceased
is exhibited for probate in open Court by
J. Lafayette Mills the executor therein named;
and it is thereupon proved by the oath and
examination of S. B. Spruill that Joshua B. Davenport
one of the subscribing witnesses thereto is dead
and it is further proved by the oath and
examination of the said S. B. Spruill that
he is well acquainted with the handwriting
of the said Joshua B. Davenport seeing him
write, and that the name of the
said Joshua B. Davenport subscribed as a
witness to the said will is in the handwriting
of the said Joshua B. Davenport. It is thereupon
considered by the Court that the said paper
writing and every part thereof is the last will
and testament of the said Jesse Sawyer
and the same is ordered to be recorded
and filed

This 26th day of April 1893

W. H. Hurdson
J. C.

State of North Carolina } In the Superior Court
Washington County }

A paper writing purporting to be the last will and
testament of Jesse Sawyer deceased is exhibited
for probate in the undersigned Court of the Superior Court
of said County by J. Lafayette Mills the executor
therein named and the due execution thereof
by the said Jesse Sawyer is proved by oath
and examination of W. H. Hurdson one of the
subscribing witnesses thereto who being duly
sworn doth depose and say that he is a
subscribing witness to the paper writing now
shown him purporting to be the last will and
testament of Jesse Sawyer ^{that the said Jesse Sawyer} in the presence of the deponent
subscribed his name at the end of said paper
writing now shown as aforesaid, and which bears
date of the 19th day of September 1891.

And the deponent further saith that the said
Jesse Sawyer the testator aforesaid did at the
time of subscribing his name aforesaid declare
the said paper writing to be 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 this deponent further saith that
at the ~~end of~~ 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 Jesse Sawyer
was of sound mind memory of free age to
execute as will and was not under any
restraint to the manifestation of his free will
this deponent and further this deponent say not

W. H. Hurdson 

Surgally Sworn and Subscribed by
26th day of April 1893 before me
J. C. Hurdson
J. C. Hurdson