

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 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's subscribing their names as an attesting witness thereto as aforesaid the said Mollie Johnson was of sound mind and memory, of full age to execute a will, and was not under any restraint but the knowledge information or belief of this deponent. And further this deponent say, not

L. H. Hornsby *(Seal)*
 C. L. Pettigrew *(Seal)*

legally sworn and
 subscribed this 18 day
 of Nov 1891 before me
 J. H. Mawhin
 C. S. C.

Personally appeared Mrs Martha V. Vair and took and subscribed
 to the last prescribed by law for the qualification of Executors
 and feller were issued to her (as of this page)
 J. H. Mawhin C. S. C.

North Carolina }
 Washington County }

I Tho O Vair of Dare County N.C being
 of sound mind but considering the uncertainty of my earthly life
 hence do make and declare this my last will and testament.
 First my ~~my~~ Executor hereinafter named shall give my body a
 decent burial suitable to the wishes of my friends and relations
 and pay all my just debts out of the moneys which may come
 into his hands belonging to my estate. Second I give and devise
 to my daughter Robin Estelle Vair my Johnson farm I bought of Mrs
 Elizabeth Johnson and one mule to be selected by her from the mul-
 let that I may have. Third I give and devise to my daughter
 Susan Della Vair my Lane farm which I value at \$225⁰⁰ and
 for her to have as many acres of the Nichols farm to be valued at
 \$13⁰⁰ per acre so as to make her portion value at \$1000⁰⁰.
 Fourth I give and devise to my daughter Sarah Jane Vair my
 Benj Nichols farm which I value at \$350⁰⁰ and for her to have
 as many acres of the Nichols farm to be valued at \$13⁰⁰ per
 acre so as to make her portion ^{and one mule} value at \$1000⁰⁰. Fifth I give and
 devise to my wife Martha V. Vair Tho A Vair and Ethel L. Vair
 the balance or residue of all the property Real and personal
 that I have in Washington County. Sixth that my Executor
 sell all of my Real and Personal Estate in the County of Dare
 N.C. and the proceeds to be divided equally between my four
 children and my wife Martha V. Vair. Seventh I hereby constitute
 and appoint my wife Martha V. Vair my lawful Executor to
 all intents and purposes to execute this my last will and
 testament according to the 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 Tho O Vair do hereunto
 set my hand and seal This the 6th of October 1891.
 Tho O Vair *(Seal)*

Signed, sealed, published
 and declared in the pres-
 ence of us who at his
 request and his promise
 subscribed our names
 as witnesses thereto

A. G. Samuel
 J. P. Willard

The two mules intubed before signing

State of North Carolina Superior Court,
Washington County

A paper purporting to be the Last Will and Testament of Thos O'Vaile deceased, is exhibited before the undersigned Clerk of the Superior Court for Washington County by Martha H. Vaile the executrix therein mentioned, and the due execution thereof by the said Thos O'Vaile is proven by the oath and examination of J. P. Hilliard and A. C. Garrett the subscribing witnesses, who, being duly sworn, doth depose and say and each for himself depose and saith that he is an subscribing witness to the paper writing now shown him purporting to be the last Will and Testament of Thos O'Vaile that the said Thos O'Vaile, 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 October 1891. And the deponent further saith, that the said Thos O'Vaile 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 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's subscribing his name as an attesting witness thereto, as aforesaid, the said Thos O'Vaile was of sound mind and memory, of free age to execute a will, and was not under any restraint to the knowledge, information or belief of this deponent. And further this deponent says not

Separately Sworn and subscribed
This 21st day of Dec 1891
before me

Thos J. Manning
C. S. C.

J. P. Hilliard
A. C. Garrett

(Seal)
(Seal)

I Joshua B. Davenport of the County of Washington State of North Carolina, of sound mind and memory, doth considering the uncertainty of my earthly existence do make and declare this my last will and testament in the manner and form following. Condition that is to say
1st Item that my beloved wife or my nearest relations shall provide for my body a decent burial suitable to the wishes of my relations and friends and purchase cloths and place them at my grave head & foot and pay all funeral expences together with my just debts, however and to whomsoever owing out of the money or notes, that I may have at my death and if not money or notes sell any articles of personal property for said purposes.

2^d I devise to my beloved wife during of her life time & widowhood the tract of land whereon I now live adjoining James I. Bateman Dumagan Holmes Henderson Phelps and running down the line of Jerome B. Phelps to a pine corner standing between two ditches which was set out between me and Ebenezer Dympton thence to run north the middle of said lane the course of the line of the plot of division between the heirs of Joseph Davis about the year 1814 to H. M. Pitt line of the land he purchased of W. A. Spurrell thence to run said division line to James I. Bateman line then South along his line to Dumagan Holmes line thence along his line to Elbury Ambrose line thence along the line which was made between me and said Ambrose to Henderson Phelps line thence north along his line to the first station containing of two hundred twelve acres more or less to have for her only support and to keep the farm in usual farming order during of her natural life time and widowhood and should she make a surplus more than her support it my will that she shall equal divide the same between my Grand children and pay it over to be expended towards their education to three Father R. Elliott or Mary J. Elliott at her own disposal.

3^d Item I will and bequeath to my beloved wife Caroline E. all of my farming utensils that I may have at my death and the above farm all of my hogs, Cattle, house hold & kitchen furniture and gold watch & one Buggy, all of the mules and horses I have on said farm only her life time and widowhood, to remain on said farm and at her death with all the increase shall go as I shall hereafter give away
4th I give and bequeath to my said beloved wife one third part of all the notes I may have at my death with full power to collect the same as myself could do for her only use and benefit her