

North Carolina Washington County.

I, B. F. Bailey, of the aforesaid County and State, being of sound mind, but considering the uncertainty of my earthly existence, do hereby make and declare this my last will and testament, hereby revoking and declaring utterly void all other wills and testaments heretofore by me made:

Item one.

My wife, or my executors, shall out of the funds which shall pass into her or their hands under and by virtue of the terms hereof, give my body a decent burial suitable to the wishes of my family and my station in life, and shall out of the same funds pay all my just and honest debts which may be owing at the time of my death.

Item Two.

I give, devise and bequeath to my beloved wife Sarah Francis Bailey, for the term of her natural life all the real estate of which I may die possessed, I also bequeath unto her for the term of her natural life all moneys, notes, bonds or other securities, together with all other personal property of which I may die possessed, with the privilege of using any part or all of it in any manner she may see fit, together with the privilege of making any changes in the investment of the same, new investments etc. as she may see fit. This last bequest is restricted to the term of the natural life of my wife only that I may herein direct the disposition of so much thereof as may remain at her death.

Item Three.

I give, devise and bequeath unto my daughter Ethel Bailey Spencer, my son Carl L. Bailey, and my son Clarence W. Bailey, in fee simple absolute forever, to take effect in possession at the death of my wife, and subject to her life estate, all the personalty and real estate of which I may die possessed, less such of said personalty as may be used by my wife between the time of my death and her death under the terms of "Item Two" hereof, to be divided among them in the following manner, and no other unless mutually agreed among them:

Each of the said sons and daughters shall have allotted to them the note which I hold against them as a part of their share at the face value of said notes, each of which said notes

shall be considered a part of the share of the drawer thereof to the amount of the face value thereof. The other property shall be divided among them in such a manner as to give unto each of them, with and including said notes, an equal share. If my estate shall be of sufficient size at the time of the death of my wife that the share of my son Clarence W. Bailey will amount to as much as six Hundred Dollars more than the note I hold against him, then he may at his option take as a part of his share the home place of land where I now reside, provided he pay within two years from the death of my wife unto Carl L. Bailey and Ethel Bailey's heirs, each the sum of six Hundred Dollars. If there shall not be such amount due to Clarence W. Bailey in excess of his said note, or he shall fail to pay the amount above stipulated to his brother and sister, within the said two year period, or shall file at any time his renunciation of the option given him, with the Clerk of the Superior Court of Washington County, then and in that event, if the share of Carl L. Bailey shall exceed his note by as much as six Hundred Dollars, he may, at his option, pay the sum of six Hundred Dollars each to his said brother and sister and take the said home place as a part of his share. The said Carl L. Bailey shall have the period of six months from the expiration of the two year period of option given Clarence W. Bailey, or from the filing of renunciation by Clarence W. Bailey if such should be filed, in which to pay the said sum, or renounce his option, which he may do in the same manner as may Clarence W. Bailey. If both Clarence W. Bailey and Carl L. Bailey shall fail to pay said sums of money or shall renounce their option to do so, then and in that event if the share of Ethel Bailey Spencer shall exceed her note by as much as six Hundred Dollars, she may at her option, pay the sum of six Hundred Dollars each to her said brothers and take the said home place as a part of her share. The said Ethel Bailey Spencer shall have a period of six months from the expiration of the option period given Carl L. Bailey, or from the filing of renunciation by him if such be filed, in which to pay said sums or

rescued her option which she may do in the same manner as may Clarence W. and Carl L. Bailey, off all of the said sons and daughters shall fail to pay the said sums and take said home place as a part of their share, then and in that event the said home place shall be sold and the proceeds thereof divided among my said sons and daughters in the same manner as other property is disposed of herein. In any event, or by any method electing to my sons or daughters herein provided whereby my estate may be divided, it is specifically provided that none of my said sons or daughters shall receive more than one third of my estate, and the note of each of them which I hold shall be taken by the drawer thereof as a part of his or her particular third at the face value of said notes.

Item Four.

I hereby constitute and appoint my two sons Carl L. Bailey and Clarence W. Bailey, my lawful executors 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, both to serve without bond and without compensation other than actual expense necessarily incurred in performing such duties. The term "Face Value" as applied to said notes shall be construed to mean the principal sum thereof, plus interest, less any credits. I hereby revoke and declare utterly void all other wills and testaments by me heretofore made.

In witness whereof, I, the said B. F. Bailey, do hereunto set my hand and seal, this 13th day of August 1925.

(Seal)

B. F. Bailey.

Signed, sealed, published and declared by the said B. F. Bailey to be his last will and testament in the presence of us, who, at his request and in his presence ^{and in the presence} of each others, do subscribe our names as witnesses thereto.

L. L. Allen.

W. A. Ainsley.

North Carolina

Washington County.

Shew The Superior Court before
The Clerk.

A paper writing purporting to be the last will and testament of B. F. Bailey deceased, is exhibited before me, the undersigned, Clerk of the Superior Court for said County by Carl L. Bailey one of the executors therein mentioned, and the due execution thereof by the said B. F. Bailey is proved by the oath and examination of L. L. Allen and W. A. Ainsley the subscribing witnesses thereto, who, being duly sworn, do depose and say, and each for himself 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 B. F. Bailey that the said B. F. Bailey in the presence of his deponent, subscribed his name at the end of said paper writing now shown as aforesaid, and which bears date of the 13th day of August 1925.

And the deponent further saith that the said B. F. Bailey 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 to the said last will as aforesaid, and at the time of the deponent's subscribing his name as attesting witness thereto, as aforesaid, the said B. F. Bailey 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.

L. L. Allen.

W. A. Ainsley

Solemnly sworn and subscribed this 4th day of December 1928 before me.

G. V. W. Croshaw,

Clerk Superior Court.

(over)

North Carolina

Washington County } in The Superior Court.

It is therefore considered and adjudged by the Court that the said paper writing, and every part thereof, is the last will and testament of B. F. Bailey, deceased, and the same, with the foregoing examination and the Certificates, are ordered to be recorded and filed.

This 4th day of December 1928

C. V. W. Austin

Clerk Superior Court.

North Carolina Washington County.

I, Anne C. Davenport of the aforesaid County and State being of sound mind but considering the uncertainty of my earthly existence do make and declare this my last will and testament

First my executor hereinafter named shall give my body a decent burial to the wishes of my friends and relatives and pay all funeral expenses together with all my just debt out of the first moneys which may come into his hands belonging to my estate

Second I give and devise to my beloved husband Alex Davenport the tract of land on which I now reside containing thirty six acres more or less for his natural life in satisfaction of his dower and third in all my lands

Third I give to and devise to my son Roder Davenport and his heirs in fee simple a tract of land in Sufferbury Township Washington County adjoining the lands of M. J. Furlough and others beginning in M. J. Furloughs line running North along M. H. Hairs line to the Second ditch from the main road thence Northwesterly along said ditch to Jordan M. Davenports line thence Northwesterly along said line of Jordan M. Davenport and others to the corner of J. F. Davenports and others thence along said line of M. J. Furlough an Easterly course to M. H. Hairs line the beginning station being a part of the Roder Davenport deceased tract of land

Fourth I give and bequeath to my son Leslie C. Davenport and his heirs a tract of land beginning at the Second ditch from the main road running Southwesterly a long M. H. Hairs line to the River Swamp thence a long the dip River Swamp ^{L. S. Davenport line} a Westerly course to Silas Davenports line thence Northwesterly a long said line of Silas Davenport and others to the Second ditch from Main Road thence a long said ditch to M. H. Hairs line a Easterly course said ditch to be the dividing line between my two sons Roder & Leslie.

Fifth I give and bequeath to my daughter Ella M. Ambrose deceased to her heirs ten dollar to be divided equally between the five heirs

Sixth I give and bequeath to my daughter Sarah C. Holmes, and her heirs ten dollar, all to be paid by my executor with in two years from the date of my death out of the money belonging to my estate not otherwise disposed

Seventh it is my desire that after all my debts and burial