

Signed, sealed, published and declared by the said Jennie Spruill to be her last Will and Testament in the presence of us, who at her request, and in her presence, and in the presence of each other, do subscribe our names as witnesses thereto.

H. E. Beam
L. S. Thompson

State of North Carolina, Washington County, in the Superior Court, before the Clerk,

A paper writing purporting to be the last will and testament of Jennie Spruill, deceased, is exhibited before me, the undersigned, Clerk of the Superior Court for said County, by Jany C. Spruill, the executor therein mentioned, and the due execution thereof by the said Jennie Spruill is proved by the oath and examination of H. E. Beam and L. S. Thompson, 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 Jennie Spruill, that the said Jennie Spruill, in the presence of this deponent, subscribed her name at the end of said paper writing now shown as aforesaid, and which bears date of the 2 day of July, 1934.

And the deponent further saith that the said Jennie Spruill, the testator aforesaid, did at the time of subscribing her name as aforesaid, declare the said paper writing as subscribed by her and exhibited, to be her last will and testament, and the deponent did therefore 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 her 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 Jennie Spruill was of sound mind and memory, of full age to execute a will, and was not under any restraint to the knowledge, information & belief of this deponent. And further these deponents say not.

H. E. Beam,
L. S. Thompson,

Sworn and subscribed this 1st day of March, 1934, before me:

C. W. Ainsbaw, Clerk Superior Court,

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 Jennie Spruill, deceased, and the same, with the foregoing examination and this certificate, be ordered to be recorded and filed.

This 1st day of March 1934,

C. W. Ainsbaw,

Clerk Superior Court

North Carolina, Washington County,

I, Daniel H. Phelps, 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, suitable to the wishes of my friends and relatives, and pay all funeral expenses together with all my just debts, out of the first moneys which may come into his hands belonging to my estate.

Second, I give and devise to my nephew, Charlie Phelps, the tract of land on which I now reside, known as my home place and being bounded on the east by Lindsay Leliflor and S. J. Woodley on the north by the heirs of R. L. Davenport on the west by the heirs of S. J. Woodley, on the south by the public road containing about ^{Twenty} eight acres, more or less, to have and to hold to him and his heirs in fee simple.

Third, I give and devise to my nephew, J. E. Rhodes, a tract of land, beginning in J. E. Davenport's corner on Newland Road running eastwardly along said road to C. C. Walker's line thence somewhatly along said line running up Moccasin Canal to Andrews Lee's line, thence along said line to M. P. Spruill's line, thence along said line to Alice Ambrose's line, thence along said line to J. E. Davenport's corner thence along said line to a sweet gum tree, and thence along said line, running northwardly to the public road, the first station, containing about thirty five acres, more or less, to have and to hold to him and his heirs in fee simple.

Fourth, I give and bequeath to my nephew's little daughter, Margorie Alice Phelps, 1 upholstered rocker, 2 framed pictures, and my bed complete.

Fifth, my will and desire is that all the residue of my estate (if any) after taking out the devisees and legacies above mentioned shall be sold by my executor or his successors, and the debts owing to me collected, and if there should be any surplus over and above the payment of debts, expenses and legacies, that such surplus shall be equally divided and paid over to my two nephews Charlie Phelps and J. E. Rhodes in equal proportions, share and share alike.

Sixth, I hereby constitute and appoint my nephew, Charlie Phelps, my lawful executor to all intents and purposes, & 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 Daniel W. Phelps, do hereunto set my hand and seal, this 15th day of August, 1933.

Daniel W. Phelps. Seal

Signed, sealed, published and declared by the said Daniel W. Phelps 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 other, do subscribe our names as witnesses thereto.

Monroe Ambrose, witness. Seal

D. W. Phelps. witness Seal.

J. C. Gallin, witness. Seal.

State of North Carolina, } In the Superior Court,
Washington County } Before the Clerk.

A paper writing purporting to be the last will and testament of Daniel W. Phelps, deceased, is exhibited before me, the undersigned, clerk of the Superior Court for said county, by Charlie Phelps the executor therein mentioned, and the due execution thereof by the said Daniel W. Phelps is proved by the oath and examination of Monroe Ambrose and J. H. Phelps the subscribing witnesses thereto, who, being duly sworn, do depose and say, and each for himself depose and saith, that he is a subscribing witness to the paper writing now shown him, purporting to be the last will and testament of Daniel W. Phelps; that the said Daniel 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 15th day of August, 1933.

And the deponent further saith that the said Daniel 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 to the said last will as aforesaid, and at the time of the deponent's subscribing his name as attesting witness thereto, as aforesaid, will as aforesaid, and at the time of the deponent's subscribing his name as attesting witness thereto, as aforesaid, the said Daniel 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 deponent say not.

Monroe Ambrose

J. H. Phelps

Solemnly sworn and subscribed, this 15th day of March, 1934, before me.

C. V. W. Ausbrow,

Clerk Superior Court.

North Carolina, } In the Superior Court.
Washington County }

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 Daniel W. Phelps deceased and the same, with the foregoing examination and this certificate, are ordered to be recorded and filed.

This 15th day of March, 1934.

C. V. W. Ausbrow,

Clerk Superior Court.