

I, Jennie Spruill, of the County of Washington, and State of North Carolina, being of sound mind and memory, but realizing the uncertainty of life; do hereby make, publish and declare this my last Will and Testament.

Item One. I direct my Executor herein named, to pay all of my just debts and funeral expenses, out of the first moneys coming into his hands.

Item Two. I give and devise to my beloved husband, Jerry C. Spruill, all of my real property of every kind and description, to hold during the term of his natural life.

Item Three. After the death of my husband, I give and devise to my daughters, Annie W. Spruill, Kathleen Spruill, and Mae Spruill, and son, Jerry L. Spruill, the home place in which I now live, located on the corner of Washington and Fourth Streets in the Town of Plymouth; together with another lot in said town, adjoining the home place, Methodist Church yard and others, and known and designated as lot number 23, on the plot of the Town of Plymouth.

Item Four. After the death of my husband, I give and devise to my daughters Annie W. Spruill and Mae Spruill, and son, Jerry L. Spruill, that tract of land known as the "Rankin Place", adjoining the lands of the W. L. Vance Company, Atlantic Coast line Railroad and others; being the same tract of land conveyed by Spencer Tharpe by deed dated January 8th, 1917, recorded in Book 68 at page 251 in the Register of Deeds' office of Washington County; Together with the Farm known as the "Newberry Farm", lying on the North side of the Plymouth and Mackey's road, and conveyed by deed from A. J. Newberry to T. Gray Colburn on the 9th day of December, 1919, and recorded in Book 73 in the office of the Register of Deeds of Washington County, contain-

ing 177.57 acres, more or less; Together with the brick store adjoining the property of the Branch Banking and Trust Co., thence Eastwardly to the center of the brick building now located on Water Street, thence at right angles to the Roanoke River, thence Westwardly with the river to the property, formerly owned by Mrs. Emma Bakeman, thence with her line to the property of the Branch Banking and Trust Co., thence with said Bank property, Southwardly to Water Street the beginning. It being the western store of the said brick building. Together with all teams, cattle, farm implements and machinery on the farms mentioned in this Item; To the said Annie W. Spruill, Mae Spruill and Jerry L. Spruill in fee simple forever, subject to the life estate before mentioned in this Item.

Item Five. I give and devise to my daughter, Kathleen Spruill, the two stores located on Water Street on the Eastern side of the brick building, beginning at the center of the said building on Water Street, thence running Eastwardly about 38 feet to D. R. Leggett's line, thence Westwardly with his line to the Roanoke River, thence Westwardly with the River about 38 feet to a point opposite the center of the said brick building, the line described in Item Four; thence with said dividing line Southwardly to Water Street. To her during her natural life, and at her death, to her children.

Item Six. I hereby constitute and appoint my beloved husband, Jerry C. Spruill as 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. Said Executor not to be required to give bond.

In witness whereof, I, Jennie Spruill, hereunto subscribe my name and affix my seal, this the 21 day of July, 1931.

Mrs. Jennie Spruill. (Seal)

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