

State of North Carolina, Washington County.

Known all men by these presents:

That R. S. Swain of the State and County aforesaid being of sound mind and memory, but considering the uncertainty of my existence do make and declare this to be my last will and Testament in manner and form as follows, viz:

Item 1: Excepting therefrom four acres of land mentioned in Item 2, I give and bequeath to my son L. S. Swain and Nancy Swains, widow of my deceased son James Swain, 26 acres of land, known as the Thomas Swain tract, provided however, that the said L. S. Swain shall pay to my daughter Jennie, the sum of \$200.00 and said Nancy shall pay to my daughter Leona May, the sum of \$200.00

Item 2: I give to my sons Bizak Lee and John Lafayette Swain, four acres of land which shall include the dwelling and out houses of that certain tract of land known as the Thomas Swain tract where I now reside, also all of that tract of land known as the Jake Field, except that portion formally conveyed to my son Joseph Swain, together with all of my personal property of every kind and description, excepting therefrom a sufficient amount to pay all my just debts to whomsoever owed and burial expenses.

Item 3: I hereby appoint and designate my trusty friend W. M. Bateman my sole executor to this my last will and Testament to all intents and purposes hereby revoking all other wills heretofore made by me and do hereby declare them to be utterly void.

In witness whereof, I do hereby set my hand and seal this 25th day of February 1922.

Witness:

J. M. Clagon
J. R. Hassell

R. S. Swain (Test)

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 R. S. Swain, deceased, is exhibited before me, the undersigned, Clerk of the Superior Court for said County, by W. M. Bateman, the executor therein mentioned, and the due execution thereof by the said R. S. Swain, is proved by the oath and examination of J. M. Clagon

and J. R. Hassell, 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 R. S. Swain that the said R. S. Swain, 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 25th day of February, 1922.

And the deponent further saith that the said R. S. Swain 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 R. S. Swain 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.

J. M. Clagon
J. R. Hassell

Solemnly sworn and subscribed, this 28th day of December, 1922, before me.

C. V. W. Aushon,

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 R. S. Swain, deceased and the same with the foregoing examination and this Certificate, are ordered to be recorded and filed.

This 25th day of December, 1922.

C. V. W. Aushon,
Clerk Superior Court.