Record Of Malinda Setzer Will 1877-

Setzer, Malinda dec.

Setzer, Jacob Exr

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"In the name of God Amen.
I N. Malinda Setzer, being in a sound state of mind and memory, and being aware of the uncertainty of life and the certainty of death, do make this my last Will and Testament in form and words as follows viz:- For the love and affections I have for my beloved husband, Jacob Setzer, do bequeath unto him and his heirs, my undivided interest, (being One seventh interest) in the Hugh Frazier land adjoining the lands of Alex. Frazier, Jos. Sipe and others bounded as follows.
Begins at P.O. on old line & Sipe line Corner tract No.3. running along said line West 85 poles to a P.O. then S. along tract No.5 176 poles to a W.O. then E.106 poles to a P.O. & pointers, then N.33 E. 97 poles to a S.O. thence N 63 W. 50 poles to a P.O. thence W. 15 poles to a Hickory, thence N 74 poles to the beginning Containing 119 acres more or less, to have and to hold the same to his only use and behoof.
It is also my Will that the said Jacob Setzer pay for the foregoing land Twenty five dollars, unto Robert E. Lee Smyre, this money is to be paid unto the said R.E. Lee Smyre, one year after my death.
It is my desire and I do hereby appoint my husband Jacob Setzer, executor this my last Will
In witness whereof I have this day, March 28th 1877, signed my name and seal.

Malinda Setzer (Seal)

In presence of
Geo. L. McNeil,
Patsey Deitzer

North Carolina } In the Probate Court.
Catawba County. } The execution of the foregoing paper writing was this the 15th day of Dec 1877 duly proved by the Oath and examination of Geo. L. McNeil & Patsey Deitz subscribing witnesses to be the last Will and Testament of Malinda Setzer decd. Admitted to probate and ordered to be recorded.

M. O. Sherrill, Judge of Probate.

Application for Letters Testamentary-

Setzer, Malinda dec.

Setzer, Jacob Exr.

"Catawba County: In the Probate Court.
In the matter of the Will of Malinda Setzer- } Before M. O. Sherrill, Judge of Probate
Jacob Setzer, being sworn, doth say: That Malinda Setzer late of said County, is dead, having first made and published her last Will and Testament: and that Jacob Setzer is the executor named therein. Further, that the property of the said Malinda Setzer, Consisting of Real estate and some personal property is worth about $500.00 so far as can be ascertained, at the date of this application; and that Jacob Setzer and R. E. Lee Smyre, are the parties entitled under said Will to the said property.
Sworn to and subscribed before me this the 15th day of Dec. 1877- } Jacob Setzer,

M. O. Sherrill
Probate Judge.

Jacob Setzer, the executor named in said Will duly qualified and letters Testamentary issued

Recd. of Jacob Setzer Executor of N. M. Setzer Twenty five dollars, being the purchase money of land bought by my mother, and I hereby obligate myself to release the Executor Jacob Setzer from further liabilities as N. M. Setzer's heirs
This 26 Nov 1884
R. E. Lee Smyre