

produced in Court and proved according to law by the oaths of J. Boon and W. W. Ballard, subscribing witnesses thereto, and is thereupon ordered to be recorded.
A copy from the records of Court,
Teste:

W^m McCauley, Clerk.

W. A. Barrier, North Carolina, Mecklenburg County.

I, W. A. Barrier of the County and State aforesaid, being of sound and disposing mind and memory do make, publish and declare this my last will and testament.

Item 1. I give and bequeath one thousand dollars and my library, except my Encyclopaedia Library, to Hugh L. Barrier.

Item 2. I give and bequeath one thousand Dollars to my half-sister Mary Ella Welch.

Item 3. I give and bequeath to Miss Jane Alexander and Mrs. E. M. Leod wife of Austin McLeod, one hundred Dollars each.

Item 4. It is my will that my lot of land in Charlotte, N. C. bounded by 10th & 11th Street, Pine Street, W. S. Alexander's land and others be divided into 6 equal lots, and I will and devise the one on the corner of 10th and Pine Streets to the Trustees of St. Mark's Evangelical Lutheran Church of Charlotte, N. C. and I also will and bequeath to said Trustees five hundred dollars for the purpose of building a Parsonage on said lot.

Item 5. I will and bequeath one thousand Dollars to North Carolina College at Mount Pleasant N. C.

Item 6. I will, devise and bequeath that all the rest and residue of my property real and personal and wherever situated including my School House, Property and Store Property and residue of my 10th & 11th Street property in Charlotte N. C., 2 lots of land in Swanhoe Va., 4 Building Lots in Salem Va., and my residence lots and my $\frac{1}{2}$ interest in 2 Residence Lots of land in Salem Va be sold, and the fund and monies arising therefrom, I give devise and bequeath to the United Synod of the Evangelical Lutheran Church in the South to be used in establishing a Theological Seminary and if such Seminary is not established the same is to go and I will same to North Carolina Synod of the Evangelical Lutheran Church to be used for home missions.

Item 7. I nominate and appoint Charles H. Dicks of Charlotte N. C. as Executor of this my last will and testament.

Signed & delivered in our presence and we sign same in the presence of said Testator and at his request this October 4th 1890 at 1 $\frac{1}{2}$ o'clock A. M.

W. A. Barrier

L. A. Misenheimer

Geo. L. Krueger

North Carolina,
Mecklenburg County.

It is considered and adjudged by the Court that the fore

going paper writing, and every part thereof is the Last Will and Testament of W. A. Barrier, deceased. Therefore let said will, together with the proofs and this order be recorded. This October 9th 1890.

J. M. Morrow, C. L. C.

Application for Letters Testamentary.

Mecklenburg County:— In the Superior Court.

In the matter of the will of }
W. A. Barrier dec'd } Before J. M. Morrow Clerk.

Charles H. Duls being sworn, doth say:

That W. A. Barrier, late of said County, is dead, having first made and published his last Will and Testament; and that he, said Charles H. Duls is the executor named therein.

Further that the property of the said W. A. Bar consisting of real estate in North Carolina and Virginia mentioned in the will, and of notes, accounts and monies is worth about \$16,000⁰⁰ so far as can be ascertained at the date of this application; and that Hugh L. Barrier minor without Guardian about 12 years old, Mt. Pleasant M. C., Mary Ella Welch, Mt. Pleasant M. C., Miss Jane Alexander & Mrs. E. McLeod Charlotte M. C. North Carolina Mt. Pleasant M. C., and the United Synod of the Evangelical Lutheran Church in the South. are the parties entitled under said will to the said property.

Sworn to and subscribed before me, this
9 day of October 1890.

J. M. Morrow

Clerk Superior Court

Charles H. Duls

Executor's Oath.

State of North Carolina

Mecklenburg County

} In the Superior Court.

I, Charles H. Duls do solemnly swear or (affirm) that I believe this writing to be and contains the last Will and Testament of W. A. Barrier deceased; and that I will well and truly execute the same by first paying his debts and then his legacies as far as the said estate shall extend, or the law will charge me; and that I will well and faithfully execute the office of an executor agreeable to the trust and confidence reposed in me, and according to law, so help me God.

Sworn and subscribed before me, this
9 day of October 1890.

J. M. Morrow

Clerk Superior Court

Charles H. Duls.

Letters Testamentary.

State of North Carolina

Mecklenburg County

} Superior Court.

To all whom these presents shall come, Greeting:
It being satisfactorily proven to the undersigned, Clerk Superior Court for Mecklenburg County that W. A. Barrier, late of said County, is dead, having made his last Will and Testament, which has been admitted to Probate by the Clerk of the Superior Court and Charles H. Duls the Executor therein named, having qualified as such according to law,

Now these are therefore to empower the said Executor to enter in and upon

all and singular the goods and chattles, rights and credits of the said deceased, and the same to take into possession, wheresoever to be found, and all the just debts of said deceased to pay and satisfy, and the residue of said estate to distribute according to the direction of said will.

Witness, my hand, and the Seal of said Court, this 9 day of October 1890.

J. M. Morrow

J. M. Morrow.

Clerk Superior Court.

Probate of Will

State of North Carolina
Mecklenburg County } ss

In the Superior Court before the Clerk.

A paper purporting to be the last Will and Testament of W. A. Barrier deceased, is exhibited before me, the undersigned, Clerk of the Superior Court for said County by Charles H. Duls the Executor therein mentioned, and the due execution thereof by the said W. A. Barrier was proven by the oath and examination of George S. Krueger and C. A. Misenheimer the subscribing witnesses thereto; who being duly sworn, doth 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 W. A. Barrier, deceased, that the said W. A. Barrier in the presence of this deponent subscribed his name, at the end of said paper writing, which is now shown as aforesaid, and which bears date of the 11 day of October 1890.

And the deponent further saith, that the said W. A. Barrier 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 of each other. 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 an attesting witness thereto, as aforesaid, the said W. A. Barrier was sound of 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.

Severally sworn and subscribed
this 9 day of October 1890, before me

J. M. Morrow, C. C.

C. A. Misenheimer M. D. *(Seal)*

Geo. S. Krueger *(Seal)*

North Carolina
Mecklenburg County } ss

I, J. M. Morrow, Clerk of the Superior Court of Mecklenburg County, North Carolina, the same being a Court of Record, do hereby certify that the foregoing are full, true and perfect copies of the last will and testament of W. A. Barrier, dec'd, late of the County and State aforesaid, and of the application for letters testamentary, the probate and the certificate of Probate of said last will and testament, and the Executor's oath and letters testamentary, all on file in my office; That the said last Will

and testament was duly proved and probated before me, and admitted to probate in said Court, which is the Court of Probate for said County and State; and that the foregoing is a full, true and perfect transcript of the Record and proceedings had in said Court in the matter of the Probate of the will of W. A. Barrier, deceased, as the same appears of Record and remains on file in my office. In testimony whereof I have hereunto set my hand and affixed the seal of said Court at my office in Charlotte N.C. this 23rd day of October A.D. 1890.



North Carolina
Mecklenburg County

J. M. Morrow, Clerk
Superior Court Mecklenburg County North Carolina

I, George N. Brown Jr, Presiding Judge of the Superior Court of Mecklenburg County, North Carolina and of 11th Judicial District do hereby certify that the foregoing certificate and attestation signed by J. M. Morrow, Clerk Superior Court of Mecklenburg County, North Carolina, and to which the seal of said Court is annexed is in due form and by the proper officers; and that the said J. M. Morrow, whose genuine official signature appears to the said certificate, is and was at the time of signing the same, Clerk of said Superior Court, duly elected and sworn in; and that full faith and credit are due to his official acts.

Given under my hand and seal this 24 day of October 1890.

G. N. Brown Jr
Judge

North Carolina
Mecklenburg County

I, J. M. Morrow, Clerk of the Superior Court of Mecklenburg County, North Carolina, same being a Court of Record, do hereby certify that G. N. Brown Jr who signed & sealed the foregoing certificate and authentication was at the time of giving said certificate and still is presiding Judge and Justice of said Superior Court of Mecklenburg County, North Carolina, duly commissioned and qualified and that full faith and credit are due to his official acts.



Given under my hand & witness the seal of said Court at my office in Charlotte, N.C., this 28th day of October 1890.

J. M. Morrow
Clerk Superior Court Mecklenburg County, North Carolina.

At Roanoke County Court October Term 1890.

This day Charles H. Duls Executor of the last Will & Testament of W. A. Barrier, deceased, late of Mecklenburg County, State of North Carolina, presented a copy of a paper purporting to be the last Will & Testament of said W. A. Barrier, deceased, and also a copy of the record of the Superior Court of said County, in said State, admitting to probate the said paper as the last will & testament of the said W. A. Barrier, deceased, duly attested by J. M. Morrow, Clerk of said Superior Court, under the seal of the said Court, and

certified to by G. H. Brown Jr, presiding Judge thereof, attested in due form; and it appearing to this Court from the inspection of said copy of said will and said record, and that the said will was proved in the said Superior Court of the said County of Mecklenburg in the State of North Carolina, to have been so executed as to be a valid will of lands in this State by the law thereof; on motion of the said Charles H. DeLo, it is ordered that the said paper writing be admitted to probate as the last will and testament of the said W. A. Barriar, deceased.

A copy from the Records of Court.

Teste:

W^m M^r Casley Clerk.

A. M. D. Smith. In the name of God, Amen, I, A. M. D. Smith of the County of Roseboro Va, do make this my last will and testament as follows:

1. First: I desire that my body may decently buried, without needless expense, in a manner corresponding to my estate and my situation in life.
2. Secondly. I direct that all my just debts be paid as soon after my decease as conveniently may be and to that end charge my whole estates real and personal, with the same.
3. Thirdly. I give to my beloved wife, Rosa V. Smith in testimony of my affection for her the sum of Ten thousand dollars, (\$10000⁰⁰) to be preferred to any of the devised and legacies hereinafter contained, with this proviso however, that said sum of Ten thousand dollars is, upon the death of the said Rosa V. Smith, to go to my executors to be hereinafter named, to be held by them on the trust as shall be hereinafter set forth.
4. Fourthly. I give devise and bequeath to my Executors to be hereinafter named, all the residue of my estate real & personal, But upon trust nevertheless, that ~~that~~ they shall apply all proceeds arising from my said estate in manner following: that is to say, they shall invest the said moneys in some safe and interest bearing stocks, bonds or notes or in Real Estate, taking care in their investments to regard safety as an indispensable element and condition, and to hold such stocks bonds notes or Real Estate as the case may be, with interest dividends or profits to accrue thereon for and upon the several uses and purposes hereinafter expressed, that is to say upon trust to pay the said interest, dividends or profits arising from such investments as and when they shall be received, to my three children James H. Smith, Mary E. Smith and John D. Smith in equal shares, for and during the term of their natural lives.

And upon the marriage of John D. Smith upon the trust to invest one-third of my said estate in Real Estate and to convey the same to his wife and the heirs of her body by the said John D. Smith.

And upon the marriage of Mary E. Smith upon the trust to invest one-third of my said estate in Real Estate and to