

Continued

also Executor of this my last will and Testament hereby revoking all former wills by me in witnesses whereof I hereunto subscribe my name and affix my seal this 20th day December 1887
Eli. C. Yates

Test

J. W. Wayman
Sally James
M. H.

State of North Carolina } ss. In the Probate
Court
Arch. County

A paper purporting to be the last will and Testament of Eli C. Yates deceased is exhibited before me, the undersigned judge of Probate for said County by witness. Names the executor therein mentioned and the due execution thereof by the said Eli C. Yates by the oath and examination of J. W. Wayman & Sally James, its subscribing witnesses thereto as he being duly sworn do depose and say and each for himself depose and swear that he is a subscribing witness to the paper writing now shown him purporting to be the last will and Testament of Eli C. Yates that the said Eli C. Yates in the presence of the defendants subscribed his name at the end of the paper writing which is now shown as aforesaid and which bears the date of the 20th day of December 1887 and the defendants further swear that the said Eli C. Yates the testator aforesaid died at the time of subscribing his name as aforesaid declare the said paper writing as subscribed by him and exhibited to be his last will and Testament and this defendant did thereupon subscribe his name at the end of said will as an attesting witness thereto and at the request and in the presence and in the presence of the testator and the defendant further swear that at the said time when the testator subscribed his name to the last will as aforesaid and at the time of the defendant subscribing his name as an attesting witness as aforesaid the said Eli C. Yates 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 defendant; and further these defendants swear
J. W. Wayman
Sally James
Sincerely sworn & subscribed
this January 6 1888 before me
J. M. Dickson Probate Judge

Last Will and Testament of Catharine Burkhell

I Catharine Burkhell son being old and feeble but in sound mind and memory and knowing the uncertainty of this mortal life do hereby make and declare the following to be my last will and Testament

Item 1st I hereby direct that all my just debts and funeral expenses be paid out of such moneys and personal property as may be on hand of my estate at the time of my death

Item 2nd Having conveyed by deed the tract of land wherein I now live to my son Daniel Burkhell and desiring that he may have the same free from all encumbrances I do hereby confirm the said deed and direct that all this said land shall belong to him the said Daniel and his heirs

Item 3rd I hereby will and bequeath to the four children of my second son Daniel Burkhell the sum of two hundred dollars to be equally divided between them and in the payment of this legacy there is to be deducted from any of their shares whatever may be due me from any of the said children

Item 4th As to the rest and residue of my estate if there should be any after debts and legacies are discharged I will and bequeath to my son Daniel Burkhell that I give him for his kindness and attention to me and my business during my old age and feebleness as a very slight compensation for his trouble and I hereby constitute and appoint my said son Daniel Burkhell my Executor to carry out and execute this my saying will, hereby revoking all former wills and declaring this to be and contain my last will and Testament. In witness whereof I have set my hand and seal this 20th day Dec. 4. 1886

Catharine Burkhell
M. H.

By and before published and declared in our presence and in the presence of each other
Daniel Hartzog
Luisea Hartzog

State of North Carolina
Ashe County } SS In the Probate Court

A paper purporting to be the last will and Testament of Catharine Burkett deceased is exhibited before me the undersigned Judge of Probate for said County by Daniel Hartog the executor therein mentioned and the due execution thereof by the said Catharine Burkett by the oath and examination of Daniel Hartog & Joicey Hartog the subscribing witnesses that she being duly sworn, doth depose and say and each for himself depose and swear that he is a subscribing witness to the paper writing now shown him purporting to be the last will and Testament of Catharine Burkett and that the said Catharine Burkett was in the presence of these deponents subscribe his name at the end of said paper writing which is now shown as aforesaid and which bears the date of 10th day of December 1886. And the Deponents further swear that the said Catharine Burkett the testator aforesaid died at the time of her subscribing her name as aforesaid declare this paper writing to be subscribed by her and exhibited to be her last will and Testament and the deponent did thereupon subscribe his name at the end of said will as an attesting witness and at the request and in the presence of the said testator and the deponent further swears that the said time when the said testator subscribed her name to the said will was aforesaid and at the time of the deponents subscribing their names as aforesaid as an attesting witnesses that as aforesaid the said Catharine Burkett 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 deponents and further these deponents say not

Daniel Hartog *(Sd)*
Joicey Hartog *(Sd)*

Sincerely sworn & subscribed
the 14th day Jan'y 1888 before me
John Dickson

Probate Judge

Last Will and Testament of Harvey G. Hurley

In the name of God Amen

I Harvey G. Hurley of Walton Township in the County of Ashe and State of North Carolina Being of sound mind and memory and considering the uncertainty of this frail and transitory life do therefore make Ordain publish and declare that to be my last will and Testament, That is to say first after all my lawful debts are paid and discharged the residue of my estate real and personal I give and bequeath an dispose of as follows to wit. My debts to be paid out of my personal or real estate which ever the Executor thinks best. If paid out of real estate, to be sold off the surplus of my land and I give and bequeath unto my wife Rachel Howell and my children all of my personal and real estate that remains after my debts are paid so long as she remains my widow then to be equally divided between my children and when my youngest child becomes twenty one years old if my wife should be dead or cannot be my widow or a virtuous woman then the aforesaid lands and all personal property, shall be equally divided between all of my children but if my wife should be living she shall have the use of said property so long as she remains my widow as aforesaid but when she ceases to be my widow as aforesaid and my youngest child is twenty one years old then the division should be made a above directed. Likewise I make constitute and appoint my friend David P. Hurley to be my executor of this my last will and Testament hereby revoking all other wills heretofore made by me If said executor should die or refuse to be qualified as executor some other good man shall be appointed in his place the witness whereof I have hereunto subscribed my name and affixed my seal this the twenty fourth day of April A.D. 1888 Harvey G. Hurley *(Sd)*

The above written instrument was subscribed by the said Harvey G. Hurley in our presence and acknowledged by him to each of us and he at the same time published and declared the above instrument to be his last will and Testament