

# Will of Daniel Halaway.

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Whereas, I Daniel Halaway in the County of  
Albion and State of North Carolina have made my last  
Will and Testament in writing bearing date the fourth  
day of August in the year of our Lord one thousand  
eight hundred and sixty eight in and by which I have  
given and bequeathed to my wife Sally Halaway one  
cow and calf, one steer, five head of hogs and one bed  
& furniture with the cooking utensils and half acre  
also my crop growing, corn & wheat, also I will to my wife's  
daughter, Nancy Bangs one cow and calf, one heifer  
and bull, one bed and furniture, and one set of  
cooper tools, and one shot gun. I also will to  
my wife's son, William Bangs one cow and calf  
one set of blacksmith tools and notes to the amount  
of one hundred and eight dollars on Martin Brown  
of Wilkes County N. Carolina. Now therefore I do by this  
my writing which I hereby declare to be a codicil to  
my said last Will and Testament, therefore it is  
ordered and declared that my will is that only  
the sum of one dollar a piece shall be paid to  
my heirs Phoebe Leavelle, John Halaway Vis'rot  
Sparks, Sam Brown, Polly Bangs, Daniel H. Halaway  
as the full amount bequeathed to the heirs and the  
legacy be given to those heirs, therefore this make a  
portion of my last will and Testament as afore said  
to all intents and purposes: In witness whereof I  
set my hand and the day and date above written

Daniel Halaway

The above written instrument was subscribed by  
the said Daniel Halaway in our presence and asked  
of him to each of us and he at the same time pub-  
lished and declared the above instrument to be his  
last Will and Testament and we at the

Testator's request and in his presence have signed our names as witnesses hereto and written opposite our names our respective places of residence.

John Thompson, Ashe County N. Carolina  
 Marion Miller, Ashe County N. Carolina  
 Reuben Jones, Ashe County N. Carolina

State of North Carolina

Ashe County. } In Probate Court.

A paper purporting to be the last will and Testament of Daniel Holaway, decd. is exhibited before the undersigned Judge of Probate for said County, & the execution thereof by the said Daniel Holaway by the oath & examinations of John Thompson, Marion Miller & Reuben Jones the subscribing witnesses thereto who being duly sworn each depose and say & each for himself depose & sayeth, that he is the subscribing witness to the paper written now shown him purporting to be the last will & Testament of Daniel Holaway in the presence of him, deponent subscribed his name at the end of said paper written which is now as aforesaid, which bears date on the 4. day of August 1868 and in the presence of them deponents acknowledge the signature of said paper written & the deponent further states that the said Daniel Holaway, the testator aforesaid died at the time of subscribing his name as aforesaid and that the said paper written so subscribed by him to be his last will and testament & this deponent verily believes and swears.

his name at the end of said Will as an  
attesting witness & at the request in the  
presence of said Testator, this deponent  
saith that at the said time when the said  
testator subscribed his name to the said  
last will, & before said & at the time of the  
deponent subscribing his name as attes-  
ting witness thereto as aforesaid, the  
said Daniel Phalaroy was of sound mind  
& memory & of full age & capable to make a will  
& was not under any restraint to the  
knowledge, information or belief of  
this deponent & further this deponent  
saith not.

Servally sworn to and  
subscribed this 5, day of  
April 1869,

R, Parsons,  
Judge of Probate.

Registered  
May 25 1869  
C. J. Prince,  
Register