

Last Will and Testament of Elih Yates Sen

In the name of God Amen
 I, Elih Yates of the County of Ashe County and State of North Carolina, being of sound mind and memory and considering the uncertainty of this frail and transitory life do therefore make order in public and declare this 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 bequeath and dispose of as follows to wit
 To my Daughter Sallina Yates I give bequeath all my land and houses and other buildings East of the main ridge Beginning on a twin Chestnut S. Blackburns Corner running a South Course with the main light of the ridge to a Stake in Sams Blumins line all joining the land of Jacob Blumins others I also give bequeath to my Daughter Sallina Yates all my farming tools One Cow with Shagbark Horns one white roan Calf and One third of the Sheep and to have the first Calf my Black mare brings One Cupboard two sets of Plates one set knives & forks and five glass goblets two sets of Spoons large and small and six Crocks one full leaf table and meal box One Coffee Pot One Coffee Mill and all the water Buckets and all the meat of the two hogs that I killed last and all the salt on hand and all the cuppany vessels and half of all the Corn and half of all the Hay and all of the fodder and licks and two of the best Hens in the house and six of the best fowls and six of the best geese and two of the best Cuckoos and four of the best Bluebirds and two of the best Redwings and the Chick and one half of the Sewing Machine and the Wadded Tray and four of the best Sheets and all the Chairs and the Big Wheel To my son Lafayette Yates I give bequeath the Land House where he now lives Beginning on a twin Chestnut Tree S. Blackburns Corner running a South Course with Sallina's line to a Stake at the fence that runs up the ridge, from under the Old Gate into stone then a west Course in about a rod of the second road then a north west Course just a bar or so running ditch to Lafayette's Spring branch then down the branch to W. Nevers line

all the land north of this line belonging to me is to be Lafayette Yates on the west side of the hill and one Red and Red Shire and one Counterpan and one third of the Red Cloth after Sallina gets her part and one third of the Sheep and one fourth of the Corn and one half of the first Hays that was killed and one hundred dollars and Lafayette Yates to have the privilege of knowing the lower meadow and to sell the hay off for his own use till Sallina becomes of age but not to let out to any person to mow It is understood in this will that Lafayette Yates is to furnish one half the rail timbers to make the line fence on the top of the hill and to furnish timbers to keep up the ridge fence and the East fence down to the foot of the hill and no further. To my Daughter Berdie H. Nevers I give and bequeath a certain tract or parcel of land Beginning on a bunch of bunches on the East side of the North Fork of Kane River running an East Course with Massey Blumins line to the top of the ridge Sallina Yates Corner, the north with Sallina's line to Lafayette Yates Corner then west with his Lafayette's line to his spring branch then down the branch to W. Nevers's line and one third of the Sheep and one Red & Red Shire and one Counterpan and one third of the Red Cloth after Sallina gets her part and one hundred and forty dollars and half of the first Hays and one fourth of the Corn and the Ream and one half the Sewing Machine and the side Saddle Berdie H. Nevers is to furnish half of the rail timbers to make the line fence on the top of the ridge and all the Crop fence running East to the foot of the Hill and no further.
 To my Daughter Caroline Clipp I give bequeath to her two hundred and ten Dollars and one Red and some Cows and one Cow and my Black mare and if she ever involves the rest of the heirs in a law suit my Daughter Caroline is to have nothing of my Estate. Now concerning the out side account Credits that is due me to be collected and apportioned between my two daughters and son to wit Lafayette Yates Berdie H. Nevers and Sallina Yates. I make Constituted and appoint Elith Yates Nevers of Saurden for Sallina's share and

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

Test

J. W. Wayman
 S. J. James
 Clerk

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

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. Hearing the executor therein mentioned and the due execution thereof by the said Eli C. Yates by the oath and examination of J. W. Wayman S. J. James its subscribing witnesses thereto who 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 deponents 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 deponents 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 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 and in the presence of the testator and the deponent further swear that at the said time when the said testator subscribed his name to the last will as aforesaid and at the time of the deponent subscribing his name as an attesting thereto 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 the deponents and further than deponents say that

Sincerely sworn & subscribed

This January 6, 1888 before me

J. M. Dickson Probate Judge

J. W. Wayman
 S. J. James

Last Will and Testament of Catharine Burkhell

I Catharine Burkhell am 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 encumbrance 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 deceased 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 hereunto set my hand and seal this 20th day Dec. 1886

Catharine Burkhell
 Clerk

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