

Continued from the preceding Page

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

A paper purporting to be the Last Will and Testament of Daniel Miller deceased is exhibited before me, the undersigned Clerk of the Superior Court for said County by Harrison Miller & Benjamin Miller the executors thereon mentioned and the due execution thereof by the said Daniel Miller, by the oath and examination of D. R. Long & L. Lyon, 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 Daniel Miller that the said Daniel Miller 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 5<sup>th</sup> day of May 1898.

and the deponent further saith that the said Daniel Miller 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 said testator, 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 subscribing his name as an attesting witness thereto as aforesaid the said Daniel Miller 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 deponent and further these deponents say Nat.

L. Lyon  
D. A. Long

Severally sworn and  
subscribed this 3<sup>rd</sup> day  
of January 1898 before me  
P. Blewins C.S.C

North Carolina }  
Ashe County } ss In Superior Court

It is therefore considered and adjudged by the Court that the said paper writing and every part thereof is the last Will and Testament of Daniel Miller deceased

Let the said Will together with the probate be recorded and filed

This 3<sup>rd</sup> day of January 1898

P. Blewins C.S.C

North Carolina }  
Ashe County }

I R. K. Pierce of the aforesaid County and State being of sound mind but considering the uncertainty of my earthly existence do make and declare this my last Will and Testament.

First I will that my executors herein after named shall give my body a decent burial suitable to the wishes of my friends Relations and pay all funeral expenses together with all my just debts out of the first money which may come into his hands belonging to my estate

Second I give and devise to my beloved wife E. & Pierce all the lands where on I now live to have and hold during her natural life the lands adjoining Jacob Wright J. S. Hamblill J. M. Pierce and J. J. Carvey then to be equally divided between my four children J. M. Pierce Fag Rose Mary Greer and Virginia Nickols

Third I will that my wife shall have all the Household and kitchen furniture during her natural life then to be equally divided between my four children I will that wife shall have two horses her choice and my new wagon and two set harness and as many of the farming tools as she may need to run the farm I will that wife shall have two cows her choice and the grain that on the place either made or growing

Fourth I will that my wife shall have six hundred dollars in cash out of the money on hand or the first collected I will that wife shall have

The Money safe, one top Buggy and harness all the hogs on hand at my death all the bacon or other meats that on hand she is to have I will that wife shall have my mowing machine and Rake and one corn shelter all the grain boxes she needs and all Groceries on hand in the store I Will that my son John M. Pierce shall have my Black Smith tools

Fifth I Will that all my property tools and Stock that I haven't Willed shall be sold at public auction and proceeds of sale equally divided between my four children

I hereby constitute and appoint my trusty friends John M. Pierce and A. C. Ross my lawful executors to all intent and purposed to execute this my last Will and Testament according to the true intent and meaning of the same and every part and Clause thereof hereby revoking and declaring utterly void all other Wills and testament by me heretofore made in Witness whereof I the said R. K. Pierce do here unto set my hand and seal this the 15 day July 1897

R. K. Pierce Seal

Signed Sealed and declared by the said R. K. Pierce to be his last Will and Testament in the presence of us who at his request and in his presence do subscribe our name as witnesses thereto

J. E. Gambill  
W. L. Stump

State of North Carolina }  
Ashe County } ss. - 2nd Superior Court

A paper purporting to be the last Will and Testament of R. K. Pierce deceased is exhibited before me the undersigned Clerk of the Superior Court for said County by John M. Pierce and A. C. Ross the executors therein mentioned and the due execution thereof by the said

R. K. Pierce by the oath and examination of J. E. Gambill and W. L. Stump 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 R. K. Pierce. that the said R. K. Pierce 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 15<sup>th</sup> day of July 1897 And the deponent further saith that the said R. K. Pierce 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 said testator 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 R. K. Pierce 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 deponent. And further these deponents say not

J. E. Gambill  
W. L. Stump

Severally sworn and Subscribed }  
This 10<sup>th</sup> day of March 1898 before me }  
R. Blewins C.S.C

North Carolina } ss -  
Ashe County } 2nd Superior Court

It is therefore considered and adjudged by the Court that the said paper writing and every part thereof is the last Will and Testament of R. K. Pierce deceased Let the said Will together with the probate be recorded and filed this 10<sup>th</sup> day of March 1898

R. Blewins C.S.C