

North Carolina }
Robeson County }

I, Luther Q. Melke of
said State and County, being of sound
mind but considering the uncertainty of my
earthly existence, and having a desire to make
a full and complete disposition of all property
which I now own or may own at my death,
do hereby make and declare this to be my last will
and testament, hereby revoking and annulling
all wills by me heretofore made.

Article 1st I desire my executors named hereafter in this
my will shall provide for my body a proper
burial in a very plain and simple manner,
without any useless expenses whatever by the
order of my wife in the City of Asheville, North
Carolina.

Article 2nd I direct my executors to pay all my debts and
funeral expenses out of the first money that
may come into their hands belonging to my
estate. (I do not remember now to owe any
debt of any amount except to Mrs. R. L. Hand,
Mrs. J. Gray, Mrs. E. H. Proctor, J. A. balanced due
on my subscription to the 1st Baptist Church
in Asheville, N. C., a balance due to E. J. Armstrong
of Asheville, N. C., but if I should owe other debts I
mean for all to be paid. My private ledgers will
show how these matters stand.)

Article 3rd I direct that my executors as soon as a purchaser
or purchasers can be found at prices and terms
that they approve and accept shall sell and
convey to the purchaser in fee simple all of my
real estate in Asheville, N. C. (except the lots
late by purchased from Mr. E. J. Armstrong)
and the proceeds (and rents as provided in
Article 4th hereinafter) when received by them,
after paying necessary expenses of sale and the sum
to Rev. W. C. Southern for his services mentioned in
section 19, below I do direct them to dispose of as
follows: 1st Pay over three fourths thereof to the
Trustees of Wake Forest College, the College of the
Baptists of North Carolina located at Wake
Forest, N. C. chartered by virtue of the laws of North
Carolina in 1853 and 1858 and the various statutes,
enlarging and amending the original charter of

said institution) which sum I do give and
bequeath to "The Trustees of Wake Forest College"
and their successors forever to be by them and
their successors invested in safe and solvent
securities and held as a permanent endowment
fund known as "The Caroline Melke Minis-
terial Student Aid Fund," the interest arising
from which I direct that said trustees and
their successors shall use for the purpose
of paying the board, washing and room rent
of young men who are preparing for the min-
istry and pursuing their studies at Wake Forest
College. I leave it to the prudence of said
trustees to regulate the rules and obligations
to be entered into by students at said
college in order to obtain the benefit of
the interest on said fund.

2nd The remaining one third of the proceeds
of said lands in Asheville, N. C. I do give
and bequeath to "Robeson Institute," a school
incorporated by the General Assembly of
North Carolina by an act ratified Feb-
ruary 2nd 1891 and to be located in the
town of Lumberton, N. C. This sum of money
I direct that the trustees of said Robeson Insti-
tute and their successors forever shall use for
the purpose of establishing, equipping, main-
taining and endowing said Robeson Institute,
according to the intent and purposes and pro-
visions of the Charter granted to said school
by the General Assembly. I have spent the
greater part of my life in the town of Lum-
berton where I have enjoyed the confidence
and patronage of the citizens of Robeson County
in my business and thereby have been enabled
to become possessed of some property, and
I am anxious to have the portion of my property
which I give to the said Robeson Institute used
to establish a school in the town of Lumberton
under the management of said trustees and
their successors that will be a benefit, intellec-
tually, morally and religiously to the whole County
of Robeson.

I have during my life selected the 1st owner

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by Mr. George Redmond and the lot of Mr. D. S. Townsend adjoining said desirable location and I hope the trustees will use a part of the money in purchasing those lots for a site for the school.

Article 4th Until the first party ordered to be sold in Article 2 above is sold, I direct that the same be rented under the supervision of my friend Rev. H. P. Spauldard of Asheville, N.C. and the rents, after paying all necessary repairs, taxes and insurances on said property to be used by him for such charitable purposes as he may select (Provided however in case he shall die or remove from Asheville before said property is sold, then my executor shall rent said property and after the expenses above provided for, shall keep the rent separate from any other estate and add it to the proceeds arising from the sale of the said property to be disposed of as set out in sections one and two of Article 3 above. But it is my desire that the property be disposed of as soon as prudent and the proceeds turned over to the parties named in sections 1 and 2 of Article 3 above. In making the sale of said property I leave it entirely to the discretion of my executor as to the manner and terms of sale, but I suggest that the term of payment be not less than 12 months and the deferred payments to be secured by mortgage on the property with insurance thereon to be paid by the purchaser, payable to the executor for the use of the purposes set out in sections 1 and 2 of Article 3 above, and the purchaser according to their respective interests.

Article 5th I give and devise to my brother in law, Wm. J. Linkhew his heirs and assigns forever, the lot of land in the town of Lumberton, N.C. which I bought of J. & Ballard and upon which is located the stable now used by W. J. Linkhew & Co. - said lot adjoins Shooters lot on the South, Millsaps and others on the North, the alley on the West and the street that runs East of the Court House on the East.

Article 6th I give and devise to Bertha Linkhew, her heirs and assigns forever, the lot of land in Lumberton, N.C. that I bought of Wm. Linkhew & Co. adjoining the lots of Mrs. Linkhew and W. H. Jones.

Article 7th All my books I give and bequeath to "Roberson Institute" (The same school mentioned in Article 3, section 2 above) to be used by the trustees thereof in the library of said school.

Article 8th All my real estate in Asheville, N.C. purchased of G. J. Livingston, my lot in Lumberton, N.C. upon which my truck store is located, on Main Street, my farm in Roberson County about 13 miles West of Lumberton, known as the (Crentine place, my guano warehouse and all my other real estate not herein before disposed of) direct my executor to sell, having in them the manner and terms of sale, and until sold I direct them to rent the same and the proceeds and rents to be placed in the general fund of my estate and disposed of as set out in Article 11 below.

Article 9th All my house hold and kitchen furniture in Asheville, N.C., my buggy & car in Asheville, N.C., my watch, a hand and a chain and all my other personal property in Lumberton, N.C., and elsewhere which is not in my will specifically given to some person or corporation named, I direct my executor to sell for cash leaving to them the manner of sale, and the proceeds to be put in the general fund of my estate and disposed of as set out in Article 11 below.

Article 10th All my interest in the business now conducted in the name of Frank Young, my private funds with Calder Bros. in Wilmington, N.C., all my notes, liens, mortgages, accounts and claims due me individually or which I received from the late firm of W. C. Walker, or which are due to me under the name of W. J. Linkhew & Co. (my private ledger will show how these matters are) and all other claims of whatever nature belonging to me, I direct my executor to collect and place the proceeds in the general fund of my estate to be disposed of as set out in Article 11 below, I direct

I therefore specially to observe the terms of the
sent act of probate which entered into January
1st 1891 between Wanda Jough and myself.
I do further authorize and empower my
executors in all cases where they think necessary
to compromise any claim due me. it may
be that some of my claims cannot be collected
for several years and it is my desire that my
estate shall be closed up as soon as practical
and for this reason I give my executors power to
waive their disavowal about compromising
claims due me.

If possible and consistent with the best interest
of the persons and objects interested in my
estate I should be pleased to have it all settled
up within 2 years from my death.

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(Article 11th)

The general fund arising from the proceeds of
Articles 8th and 10th above, after paying all my
debts, funeral expenses, advances to my executors
and necessary expenses by them incurred in settling
my will and any other proper legal claims
against my estate, I do hereby dispose of as fol-
lows viz:

(11)

I give and bequeath to The Trustees of the North
Carolina Baptist State Convention (a religious
organization formed by the Baptist Churches
of North Carolina for various educational and
charitable purposes and organized under the
General Laws of North Carolina relating to
religious societies) the sum of six thousand
dollars (\$6000.) to be held by them and their
successors forever for the following purposes - 1st That the Trustees of the North
Carolina Baptist State Convention and their
successors shall from time to time keep said sum
of money invested in some safe and solvent security
fund pay over some amount to Mrs. E. Hendricks
wife of the late Rev. W. C. Hendricks and their
heirs the interest on said sum of money at 6%
one third to each of them so long as each shall
live and when one shall die her one third of said
interest shall be retained by said trustees (and when
as herein provided when all shall be dead) and
soon till all be dead, and then the said trustees
shall still keep said money as a fund invested as a

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permanent endowment fund, and use the
interest at any rate that is legal that they
can obtain, for the purpose of providing relief
for aged and indigent Baptist ministers
who live in North Carolina. This legacy I
desire shall have preference to the others men-
tioned in Article 11th of my will. And since
one of the purposes of this legacy is to provide
an immediate means of support for the
ladies named above I desire that my
executors shall at the end of each month
subsequent to my death pay over to said
persons named above the sum of ten
dollars each out of my general estate,
until they pay over the said six thousand
dollars to the said trustees aforesaid and
then the executors shall cease to make the
payments above named of ten dollars to
each of said persons monthly and shall be
at no further responsibility as to the six
thousand dollars.

My intention in fixing 6% as the rate of
interest to be paid over by said trustees to
said legacies, is to so provide that whatever
interest above that amount that can be
obtained by said trustees they may use at
will for the purpose of providing relief for
the class of ministers named above.

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(B) I give and bequeath to my pastor Rev. W.
A. Nelson of Asheville, N.C. the sum of five
hundred dollars (\$500.) and in case he dies
before I do and his wife be living at my
death then the said sum to be paid to
her, and in case they both be dead at my
death then the sum is not to be paid and I
do give and bequeath the same to the objects
set out in section I below of this article.

(C) I give and bequeath to my friend
Rev. W. P. Southam of Asheville, N.C. the sum
of five hundred dollars (\$500.) and in
case he dies before I do then I give and be-
queath the said sum to the objects named
in section V below.

(D) I give and bequeath to my friend and

brother-in-law, Frank Tough and his wife Lena Tough the sum of two thousand dollars (\$2000.) and in case of death of either the whole sum to be paid to the survivor, and in case of death of both before my death, then I give and bequeath the said sum to the objects named in section 2. below.

(G) I give and bequeath to my friend Col. H. F. Lumberton, N.C. the sum of five hundred dollars (\$500.) and in case he be dead at the time of my death I direct my executor to pay over the said amount into the office of the Clerk of the Superior Court of Robeson County, N.C. for the use and benefit of such children of Col. H. F. Lumberton as shall be living at my death and in case there should be no one living then I give and bequeath said sum of money to the objects named in section 2. below.

(H) I give and bequeath to my friend W. J. Redmond, Jr. of Lumberton, N.C. the sum of five hundred dollars, and in case he be dead at my death then to his daughter Mary Redmond his sons Joseph Redmond and W. J. Redmond, Jr. in equal shares, and in case of death of all of said persons at my death then I give and bequeath said sum to the objects named in Section 2. below.

(I) I give and bequeath to my friend O. B. Skipper if he be living at my death, the sum of Three hundred dollars (\$300.) and in case he be dead, then I give and bequeath said sum to the objects named in Section 2. below.

(J) I give and bequeath to my friend T. W. Floughy on the same terms as set out in section 2. above the sum of Two Hundred Dollars (\$200.)

(K) I give and bequeath to my friend G. H. Vawter on the same terms as set out in Section 2. above the sum of Two Hundred Dollars (\$200.)

(L) I give and bequeath to my friend J. A. Branch on the same terms as set out in Section 2. above the sum of Two Hundred Dollars (\$200.)

(M) I give and bequeath to my friend St. O. Thompson on the same terms as set out in

Section 2. above the sum of One Hundred Dollars (\$100.)

(N) I give and bequeath to my faithful servant Alfred Merriok the sum of One Hundred Dollars (\$100.) if he be living at my death, if he is not living I give and bequeath the said sum to the purposes set out in Section 2. below.

(O) I give and bequeath to my old servant Rachel French the sum of Twenty Five Dollars (\$25.) if she be living at my death, if she is not living I give and bequeath the said sum to the objects set out in Section 2. below.

(P) I give and bequeath to my sister Mrs. Ida Rheinbold of Gohlis near Leipzig, Germany, the sum of Two Thousand Five Hundred Dollars (\$2500.) and in case she is dead at the time of my death then the said sum I give and bequeath to her children living at my death, and in the event that both she and her children should be dead when I die then I give and bequeath said sum to the objects set out in Section 2. below.

(Q) I give and bequeath to my sister Mrs. Antonic Luehman of Gohlis near Leipzig, Germany, the sum of Two Thousand Five Hundred Dollars (\$2500.) if she be living at my death, if she is not living then I give and bequeath the said sum to her children living at the time of my death and in case neither she nor any of her children are living at my death then I give and bequeath the said sum to the objects set out in Section 2. below.

(R) I give and bequeath to my brother Paul Matko of Leipzig, Germany, if he be living at my death the sum of Five Hundred Dollars (\$500.) and if he is not living then I give and bequeath the said sum to the objects set out in Section 2. below.

(S) I give and bequeath to my brother-in-law Wm. J. Linshaw of Lumberton, N.C. the sum of Two Thousand Dollars (\$2000.) in case

be living at my death, if he is not living then I give and bequeath the said sum to the object set out in Section 1 below.

(R) My best steel bed and bureau, washstand, and table top and seat table, small rocking chair, a new sewing table, lamp and all live and have in my rooms at Lumberton, in my bookshelves I give and bequeath to my brother-in-law Wm. J. Lint to have of Lumberton, N.C. and in case he is not living at my death, then I direct my executors to see the articles mentioned in this section and the money arising from the sale thereof I give and bequeath to the object set out in Section 1 below.

(S) My large easy chair, chair and Spanish bookshelves in my room in my brick store I give and bequeath to Mrs. Lena Gough and in case she is not living at my death I give and bequeath the same to Frank Gough and in case of both are dead, I give and bequeath the same to Robeson Institute to be used in the office of the principal of said school.

(T) My bench Marble Clock and the oval figure in my room I give and bequeath to Mrs. Lena Gough and in case she is not living at my death my friend G. K. Proctor, Jr. of Lumberton, N.C. and in case he is not living at my death, I give and bequeath the same to his wife and children.

(U) All other articles in my rooms not herein before specially disposed of or otherwise appropriated I give and bequeath to Mrs. G. H. Lint to have to be used and disposed of by her as she may see fit, and in case she dies before I do then I give and bequeath the same to Mrs. Lena Gough, in the same manner.

(V) And in order to certainly provide that none of my property will fail to be definitely disposed of I do give and bequeath to the Foreign Mission Board of the Southern Baptist Convention, chartered by the Legislature of Virginia by an act approved February 23-1888 for the purposes contemplated by said Board, one half of

all surpluses of money or the proceeds of personal property specifically bequeathed herein which shall fail to be received by the parties named, by reason of death or other cause whatsoever it may be, and I do give and bequeath to the Board of Trustees of the Kinder Garten School in Asheville, N.C. and their successors to be used for the maintenance of said school one fourth of any moneys that may arise from the provisions set out in the first gift mentioned in this section, and I do give and bequeath to the Asheville Mission Hospital a charitable Institution located in Asheville, N.C. the remaining one fourth of any moneys arising from the provisions set out in the first gift in this section - The said sum to be used by the Trustees of said Hospital for any purposes contemplated by the same.

Article 12 - Having made provision in my will for such persons as might be legally entitled thereto, I direct that the money received from a paid up policy of insurance on my life which I hold in the Life Insurance Company of Virginia #2593 for \$500.00 shall be paid to the Baptist Female University of North Carolina (a corporation duly organized in the City of Raleigh N.C. under a charter granted at the session of General Assembly of N.C. in 1891) this sum I give and bequeath to the Baptist Female University of North Carolina to be used by the trustees thereof for the purposes contemplated in the Charter of said University - This gift to the University I wish to be designated as the gift of my wife, Caroline Meeks, since the policy of insurance was payable to her.

Article 13 - I direct that none of the legacies set out in the 11th and 12th articles hereof shall bear any interest, but that my executors shall collect and dispose of and convert into money all property which they are ordered to collect, or

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to sell for the purposes of paying the legacies set out in article 11th and 12th as soon as practical, and in the event there shall be more than enough to pay all sums of money given to various persons and corporations in articles 11th and 12th above, then I direct and order that each one of the said gifts of money in articles 11th and 12th above shall be increased in the proportion it bears to the total sum given by adding to it its proportionate part of the surplus, and in the event there shall not be enough to provide for all the gifts of money set out in said articles 11th and 12th, then each one of said gifts of money shall abate in proportion. Provided that the terms of this article shall not apply to section 11a above in so far as any abatement of the amount therein given is concerned, but shall apply as to the increase, if there is any surplus.

Article 14th. In case I should become entitled to any property by gift, devise or inheritance in Germany or elsewhere, I direct that my executor shall take charge of the same, convert it into money and put it in the general fund arising from the provisions of articles 8, 9, 10 to be used for paying the sums of money set out in article 11, and that the provisions of article 13 above shall apply to the said property.

In all cases of sale of real or personal property provided for in my will I direct that my executor shall have full power and discretion to make the sale in such manner and upon such terms as they may think best (observing however what few suggestions I have made for their guidance) and that the receipt of the Executor for the purchase money of any property shall be a full discharge from any liability to the purchasers as to the application of the purchase money, and that in the cases where payments are to be made to married women the individual receipt of such married women shall be a full and complete discharge to my executor for any further liability to pay the same, and in case any property should be in their hands

belonging to minors, the payment of the amount to the guardians of said minors shall fully discharge my executor, and in case of minors who have not legally appointed guardians then I direct that my executor may pay any sums due said minors into the hands of the clerk of the District Court of said county of record in the County, or district in which said minors live, which usually has jurisdiction over the property of minors and thereby be discharged from any further liability for the same, the purpose of this is to complete the settlement of my estate.

I have carefully prepared my will and considered every gift made in it, and I wish it to be executed as it reads and according to my intention as it may be seen from the language I have used, and I do expressly make it a part of my will that in case any person or corporation herein named or any person not herein named shall enter into any litigation for the purpose of changing or defeating the provisions of my will, that such person or corporation shall be utterly excluded from any claim to my property by gift, bequest, devise, descent, inheritance or otherwise, and that the sums or gifts of any kind herein given to one who acts as a trustee set out to defeat my will or the part of my estate which any one so acting might possibly acquire by descent or inheritance shall not go to such persons, but shall be given to such person and corporation herein named, and in proportion to the value of their gift as shall stand by and defend my will as I have made it.

For the purpose of carrying out the provisions of this my last will and testament I do hereby appoint my friend Rev. H. P. Southern of Asheville, N.C. and Frank Gaugh, D. D. of Asheville, N.C. and E. H. Proctor, Jr. of Lumberton, N.C. as executors of the same and suggest that

Page 18 The management of the property in Asheville, N. C. be left to the control of Mr. Southard and that all the other property be left to the control of the other executors named above. To Rev W. P. Southard for his services in executing the duties required of him in executing my will I give and bequeath the sum of five hundred dollars (\$500.00) to be paid out of the proceeds of the sale of the property mentioned above in article 3.

I direct that Frank Gough, R. H. Caldwell, and E. W. Proctor, Jr. for their services as executors of my wills have be paid the sum of 5% on the gross proceeds of the sales and collections arising from my estate (except the property in Asheville, N. C.) And I do hereby declare the pages hereto attached numbered 16 18 inclusive to be my last will and testament hereby revoking all other wills and testaments by and heretofore made.

In witness of all of which I have hereto set my hand and seal this 14th day of April, 1891 in the presence of the witnesses below who I have specially requested to be witnesses thereof.

Arthur C. Melke. (Seal)

Signed sealed, published and declared by the said A. C. Melke to be his last will and testament in the presence of us who at his request and in his presence and in the presence of each other do subscribe our names as witnesses thereto.

R. H. Caldwell.

R. M. Norment

J. H. McNeil

John H. Morrison.

State of North Carolina } S. S. In the
Robeson County } Superior Court

A paper purporting to be the last will and testament of A. C. Melke deceased, is exhibited before me the undersigned, Clerk of Superior Court for said County, by Frank Gough, R. H. Caldwell, E. W. Proctor, Jr. and

W. P. Southard the executors therein mentioned, and the due execution thereof by the said A. C. Melke is proved by the oath and examination of R. M. Norment, John H. Morrison, J. H. McNeil and R. H. Caldwell the subscribers and 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 A. C. Melke, that the said A. C. Melke 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 14th day of April, 1891.

And the deponent further saith that the said A. C. Melke 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 this deponent further saith that at the time 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 A. C. Melke was of sound mind and memory, of full age to execute a will, and was not under any restraint to the knowledge or information or belief of this deponent. And further these deponents say not.

R. M. Norment,

John H. Morrison.

J. H. McNeil.

R. H. Caldwell.

Severally sworn and subscribed this 15th day of June, 1891, before me.

L. B. Townsend, Clerk of Superior Court.

State of North Carolina }
Robeson County

A papered writing purporting to be the last will and testament of A. Q. Melke, deceased, is exhibited for probate, before me, C. B. Townsend, Clerk of the Superior Court for said County, and the due execution by the said A. Q. Melke is proved by the oath and examination of J. D. Caldwell, J. M. Niel, C. M. Horman & J. M. V. Morrison the subscribing witnesses thereto: (See other affidavits annexed). It is therefore considered by the court, that the said papered writing and every part thereof is the last will and testament of the said A. Q. Melke, and the same is ordered to be recorded and filed.

And thereupon the said Frank Gray W. H. P. Southern, R. S. Caldwell, J. H. P. T. J. S. Executors as aforesaid, duly qualified as such by taking the oath required by law.

June 10th 1891. } C. B. Townsend.
} Clerk Superior Court.

North Carolina }
Robeson County

J. C. B. Townsend, Clerk Superior Court of Robeson County in said State do hereby certify that the foregoing is a true and complete copy of the last will and testament of A. Q. Melke deceased, the affidavit of the subscribing witnesses thereto and the judgment admitting same to probate, as appears by reference to the original on file in this office, and record of same in Book of Wills No 3 PP 524-536 inclusive of said office. Witness my hand and the seal of said office this June 18th 1891.

C. B. Townsend,
Clerk Superior Court
Robeson County,
North Carolina.

Recorded in this office July 8th 1891.

J. B. Cathey, do

State of North Carolina

Buncombe County.

I, John Mc Merrill of the County of Buncombe make this my last Will, I give and devise my Estate and property as follows, I Will to my wife, M. J. Merrill the Home place during her widowhood this to be Equally divided between, J. B. Merrill, Ella May Merrill described as follows, adjoining the Lands of Jason Lynck, B. H. Williams, Rich Bright, J. W. Hudgens, J. H. Merrill, supposed to be 100 Acres I also Will to the widow one Mare and what Cattle there is on hand, and the Farming tools and Wagon and Jersey and Harness and House hold and Kitchen furniture to have to her use during her life time, then to be divided between all my heirs Equally, I also will one other tract of land lying and being in Henderson County in said State described as follows, Beginning in the County line at Locust, Stake and rock known as J. B. F. Merrill's Corner and runs East with B. F. Merrill's line 140 Poles to a Black Gum, I will all my land North of said line to J. B. Merrill and Ella May Merrill Equally divided, one other tract lying in Henderson County on the head waters of Wolfberry Nut Creek also one other tract lying in Buncombe near the Swannanoa, I Will I hold one half interest in the last named tract supposed to be 100 acres the two last named tracts to be sold and Equally divided between all of my heirs after my debts is settled. All the rest of my heirs holds deeds for real Estate Equal with the two mentioned in this Will.

I appoint H. M. Reed of the County of Buncombe Executor of this my Will in witness whereof I have signed and sealed and published and declared this instrument as my will at my Home May the 25th 1891.

John Mc Merrill