

Catawba County:- In the Probate Court.

In the matter of the Will of } Before M. O. Sherrill
Emeline Lowrance } Judge of Probate.

Geo. C. McNeill being sworn doth say: That Emeline Lowrance late of said County is dead, having first made and published her last Will and Testament; and that he is the executor named therein, Further that the property of said Emeline Lowrance consisting of personal property and is worth about \$241.00 so far as can be ascertained at the date of this application, and that J. R. Ray, M. A. McNeill & B. Lowrance are the parties entitled under said will to the said property.

Sworn to and subscribed G. C. McNeill.

Before me this 7th day
of September 1868,

M. O. Sherrill

Probate Judge

The last Will and Testament of C. C. Henderson.

C. C. Henderson, do I C. C. Henderson of the county of Lincoln and state of North Carolina (being of sound and disposing mind and memory but of feeble health of body) do this 18th day of July in the year of our Lord One thousand Eight hundred and sixty eight make, ordain and establish this my last Will and Testament: viz — In the first place, I commit my soul into the hands of Almighty God who gave it, with confidence in his goodness and mercy and resignation to his will and my body to the earth to be buried in a Christian like manner.

As regards the property in this world, wherein it has pleased God to bless me in this life, I do hereby devise and bequeath in the following manner.

My wife Barbara Glen having lost her mind, she will necessarily require the constant attention of some kind friends to take care of her, it is my wish that my daughter Barbara M. Sherrill and my son-in-law S. P. Sherrill take charge of her after my death and board and clothe her in a plain and comfortable manner and take special care of her during her life; and in compensation for said kind services I give my daughter Barbara M. Sherrill and my son-in-law S. P. Sherrill the use of the house and Lot on which I live and the appertinances therunto belonging, being Lot No. 13 in the south-west Square of the Town of Lincolnton; and my Lucerne Lot on which are my Cow Stables and yard composed of Lots No 20 and 21 in the South West Square of said town and also Lots 23 and 24 in the North East Square of said town; being my upstall Garden and Brass Lot; during the life of my wife in consideration of their services in taking care of her, boarding and clothing and providing for her generally; reserving for my Daughter Ann C. Henderson the Room which she now occupies during the time my daughter Barbara M. Sherrill and son-in-law S. P. Sherrill has the care of my wife, provided it is agreeable to all parties; and after the death of my wife I wish my dwelling house and Lucerne Lot, and other two Lots to be disposed of by my Executors as I will hereinafter direct. I also wish my daughter Barbara M. Sherrill and my

L. P. Sherrill to take a good comfortable bed and necessary bed clothes and bed-stuff for the use of my wife during her life time and after her death to give it to my daughter Ann E. Henderson and Theodora C. Henderson, I leave the bed, bedstead and clothing to be taken out of my furniture.

I leave my daughter Ann E. Henderson one thousand acres of land lying in Wood County, Texas, the south west corner of a League granted to L. Pinkney Henderson as assignee of Maria Esther Jones, surveyed in the Nacogdoches surveyors district 10 miles west of Quintman near David L. Wray and Andrew H. Farmington; also four Lots No 42-43-44 and 45 in the south west square of Lincoln North Carolina, deeded to me by Joseph Loom, and a part of Lot 58 and part of the second back street in said square deeded to me John H. Paine and others the town council of Lincoln for the time being, - all this real estate is for her sole and separate use which she may dispose of as she pleases. I give to my said daughter Ann E. Henderson all the furniture that she now has and usually keeps in her room.

I give to my daughter Theodora C. Henderson and her son Clarence Henderson jointly fourteen hundred and seventy six (1476) acres of land lying in Garza County Texas, formerly Nacogdoches County on the waters of the Sabine River and west of the Cherokee Boundary line as run by W. A. Harris in 1841 known as the Sandoz & Del Lora land, adjoining land of D. Town W. R. Powell and others, known No 194 in the Plot of said county three miles east of the village of Canton. - Two Lots in the town of Lincoln North Carolina which I bought of L. D. Childs No 30 and 50 in the South West square of said town, being the Lots on which John D. Shaw now lives, also Lot 57 (in the south west square of said town) except a small corner of the same that is cut off by the rail-road and lies east of the Rail Road and just behind Jasper Stowers Stable, which lot No 57 I bought from J. C. Cobb executor of John Butts and also that part of Lot No 60 (in the south west square of said town) that was cut off by the Rail Road and lies west of the Rail Road and joins

Dr. M. L. Brown's Lot on the west and lot 51 on the north, and the Rail Road on the east, and also two lots No 34 and 35 in the South East square of the town of Lincoln which I bought of Dr. L. M. Schenk and also Lot No. 30 in said town in the South East square, except about one third of said Lot that was cut off by the Rail Road and lies east of said Rail Road, which lot I bought of J. C. Cobb executor of John Butts and also all that part of lot 29 (in the south west square of said town) which lies South of a Branch or stream that runs through said square, being the square on which my Farm yard is situated, and on said Lot is the Mill out of which John D. Shaw's family and my Farm yard have get water that part of said lot No. 29 that I give to Theodora C. Henderson and her son Clarence Henderson is bounded on the north by the meanders of said Branch or stream and embraces nearly all of said Lot No 29, which said Lot No 29 I bought from James Liptot & William Williamson. The above real estate I give to my daughter Theodora C. Henderson and her son Clarence Henderson equally and for their own separate use and in case Theodora C. Henderson has any other lawful children then the above property is to be equally divided between her and her son Clarence Henderson when Clarence becomes of manhood's age - and in case Theodora C. Henderson dies without leaving any other lawful children then I wish Clarence to get all the above named property and in case Theodora C. Henderson dies without leaving any other lawful children and Clarence dies and leaves no lawful children then and in that case I wish the above Real Estate to be equally divided between my daughters Ann E. Henderson, Barbara M. Sherrill, Margaret M. Shaw and Frances A. Davis for their sole and separate use.

I give to my daughter Frances A. Davis for her sole and separate use one, undivided, half of Three Thousand and eighty five (3085) Acres of land lying in, Garza County Texas, deeded to me by J. Pinkney Henderson known in the Nacogdoches surveyors district as No 34 on the waters of east fork of the Trinity River adjoining Ashburn Chisholm, for which I made her a deed; also I

her Lot 38 as deeded to me by Daniel Tucker embracing a cross and back street and a strip of land lying between Lot 36 and L. D. Childs Land all in the South-west square of the town of Lincoln for her sole and separate use, also two good mattresses a good feather bed and suitable Bedstead, also, a commode, a set of drawers with a looking glass on them which sets in my large front room down stairs (my bed room) also my wardrobe that I kept my clothes in and in case my daughter Frances A. Davis dies leaving no children or in case she dies and leaves children and they die leaving no children I then and in that case want the town Lots I have her to go to my daughter Margaret B. Shaw and her children for their sole and separate use and the undivided half of 30.85 Acre tract of land in Haughman County Texas to go to my Daughters Ann C. Henderson and Theodora C. Henderson and my grandson Clarence Henderson son of Theodora C. Henderson equally for their sole and separate use. I also direct my Executors after the death of my wife, to pay my daughter Francis A. Davis one hundred dollars out of the sale of the town lots that I have left to my daughter Barbara M. Sherrill and my son-in-law L. P. Sherrill (during the life of my wife) for taking care of her. I give to my daughter Margaret B. Shaw one half of 30.85 Acre Tract of land (undivided) in Haughman County Texas deeded to me by J. Pinckney Henderson known in the Nacogdoche surveyors district as No 34 on the waters of Bear Fork of Trinity River adjoining Dehur Chisholm (for which I made her a deed) for the sole and separate use of her and her children and also I give her all that part of Lot No. 60 that lies East of the Rail. road in the South-west square of the town of Lincoln including 16 feet on the back part of said Lot adjoining L. D. Childs wood. land which I bought of the town council of Lincoln, and also a small corner of lot 51 which lies east of the rail. road and joins lot No 60 on the North which lot No 51 I bought of J. C.

Coll Executor of John Butts and also that part of Lot No 36 in the south-east square of Lincoln which was cut off by the Railroad and lies east of said Rail. road being about $\frac{1}{3}$ of said Lot, which I bought from J. C. Cobb Executor of John Butts and also all the House-Hold and Kitchen furniture that I have loaned her which she now has in her possession, also a large Mahogany frame looking-glass that is in the North front Room of my dwelling House up stairs; also a gilt-frame looking glass that is in my South west room down stairs - also one good Bedstead, 2 mattresses and bed cloth for the same, also one milch cow named Martha which she is now milking all the foregoing property that I have given to my daughter Margaret B. Shaw I intend for the sole & separate use of her & her children. I give to my daughter Barbara M. Sherrill wife of L. P. Sherrill 12 & $\frac{1}{2}$ Acres of land lying in Wood County Texas on Fishers Creek, on the waters of the Sabine River being part of the Nicholas Navora League & Labor of Land, in the Nacogdoche surveyors district adjoining lands of P. P. Woodberry and Wm. Maloney, Joseph Fisher & Wiley Lamberson which was deeded to me by J. Pinckney Henderson, also I give her two lots of land adjoining the south west square of the town of Lincoln one containing two acres, the other one acre & 2 perches, deeded to me by John Coullter Executor of my father, the two acre was deeded to my father by J. T. Simpson the other 1 acre and 2 Rods was deeded to my father by Michael Reinhardt, those two lots of Land is not a part of the original Tract of land on which the town of Lincoln is situated but is a part of the old David Zimmermann Tract of Land. This real estate which I give to my daughter Barbara M. Sherrill is for the sole & separate use of her and her children.

I give to my son Lanson P. Henderson five dollars to be paid to him by my Executors, hereinafter named, as I have already given him more than I am able to give any of the rest of my children, and if I have any notes or book account against my son

P. Henderson I hereby direct my Executors to give them up to him and cancel them. I give to my son Charles C. Henderson 960 Acres of Land lying in Walker County Texas, and when surveyed was in the limits of Montgomery County adjoining an old survey made by C. Anderson & John Shellers land on the north Bedois Creek and between Big Bedois & South Bedois creeks & near their junction with the waters of the Trinity River. Patent granted to J. Penckney Henderson assignee, being A.D. Thomson's Bounty Land and deeded to me by J. Penckney Henderson. I also give him my silver Patent Seven watch being the first one I ever owned and also my large gold Cypreanean Key.

I give to my grandson Clarence Henderson son of Theodore C. Henderson 640 Acres of land lying in Walker and Grimes Counties Texas, formerly Evans Corner's Survey & John S. Collards donation land patent granted to J. Penckney Henderson assignee of J. C. Leconte, and deeded to me by J. Penckney Henderson for which I made him a deed, I also give him my double barrel shotgun.

I give to my grandson Charles C. Cobb 640 acres of land lying in Walker County Texas, formerly Montgomery County, on the waters of south Bedois Creek and near its mouth adjoining Vincent Hurlbuck's Survey of 177 acres Patent granted to J. Penckney Henderson assignee of James Beard being Beard's Bounty Land.

I give to Harriet Henderson, a mulatto woman, I bought from Henry K. Connor administrator of William S. Limonten in October 1835, and her daughter Mary a part of a tract of land I bought from J. C. Cobb containing about 2 acres 1 rood & 7 perches adjoining A. C. Wiswold on the east and the town on the west being the balance of a piece of land I bought of J. C. Cobb having sold Thomas Thomson (a freedman) 1 acre 1 rood & 25 perches off of the same, on which 2 acres 1 rood & 7 perches I have built a house,

it is my wish that Harriet and her daughter shall enjoy the house & land jointly and if Harriet dies before Mary the land is to go to Mary and if Mary dies first the land is to go to Harriet and if Mary dies and leaves no children of her body the land & premises is to go to my daughter Ann C. Henderson & Theodora C. Henderson after the death of Harriet.

I give to my daughter Ann C. Henderson & Theodora C. Henderson all my provisions that may be on hand at my death, and the growing crops on my town lots & country lands at the time of my death. I think I am owing between \$4000.00 and \$5000.00 for the payment of which I direct my Executors herein after named to sell my Tangard, which is in the south-west square of the town of Lincoln embracing Lot No 28. and perhaps a part of Lots No 27 & 29. I mean so much Land as is embraced or included under fence enclosing the Tangard Lot of ground which embraces a part of Lot No 29. and perhaps a small part of No 27 in said south-west square and includes a small strip of ground lying next to the street, which John D. Shaw now occupies as a garden and all the machinery belonging to the Tangard and all the leather or hides in Tan. also my undivided half of a lot in the south-west square of said town known as the Paul Kistler Tangard lot, which I bought from Larson H. Kistler containing in the whole Lot about seven acres, also 50 acres of land I own, adjoining the land on which John T. Miller lives, and Cephas Drickles lands; and also about 72 acres of land I bought from Carlos Leonard, Paul Kistler & Daniel Seagle adjoining lands of Henry Gansler & the place on which Col. John F. Hoke lives also a few acres of land including an old stone house in Calumet County adjoining the white sulphur Springs formerly called the Wilfong Springs including the privilege of the sulphur Spring water - also my stock of mules, horses, cattle (except one Milch cow called Martha that I have given to my daughter, Margaret B. Shaw) and

harness & harness, Buggies & harness, Carriage & harness, all of my farming tools and machinery, of every kind, my library, Leather on hand, my permanent of store goods, 100 shares in the capital stock of the Wilmington, Charlotte & Rutherford Rail. road, some North Carolina State Bonds something over \$2000.00 face value and all the rest of my personal property of every description not specially otherwise willed except my household and kitchen furniture; and after disposing of all the property above named and collecting what debts are due me that can be collected and appropriating the same to the payment of my debts; if it should not be sufficient to pay all; it is my wish that my Executors will endeavor to get further indulgence on the balance unpaid by giving a Lien if required on the House & Lots in Lincolnton that I have left - the use of during the lifetime of my wife to my daughter Barbara M. Sherrill & my son in law S. P. Sherrill for taking care of my wife during her life and after the death of my wife I wish my Executors to sell the house and lots left to my daughter Barbara M. Sherrill & my son in law S. P. Sherrill during the life of my wife, for their bonds of taking care of her) and after paying the balance that I may be indebted, and paying my daughter Frances A. Davis one hundred dollars that I have willed her; to pay one half of the balance arising from the sale of said House & Lots to my daughter Ann C. Henderson and the other half to my daughter Theodora C. Henderson and her son Clarence Henderson equally; and I give all my Household & Kitchen furniture not specially heretofore disposed of in this my will, to my daughter Ann C. Henderson and Theodora C. Henderson & her son Clarence Henderson - one half of the same to Ann C. Henderson and the other half to my daughter Theodora C. Henderson and her son Clarence Henderson and if they cannot agree on the division & value of the same my executors with the assistance of my friend C. A. McBees,

or Ambrose Costner Esq are requested to make the division and value the same. I wish the Portraits of my Father, my wife and myself, and the Bust of my brother J. Pinckney Henderson to be considered as household furniture and divided as such - and I wish my two large cast-Iron Kettles that I have in my wash house to be considered as kitchen furniture and divided as such - at any rate I want my daughter Ann C. Henderson to have one of the wash Kettles and my daughter Theodora C. Henderson and her son Clarence Henderson to have the other after the death of my wife.

Lastly - I do ^{hereby} constitute and appoint my sons in law S. P. Sherrill & John D. Shaw and my friend C. A. McBees Executors of this my last Will and Testament and I do hereby revoke, disannul & disavow all former wills by me made & executed and declare and publish this to be my last will & Testament. In Testimony whereof I have hereunto set my hand and affixed my seal the day and year first above mentioned.

A. B. The intentions on page 1 Line 10, on page 3. Line 10 on page 3. Line 27. on page 6 Line 2. on page 7. Line 4. on page 7 Line 10 on page 10. Line 2. on page 13. line 3. on page 16 line 20, on page 20 line 4. and the alterations on page 11. Line 25; on page 12. Lines 1 & 2. were made before signing & witnessing.

Published and declared, by C. C. Henderson to be his Last Will & Testament in the presence of us,
 Jural J. C. Bondsill.
 Jural R. K. Abernethy.
 W. H. Michal.

C. C. Henderson

34 1/2 copy sheets

State of North Carolina } S. D. On the Probate Court
 Catawba County
 A paper purporting to be the last Will and Testament of C. C. Henderson deceased, is exhibited before me, the

undersigned Judge of Probate for said county by J. D. Shaw and L. P. Sherrill the executors therein named and the due execution thereof by the said C. C. Henderson by the oath and examination of R. H. Abernathy and Dr. J. C. Randselle the subscribing witnesses thereto; who being sworn doth depose and say and each for himself depose and saith that he is a subscribing witness to the paper writing now shown them purporting to be the last will and Testament of C. C. Henderson "dec" that the said C. C. Henderson in the presence of these deponents subscribed his name at the end of said paper writing which is now shown as aforesaid and which bears date of the 15th day of July 1868.

Therefore the said Will together with this certificate is admitted to Probate.

March 10 1869-

M. C. Sherrill Probate Judge.

The last Will and Testament of James F. Loftin.

James F. Loftin "dec" knows all men by their present that I James F. Loftin of the county of Catawba and state of North Carolina in the year of our Lord one thousand eight hundred and sixty three.

The said James F. Loftin doth hereby bequeath to his wife Elizabeth Loftin all his tract of Land lying, being in the aforesaid state and county above written, adjoining lands of Jesse Walden, Andrew Bount and others. For her to have, to hold forever all of the aforesaid Land & premises for to sell or distribute in any way that she sees proper, also all of the other property, for her to hold forever and if she should be indebted for her to sell any of the above property to satisfy the debt that she sees proper. Given under my hand and seal this the 23rd day of February 1863, Signed, sealed & delivered in presence of Abram Tzyckoff } James F. Loftin
Clam A. Sherrill }

State of North Carolina }
Catawba County } S. D. In the Probate Court.

A paper purporting to be the last Will & Testament of James F. Loftin "dec" is exhibited before me, the undersigned Judge of Probate for said county by Elizabeth Loftin the Legatee (there being no executor appointed by the will) and the due execution thereof by the said James F. Loftin by the oath and examination of Abram Tzyckoff one of the subscribing witnesses thereto and the other witness Clam A. Sherrill being dead, his signature was proved by the oath and examination of Manuel Robinson, who being duly sworn doth declare the handwriting to be that of Clam A. Sherrill "dec". And the said Tzyckoff being duly sworn doth depose and say, and for himself depose & saith that he is a witness to the paper writing now shown him purporting to be the last Will & Testament of James F. Loftin. That the said James F. Loftin 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 23rd day of February 1863. The said Will is admitted to Probate and the said will together with its certificate duly recorded.

March 22nd 1869

M. C. Sherrill
Probate Judge