

Probate of Almon Hale, Will.

State of North Carolina } In The Superior Court
Catawba County

A paper writing purporting to be the last Will and Testament of Almon Hale, deceased, is exhibited upon me the undersigned R. H. Hyle, Clerk of the Superior Court in and for said County by Ephraim Hale, the executor therein named and the due execution thereof by the said Almon Hale, is proven by the oath and examination of S. C. Brown and Geo. W. Stewart - the subscribing witnesses thereto, who being duly sworn, each depose and say, and each for himself, that he is a subscribing witness to the paper writing now shown him, purporting to be the last Will and Testament of Almon Hale. That the said Almon Hale 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 on the 4th day of May 1887.

And the deponent further saith that the said Almon Hale, the testator aforesaid, did at the time of subscribing his name as aforesaid, declare the said paper writing to be his last Will and Testament, 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 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 testator was of sound mind and memory, of full age to execute a will and was not under any restraint to the knowledge, information of belief of this deponent, and further this deponent do say and say true.

S. C. Brown (sworn)
Geo. W. Stewart (sworn)

Personally sworn and subscribed
before me this 23rd day of Dec 1887

R. H. Hyle, C. P.

Jacob Mostillers last Will and Testament.
State of North Carolina
Catawba County.

I Jacob Mostiller of the County and State of aforesaid being of sound mind and memory but considering the uncertainty of my earthly existence do make this my last Will and Testament, in manner and form following That is to say, First, That my Executors herein after named I shall provide for my body a decent burial suitable to the wishes of my relations and friends and pay all funeral expences together with my just debts howsoever, and to whomsoever owing out of the first money that may first come into their hands, as a part of my estate.

Item 1st I give and devise to my beloved wife Harriet Mostiller my home place as her dower portion of my real Estate during her natural lifetime or widowhood, and to have full control and privilege of the same. After her death to belong to my son Luther Mostiller if alive and if dead and leaves a widow with living heirs of his body, then and in that case his widow to have one third interest in said place during her natural lifetime or widowhood and the remainder of said home place to belong to his children. I also give unto my wife two horses or mules her choice four head of Cattle her choice one half of my hogs and sheep on hand all my household and kitchen furniture of every kind and nature also one wagon her choice all my gearing and farming tools and after her death to belong to Luther Mostiller my son.

Item 2nd I give and bequeath to my son Rufus Mostiller the plantation lying near Sincetown in Howard Creek and known as the Caustler land containing about one hundred Twenty acres. But if he should die leaving a widow and no children then and in that case his widow to have her dower Interest in said land during her natural lifetime or her widowhood and no further if he leaves children heirs of his body.

Then and in that case his widow to have one third dower interest in said land during her natural lifetime or widowhood and so long as she keeps his name, and balance of said land to belong to his children.

Item 3rd I give and bequeath to my daughter Gary Ann Yoder the plantation whereon she now lives known as the Motz land containing about one hundred Seventy acres. But if she should die before her husband leaving Children, William Yoder then in that case William Yoder to have a life interest in said land only then to belong to his deceased wifes children. But if he William Yoder marries again then and in that case to have one third interest only during his lifetime and no further. After his death the whole place to belong to my Daughter Gary Ann Children if any living and if not any living then to fall back to the next of kin of my Daughter Gary Ann.

Item 4th I give and bequeath to my Daughter Livonia P. Shuford the plantation lying on the waters of the Lincolnton river Burke County and known as the Cefencing land. Containing about one hundred Twenty acres. But if she should die

before her husband leaving children her husband I. L. Shuford then & in that case her husband to have a life interest in said land only, and then to belong to his deceased wifes Children. But if he I. L. Shuford should marry again then and in that case to have one third interest only during his lifetime and no further. After his death the whole place to belong to my daughter Livonia P. Shuford's children if any living and if not any living then to fall back to the next of kin of my daughter Livonia P. Shuford.

Item 5th my will is my son Luther to have the tract of land lying on Camp Creek and known as the Ashbanner tract where and in consideration of taking care of myself and his mother if he does his duty in that matter and treats us as it becomes a child to treat their parents also my one half of the corn mill at Jollys Mostillers.

Item 6th My wife first to have three hundred Dollars in cash out of notes to her use, also my wife Harriet Mostiller to have one third interest in my half of the wool factory during her lifetime and at her death her part one third to belong to my two daughters Gary Ann Yoder and Livonia P. Shuford the balance of my half of the Wool Factory to belong to my two sons Rufus Mostiller and Luther Mostiller.

My wife Harriet to have my gold watch all the balance of my residue to be equally divided between my Children and lastly I do hereby constitute and appoint my trusty friend Rufus Mostiller and William Yoder my lawful executors to all intents and purposes to execute my last will and testament according to the true intent and meaning of the same and every part and clause thereof in witness whereof I the said Jacob Mostiller do hereunto set my hand and seal at this 18th day of April A. D. 1855. Signed sealed and put

I declared by said Jacob Mosteller to
be his last will and testament in the
presence of Attest-

M. F. Hull

Wm Whisnant

Jacob Mosteller (seal)

State of North Carolina In the Superior
Catawba County Court

A paper writing purporting to be the last
will and testament of Jacob Mosteller deceased,
is exhibited before me, the undersigned P. A. Hoyle,
Clerk of the Superior Court in and for said
county by Wm Yoder & Rufus Mosteller, the
executors therein named, and the due execution
thereof by the said Jacob Mosteller is proven
by the oath and examination of M. F. Hull
and Wm Whisnant, the subscribing
witnesses thereto; who being duly sworn
doth depose and say and each for himself
that he is a subscribing witness to the paper
writing now shown him purporting to be
the last will and testament of Jacob Mosteller.
That the said Jacob Mosteller 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 on the
18 day of April, 1885, (or did in the presence of
this deponent acknowledge the signing the
said paper writing.) And the deponent
further saith that the said Jacob Mosteller
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 there-
upon subscribe his name at the end of
said will, as an attesting witness thereto,
and at the request of and in the presence
of the 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 Jacob Mosteller
was of sound mind and memory of full age
to execute a will and was not under
any restraint to the knowledge, informa-
tion or belief of this deponent, and further
these deponents say not.

Severally sworn and
subscribed this
5 day of January
before me,

M. F. Hull (seal)

Wm Whisnant (seal)

P. A. Hoyle C. S. C.