

the nuncupative will of said
J. W. Mike as to all his estate,
and the same is filed as such
in solemn form and is ordered
to be duly recorded as such together
with all the other proper papers thereto
annexed.

And Mrs. Ella Mike the executrix
therein named is hereby duly qualified
as such executrix.

By Consent of parties the foregoing will
and probate (of J. W. Mike) is set aside and
and letters of Administration are granted.
See Appointment of Executor &c.
P. J. Haggle &c.

Will
of
J. W. Mike

205

Will and Testament of James Lee Key, Sen.

I, James Lee Key of the County of Catawba and
State of North Carolina being of sound mind
and memory, but considering the uncertainty
of my earthly existence do make and declare
this my last will and testament in solemn
and form following, that is to say:—

First,— That my Executor (hereinafter named) shall
provide for my body a decent burial, suitable to
the wishes of my relations and friends and pay
all funeral expenses together with my just debts
however and to whomsoever owing and of the
moneys that may first come into his hands as
a part or part of my estate.

Item: I give and devise to my sister Eliza Lee Key
all my interest of the live stock now owned by us
viz. One Cow and Calf, two Sheep and all the
domestic fowls and poultry and all my household
& kitchen furniture.

Item:— I give and bequeath to Margaret Jane
Lee Key wife of Lafayette Lupton my one third undivided interest of in and to the lands upon which
I now live, subject to use of my sister Eliza Lee Key
during her natural life, adjoining the lands of
William Burch, Jacob Sandy and others, supposed
to contain about thirty five acres and to the like
same more or less, and it is my will that
my burial and funeral expenses be paid out
of the above described land, so much thereof
sold by my executor as may be necessary to pay
said expenses unless otherwise paid by Margaret
Jane Lee Key and it my true intent that she
the said Margaret Jane Lee Key shall be in possession
of said lands in fee simple subject as appraised
to the use of Eliza Lee Key during her natural life.

And lastly I do hereby constitute and appoint my true
and lawful Executor my wife Lafayette Lupton to all intents and
purposes to execute this my last will and testament
according to the true intent and meaning of the same and
my just and lawful claims thereof hereby revoking and
declaring null and void all other wills and testaments
by me heretofore made.

Continuation of Jam Lacks Will

In witness whereof I the said Jam Lackey do hereunto set my hand and seal this 13th day of March 1858.

Jam^h Lackey Seal
mark

Signed Sealed, published and declared by the said Jam Lackey to be her last will and testament in the presence of us who at her request and in her presence do subscribe our names as witnesses thereto

J D McGeer
P F Blundy.

Probate of Above will

State of North Carolina? In the Superior Court
Catawba County

A paper writing purporting to be the last will and testament of Jam Lackey, deceased, is exhibited before me, the undersigned P. H. Kyle Clerk of the Superior Court in and for said County by W. B. Lepton the petitioner therein named. And the due execution thereof by the said Jam Lackey is proven by the oath and examination of J D McGeer and P F Blundy the subscribing witnesses thereto, who being duly sworn 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 Jam Lackey. That the said Jam Lackey, in the presence of this deponent subscribed her name at the end of said paper writing that is now shown as aforesaid and which bears date on the 13th day of March 1858

And the deponent further deposes that said Jam Lackey the testatrix appeared at the time of subscribing her name as aforesaid declare the said paper writing to be and to be her 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 testatrix. And this deponent further deposes that at the said time when the said testatrix presented her name to the said last will as aforesaid, and at the time of the deponent's subscribing and subscribing his name as an attesting witness thereto as aforesaid the said testatrix was of sound mind and memory of full age & capable of making a will and was not under any restraint to the full knowledge, information or belief of this deponent, and further that deponent say not.

Sincerely Sworn and Subscribed, before
me this 31st Aug of year 1858
P. H. Kyle. Clerk

J D McGeer Seal
P F Blundy Seal

Last Will of James Kever

North Carolina
Catawba County

In the name of God. Amen.

I, James Kever of the County of Catawba, do make and declare this to be my last will and testament as follows:

1st I will and bequeath to my beloved wife J. C. Kever for term of her natural life my home plantation whereon I now live containing about one hundred acres as her dower in all my lands.

2nd After the death of my wife I will and bequeath to my daughter Mrs. Maggie Gault the remainder or reversion in my home place above willed to my wife provided that if a certain debt of about three hundred dollars and interest is not paid to her before the death of my wife, but if my Executors herein after named shall pay off said debt to my said daughter Mrs. Maggie Gault, in the lifetime of my wife said Maggie Gault is to have no further interest in the remainder or reversion in my home place but is to share equally with my other children as herein after provided

3rd I will and bequeath to my beloved wife J. C. Kever her full years allowance in my personal estate to be laid off and allotted as the law requires in cases of widows.

4th I further will and direct that all my other property both real and personal of all description be sold, after my death, either publicly or privately by my Executors herein after named and that the proceeds be applied to the payment of all my just and honest, and lawful debts and the costs of administration and the excess if any be equally divided between all my children share and share alike. Truly I appoint my brother David Kever and my son A. S. Kever the executors of this last will and testament.