

317 Last Will and Testament of Jesse Miller

I, Jesse Miller of the County of Catawba and State of North Carolina being of sound mind and memory but considering the uncertainty the uncertainty of my earthly existence, do make and declare this my last Will and Testament in manners and forms as follows: There is to say (First) That my Executor herein named shall furnish for my body a decent burial suitable to the wishes of my relations and friends, and pay all funeral expenses, together with all my just debts whosoever and to whomsoever owing me of the first money that may come into his hands as a part of part of my estate. (Item) 2^d I give and bequeath to my wife Polly S. Miller all my real and personal property as long as she remains my widow, and at her death all my real & personal property to be sold and the money equal divided between my lawful heirs to wit Elmina Seast, Amanda Cook, Emanuel Miller John Miller, Grant Miller Cephus Miller, Lebor Miller Jesse Miller Daniel Miller & Mary Miller.

(Lastly) I do hereby constitute and appoint my trusty friend Ellis Cook my lawful Executor to all intents and purposes to execute this my last Will and Testament according to the true intent of the same and every part and clause thereof hereby revoking all other wills and Testaments by me heretofore by me made, in witness whereof I the said Jesse Miller do hereunto set my hand and Seal, this 24th day of Dec. 1881.

Jesse Miller (Seal)

(Test) Signed, Sealed and publicly declared by the said Jesse Miller to be his last Will and Testament in presence of us.

J. S. Cook
C. C. Cook

Jesse Miller's
Last Will &
Testament

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Probate of Jesse Miller's Last Will & Testament.

State of North Carolina 3^d Div Probate Court
Catawba County

A paper writing purporting to be the Last Will and Testament of Jesse Miller deceased is exhibited before me the undersigned, J. C. Cook for said County, by Ellis Cook the Executor therein mentioned, and the true execution thereof by the said Jesse Miller is proven by the oath and examination of L. A. Cook and C. C. Cook the subscribing witnesses thereto, who being duly sworn, doth depose and say, and each for himself depose and declare that he is a subscribing witness to the paper writing now shown him, purporting to be the last will and Testament of Jesse Miller, that the said Jesse Miller, in the presence in the presence of this deponent, subscribed his name at the end of said paper writing which was shown as aforesaid any other being date of the 24 day of Dec. 1881

And the deponent further saith, that the said Jesse Miller the Testator aforesaid did at the time of subscribing his name as aforesaid, declare the said paper writing to be subscribed by him and exhibited, to be his 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 deponent's subscribing his name as an attesting witness thereto as aforesaid, the said Jesse Miller was of sound mind and memory, of full age to constitute a will and was not under any duress or constraint to the prejudice, information and belief of the deponent. And further these deponents say true.

L. A. Cook, (and)
C. C. Cook (and)

Severally Sworn and Subscribed
This 6th day of July 1885, before me.

O A Hoyle csc

Know all men by these presents that I, Noah Vann of Clinton Township, County of Catawba and State of North Carolina, formerly being in ill health but of sound and disposing mind and memory, do now hereby make and publish this my last will and Testament, revoking all former wills by me at any time heretofore made.

And as to my worldly estate and all my property of which I shall die possessed, or to which I shall be entitled at the time of my death, I devise, bequeath, and dispose thereof in the manner following, to wit:

1st My will is that all my just debts and funeral expenses (including the erection of a suitable tombstone at my grave) shall be paid out of my estate by my executors therein after mentioned as soon as shall be found convenient.

2^d I give, devise and bequeath to my beloved wife Rebecca Melinda Vann, in her own right, all that certain lot or parcel of land, situate in Clinton Township, County of Catawba and State of North Carolina, known as the "Home Place" purchased from George Herman, being bounded and described as follows:—Beginning at a Pine tree running South 3^d West 56 poles to a Post Oak tree, thence South 89 poles to a small Hickory on what was formerly known as "Miller's line", thence along this line North 48 West 47 poles to a small rock tree, thence South 88 West 24 poles to Black Oak, thence North 110 poles to an Oak on Hunsuck's line, thence with this line South 30 East 140 poles to the beginning containing 57 acres more or less; also all that certain lot or parcel of land, situate and lying in the Township, County and State aforesaid, and adjoining the lot described above, the same being bounded and described as follows:—Beginning at a small Black Gum, thence a corner and running with Hunsuck's line, passing a corner in the lot of land heretofore described, North 41 West 102 poles, crossing two small streams of water to a Black Oak, also a corner of the lot previously described, thence with the line of said lot and Olden's line South 39 West 76 poles to a Stake and pointing, Clinton Corner, thence with his line South 9 East 31 poles to a pine, the other Rhode's corner, thence