

he is a subscribing witness to the paper writing now shown him purporting to be the last will and testament of Noah Summerson. That the said Noah Summerson in the presence of this deponent subscribed his name at the end of said paper writing, which is now shown him as aforesaid, and which bears date on the 6th day of Aug. 1889.

And the deponent further saith, that the said Noah Summerson 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, &c. 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 Noah Summerson was of sound mind & memory, of full age to execute a will, and was not under any restraint to the knowledge, information or belief, of this deponent, and further deponents say not.

Solemnly sworn and subscribed, this
16th day of Nov. 1891, before me
J. F. Sherman, Clerk, Sup. Court

Geo. E. (Ant. Seal)
J. W. Hardister (Seal)

Last Will & Testament of J. D. Merrill, dec'd.
North Carolina }
Catawba County }
Sept. 12, 1891 }

I John D. Merrill, being sound in body & mind, but remembering it is appointed to all mortals to die, make and write with my own hands, this my last will and testament revoking all others by me heretofore made:

First of all, trusting in the atonement of Jesus, as my Saviour, and of Salvation beyond the grave, I will my soul to God, who gave it, and my body to a decent, but economical burial.

Second: I will that my executor hereinafter named shall pay all my debts, if any are proven to have been unpaid at the time of my death.

Third: I devise and bequeath to my beloved and faithful wife, Alice E. Merrill (who has been a willing and efficient helper in raising and educating my motherless children) the House and Lot on which we now reside, together with any policy of insurance covering the same, and all the household & kitchen furniture therein belonging to me, and not specifically hereinafter bequeathed, and all my books in the house, all pictures and other property of any kind in, and about the house and premises my object being to avoid the necessity of a public sale in my wife's home or about her premises after her death. She to have and to hold over and possess the said House and Lot and other property for and during the term of her natural life, and after her death the same to belong to and vest in our son, Paul and his heirs forever. In case Paul should die without issue before his mother then said property after her death to go to my

other two children and their heirs.

Fourth: I give and bequeath to my daughter May Emma one half of my stock (no shares) in the Hickory Printing Co., also the bracelet she has in possession which belonged to her mother, also five large silver spoons that came from her grand father Daniel Ambrose, and half a dozen tea or desert spoons silver that were given to her sister Sallie by H. D. M., and some bound copies of Eclectic Magazine that were her mother's.

Fifth: I give and bequeath to my son Hugh H. Merrill the other half of my 20 shares of stock in the Hickory Printing Co., he and his sister May, to have the whole of my said interest in my said interest in said H. P. Co with all the profits and unsettled dividends due at the time of my death after settling my account due said H. P. Co.

I also give and bequeath to my son H. A. Merrill my gold watch (the chain belongs to my wife) my double barreled shot gun that was a present to me by Hugh's Uncle (D. P. A.) also all the books he has of mine in his possession in his room or office and all my law books wherever found, and also my Bible in which are recorded the birth, marriage and death of his mother and of all her children.

Sixth: I give and bequeath to my son Paul S. Merrill, the watch & chain he has, all the books in his room or elsewhere in the house which he claims, and are not his mother's, with the book case, table, desks, bed and other articles of furniture in his room, and which his mother agrees to, and all my clothing not buried with me.

Seventh: I devise to my three children three lots in west Hickory one in Newton and five in Tab City in McDowell County to hold or sell and divide as they may deem just.

Eighth & last: I nominate and appoint

my beloved and trusted son Hugh A. Merrill to be my sole executor of this my last will and Testament, not doubting that he will be kind and do exact justice to her who has so faithfully discharged the delicate and onerous duties of a mother to the motherless, and to his sister and brother, advising with my beloved friend and law partner, when in doubt, as to his power and duty. Collecting any debts due me, paying all my debts and dividing any balance in hand equally between himself his sister and brother. My wife having been provided for by getting \$200 from the H. of H.

In testimony whereof, I have written these ^{words} my own hand, subscribed my signature, which will be easily proven and deposited the same among my valuable papers; this Sept. 12/91. J. F. Merrill.

Probate of John F. Merrill's Will.
North Carolina, of Superior Court
Catawba County.

In the matter of the last Will and Testament of John F. Merrill.

This Dec. 10th 1891, at my office in Newton in said County, personally came before me H. A. Merrill, C. A. Clegg and Geo. V. Cochran all of said County and to me well known, who being by me duly sworn depose and say that the proper writing here now exhibited to them and dated Sept. 12th 1891 and pronounced by the said H. A. Merrill names therein as Executor, as the last will and Testament of the said John F. Merrill is, and every part thereof is, in the proper handwriting of the said John F. Merrill, and was signed by him in his hand. And then the said H. A. Merrill and C. A. Clegg

being by me further examined to depose
and say that the said will was found
deposited among the valuable papers of the
said John F. Merrill, in his particular
box in the vault of the 1st National Bank
of Hickory at Hickory, N.C.

J. F. Merrill
C. A. Cilly
Geo. W. Cochrane

Sworn to & subscribed before me Dec. 1891.
J. F. Hornum.
C. S. C.

1830

Last Will and Testament of Moses Whitener.

I, Moses Whitener of the County of Catawba
and State of North Carolina being of sound
mind & memory considering to be my
last will & testament in manner and
form first I give and devise to my
wife Mary Whitener thirty two acres of land
lying on Henry's Fork including the Buildings
to hold it her life time and after her death
is to go to my son Ulysses W. Whitener also
I give thirty two acres of land on the tract known
to my son Ulysses W. Whitener he is to maintain
his mother as long as she lives.

I also give and devise to my daughter Eliza
Whitener and Margaret Abington Sarah Croford
and Jaim Whitener and Jaim Whitener and
Susan Mevon all my land on Mountain
Creek and Jacob's Fork to be divided equal Sarah
Croford is to hold her land her lifetime.
The rest at her death to be divided equal
between her 3 children Ellen M. Croford
Robert Croford and Jaim Croford Catherine

Rockett has got his share of land in her
possession next I give unto Eliza Whitener
Sarah Croford Jaim Whitener and all that stay
at the old home sted four acres of land including
all the Buildings and Spring and a part of a
Branch that are to hold it their lifetime to
be a home for them next I give unto them
that stay at the old homestead a cow
mair and plow and gearing to tend that
land to make seed to live on next I
give to Eliza and Jaim Whitener my Susan
and all the Kitchen utensils that I claim
2 tables 2 cutboards and a flour chest is
to be for them that stays at the old home
next all the Beds covered and Blankets that
Eliza and Jaim has to be theirs Bedsteads and
all next I give to all my family that is
at the old home a matched wagon to do
holing at both plantations next all the
money and notes that my wife claims is
to be hers all that furniture that she claims
is hers too Barrow corner cupboard & table
and a lowans and saddle a sewing machine
a clock a cock stove a wheel & loom and
grain and five Beds and steds and a milky cow
two flax hickels a wash pot a clock and a
candel stand next I give my wife a
clabank mair and plow and gearing next I
give to Eliza Whitener is to have three Beds and
steds a chest and candel stand and a cock stove
and a slay to a loom. next Jaim Whitener is to
have three Beds and 2 trunks a milky cow and
a yearling next Eliza is to have a yearling calf
next Ulysses Whitener is to have my grass
share and my wheat cradel and all my
Carpenter rules and man's saddle and my closet
saw and my grain stone my Sues is for
my family next a spinning wheel to Eliza Whitener
next a clock to them that stays at the old
home next Ulysses W. Whitener is to have
the note that he could his mule for and
a trunk 2 was pots the family that
stays at the old home next Mary