

State of North Carolina Catawba County.
Nov the 9th 1885-

In the name of God Amen.

I John Heerman of the County and State aforesaid being old and feeble of body but of sound and disposing mind memory and understanding Considering the certainty of death and the uncertainty of the time thereof to the end that I may be the better prepared to leave this world when it shall please my God to call me hence have now determined to direct what disposition shall be made of my property after my decease; and after maturity considering the circumstances and conditions of all those among whom as my heirs at law of the objects of my gratitude or affection in my judgment my estate should be distributed. I do make publish and declare this to be my last will and testament hereby revoking and making null and void all former last wills and testaments and writings in the nature of last wills and testaments by me heretofore made.

And my will is just that after my decease my body shall be decently buried without ostentation or unnecessary expense and that my funeral charges and just debts shall be first paid by my executor hereafter named.

Item second I will and bequeath to my beloved wife Hannah all my property consisting of land and personal property of all description that may be on hand at my death all the land that I may own or at the time of my death to her own use as long as she may live and after the death of her my said wife my executor is to furnish her a decent burial and pay all such expenses that may be due for her support and burial charges.

Item 3rd After the death of myself and my beloved wife first the necessary expenses all my personal the remainder of my estate consisting of land and personal property shall go and belong to my Brother Wm. Heerman except he dies my land on the west end of my plantation. Item 4th The land on the east end of my plantation is to go and belong to my Brother Abner Whitcomb.

Item 5th And I do nominate and appoint my beloved & true Brother Wm. Heerman to be the sole executor of this my last will & testament.

In testimony whereof I have hereunto set my hand & seal.

The day & year first above written.

Signed, sealed in the presence of - J. L. Smith & B. L. Heston

John Heerman

The Codicil bears date of Apr 7th 1886 acknowledges the signing the said paper writing.

And the deponent further saith, that the said James Cronkleton the testator aforesaid, died 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, 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 James Cronkleton was of sound mind and 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 this deponent say not.

Reverally sworn and
subscribed, this 3 day
of Augst 1885
P. A. Hoyle
Clerk Sup. Court.

J. T. Beatty (seal)
J. A. Sherrill (seal)
G. M. Beatty

See Book of Appointments of Executors &c.
for other record.

Sworn to by
John Heerman

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Probate of John Herman's Last Will

State of North Carolina }
Catawba County }

Probate of
John Herman's
Last Will

A paper writing purporting to be the Last Will and Testament of John Herman deceased, is exhibited before me, the undersigned Judge for said County by Arch Herman. His son-in-law. Therein named, and the execution thereof by the said John Herman is proven by the oath and examination of B. L. Little and B. H. Huffman the Subscribing witnesses thereto, who being duly sworn, each depose and say, and each for himself, clerk upon and say, that he is a consenting witness to a paper writing now shown him purporting to be the Last Will and Testament of John Herman. That the said John Herman, in the presence of this deponent subscribed his name to the end of said paper writing now shown him as aforesaid, and which bears date of 9th day of Nov 1880.

And the deponent further says that the said John Herman the testator aforesaid, did at the time of executing his now as aforesaid, declare to the said paper writing as aforesaid by him and exhibited to be his last will and testament. This deponent did thereupon subscribe his name at the end of said will as an attesting witness, that and at the request and in the presence of the said testator. And this deponent further says, that on the said time, when the said testator subscribed his name to the said last as aforesaid, and at the time of deponent's subscribing his name as an attesting witness thereto, as aforesaid, the said John Herman was of sound mind and 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 these deponents say not

B. L. Little Clerk
B. H. Huffman Clerk

Severally sworn and subscribed
This 3rd day of April 1886 before
me. P. A. H. 1886

Apprentice &c &c &c Appointments of Deputies

John Herman's Last Will and Testament -

North Carolina }
Catawba County }

1855

John Herman's
Last Will

I John Herman do make, publish and declare this to my last will and testament, as follows: First my intent to pay all my debts out of the personal estate. I will all the remainder of my property both real and personal to my beloved wife Mary C. Summit for the term of her natural life, and at her death it is my will that Mary C. Summit who now lives with me and my wife shall have all of said property both real and personal to have and to hold to her the said Mary, & her heirs forever.

Soastly I appoint my beloved wife Mary C. Summit my executrix of this my last will and testament.

In witness whereof I have this 10th day of January 1879 set my hand and seal.

In presence of us who in John Summit and presence of said John Summit & in presence of each other signed our names.

J. R. H. Smith,
W. P. Wilson

The execution of the foregoing paper writing purporting to be the last will and testament of John Herman, is duly proven by the oath and examination of J. R. H. Smith one of the Subscribing witnesses thereto, who says he signed the said paper writing at the request and in the presence of the said testator, and in the presence of the other Subscribing witnesses.

That the said testator subscribed his name or made his mark at the end of said will. That at the time deponent signed his name as an attesting witness, and at the time the testator signed his name, he the said testator 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 this deponent says not.

The handwriting of W. P. Wilson, the other Subscribing witness is proven by the oath and examination of J. M. Wilson who says the witness W. P. Wilson is dead, that he well knows his handwriting and that his the said W. P. Wilson's genuine signature appears as a Subscribing witness. The will is admitted to probate.

P. A. H. 1886