

I R. M. McKenzie 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 manner and form following, that is to say:

First. That my Executors (herein after named) shall provide for my body a decent burial suitable to the wish of my relations and friends and pay all funeral expenses, together with my just debts howsoever and whomsoever owing out of the moneys that may first come into his hands as a part or parcel of my estate

Item I give and devise to my daughter Ellen Shigman twenty acres of land to be her own during her natural life and at her death to descend to her bodily heirs.

Item I give and devise to my daughter Nancy McKenzie thirty acres of land of the tract upon which I now live, to be her own and at her disposal provided she die without bodily heirs and if she should at any future time have children born to her said lands at her death shall descend to said children. I also give and devise to said Nancy McKenzie the estate now owned by me, two good beds and bedsteads and one cow, the first choice of my cattle at my death.

Item I give and devise to my daughter Elvira McKenzie thirty acres of land of the tract upon which I now live to be her own and at her disposal provided she die without bodily heirs. But if she should at any future time have children born to her said lands at her death shall descend to said children. I also give and devise to said Elvira McKenzie the sewing machine now owned by me, two good beds and bedsteads and one cow, the second choice of my cattle at my death.

Item I give and devise to my daughter C. M. Burch, twenty acres of land of the land upon which I now live to be her own during her natural life, and at her death

to descend to her bodily heirs.

Item I give and devise to my son J. M. McKenzie twenty five acres of land of the tract upon which I now live to be his own during his natural life and at his death to descend to his bodily heirs.

Item I give and devise to Callie Cook and Mackey Cook children of my deceased daughter Julia Cook twenty acres of land, conditioned as follows: if either of my children desire to take said twenty acres of land and pay five dollars for each and secure the same with a good and sufficient note with interest at six per cent per annum from the time of my death until she said Callie Cook and Mackey Cook shall become of age they are hereby given the privilege of doing so. I also give and devise to said Callie Cook one cow or heifer if there be any left after Nancy McKenzie and Elvira McKenzie get their choices as devised to them in this will and if there be no cow left for her she shall have the amount of ten dollars in money.

Item I give and devise to my son William McKenzie twenty acres of land of the tract upon which I now live to be his own during his natural life and at his death to descend to his bodily heirs.

Item I give and devise to my daughter Susan Lofton twenty acres of land to be hers during her natural life and at her death to descend to her bodily heirs.

Item I give and devise to my son Robert McKenzie twenty five acres of land of the tract upon which I now live, to be his own during his natural life and at his death to descend to his bodily heirs if any and if he die without children said land shall descend to his widow if he leave one and shall be to her use and benefit during her widowhood and at her marriage or death said lands or the proceeds thereof shall be equally divided among the balance of my children or their heirs. I also give and devise to said Robert McKenzie any part of the

smith tools

Item. I give and devise to my son Frank M. Kenzie thirty five acres of land of the tract upon which I now live to be his during his natural life, and at his death to descend to his bodily heirs if he have any, and if not to descend to his widow if he leave one and to be to her use and benefit during her widowhood or natural life and at her marriage or death as the case may be said lands or the proceeds thereof shall be equally divided among the balance of my children or their heirs.

Item. The lands which I have devised to Ellen Sigman shall be subject to sale under the same conditions as the lands devised to Cattie Cook and Mackey Cook and the money shall be equally divided among her children.

Item. The lands devised to Susan Lofton shall be laid off adjoining the lands of Alexander Lofton.

Item. The lands devised to Nancy M. Kenzie and Elvira M. Kenzie shall be laid off so that one of the lots shall include the dwelling and out houses where I now live and the other lot to adjoin the same.

Item. The three lots above mentioned and also the lot devised to R. M. M. Kenzie shall be laid off in a desirable shape so as to leave the balance of the land in good shape, and to that purpose and end the parties claiming under this will shall pick two disinterested men agreeable to all parties concerned to go upon the said lands with a surveyor & set out in miles and bounds all the lots of land agreeable to the requirements of this will and if the two men upon whom they pick fail to agree as to the laying off of said lands these two men shall pick a third disinterested man to assist them in the same.

Item. I give and devise to James Cook the sum of one dollar.

Item. All lands not devised already in this will and all personal property left at my death shall be equally divided among my children. And lastly I do hereby constitute and appoint my trusty friend J. L. Bundy my lawful

Executor to all intents and purposes to execute this my last will and testament according to the true intent and meaning of the same and every part and clause thereof hereby revoking and declaring utterly void all other wills and testaments by me heretofore made.

In witness whereof I the said R. M. M. Kenzie do hereby set my hand and seal this the 2^d day of June A.D. 1891. R. M. M. Kenzie (Seal)

Signed sealed published and declared to be the said R. M. M. Kenzie to be his last will and testament in the presence of us who at his request and in his presence do subscribe our names as witnesses thereto.

E. H. Bundy
Sarah E. Bundy } witnesses

State of North Carolina } ss In the Superior Court
Catawba County }

A paper purporting to be the last will and testament of R. M. M. Kenzie deceased, is exhibited before me the undersigned Clerk of Court for said County by J. L. Bundy the executor therein mentioned and the due execution thereof by the said R. M. M. Kenzie proven by the oath and examination of E. H. Bundy and Sarah E. Bundy the subscribing witnesses thereto, who being duly sworn doth depose and say, and each for himself depose and say that he is a subscribing witness to the paper writing now shown him purporting to be the Last Will and Testament of R. M. M. Kenzie; that the

said R. M. M. Kenzie, in the presence of the deponent, subscribed his name at the end of the said paper writing now shown as aforesaid, and who doth bear the date of the 2^d day of June 1891. And the Deponent further saith that the said R. M. M. Kenzie the testator aforesaid did at the time of subscribing his name as above said declare the said paper writing as subscribed by him and exhibited to be his Last Will and Testament, and the 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 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 the said R. M. M. Kenzie was of sound mind and memory, of full age to execute a will and never went under any restraint to the best of his knowledge or belief of this deponent, and further these deponents say not.

E. H. Bundy (Seal)
Sarah E. Bundy (Seal)

Solemnly sworn and subscribed
before me this 26th day of Sept. 1895

J. W. Rockett
Clerk Superior Court