

In the name of God, Amen:

I, I. Newton Sherrill of the County of Catawba and the State of North Carolina, being weak in body, and sound mind, memory and understanding praise be God for the same, do make this my last Will and Testament in manner and form following:-

I give, devise and bequeath unto my son I. Erley Sherrill, his heirs and assigns forever all of that piece of land where he now lives described as follows:-

BEGINNING at a red-oak corner on the road near where Waits Sherrill now lives being a corner between Frank Connor and myself; thence from said corner to Albert Sherrill's corner on beaver dam branch; thence with Lee McCorkle's line; thence to Jas. Connor's line runs with James Connor's line to Frank Connor's corner; thence with Frank Connor's line to the beginning.

NOW the condition of this my last Will is that I. Erley Sherrill shall pay to my son Jason Sherrill's heirs the sum of Two hundred (\$200.00) Dollars at the death of myself and wife, Martha Jane, then this to be the only claim of Erley and Jason's heirs on my real estate.

IN WITNESS WHEREOF, I, the said I. Newton Sherrill, do hereunto set my hand and seal, this the 16th day of March 1899.

I. N. Sherrill (Seal)

Signed, sealed, published and declared by the said I. Newton Sherrill to be a codicil or part of his last Will and Testament in presence of us who at his request and in his presence, and in the presence of each other, do subscribe our names as witnesses thereto.

W. A. Gabriel,)
I. M. Jones,) WITNESSES.

Codicil in the handwriting of the testator attached to this will changes Item 6. As to the devise the cutting land mentioned there in (in stead of one half) to Mary C. Lutz. R. A. Setzer

State of North Carolina,

Catawba County.

I, Reuben Setzer, of Newton, of the county and state aforesaid, 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:-

1. That my Executor (hereinafter named) shall provide for my body, a decent burial, suitable to the wishes of my relatives and friends, to pay all funeral expenses, and shall erect over my grave, and the grave of my wife, Lavina Setzer, after she shall have died, suitable tomb-stones and that he shall pay all the expenses of the same, as well as the funeral expenses, out of the monies that shall first come into his hands as a part and parcel of my present estate. He shall also pay out of such monies coming into his hands all my just debts, however and to whomsoever owing:-

Item 1. I give and devise to my beloved wife the house which she and I now occupy and so much of the surrounding premises as she may desire, to be held by her during her natural life. After the death of my wife the above named house and premises shall be the property of my son, Q. A. Setzer, subject to the same conditions as the other real estate I give to him as named in this will:-

Item 2. I give and bequeath to my wife such use of the live cattle as she may desire:

Item 3. I give And bequeath to my wife all my household affects absolutely.

Item 4. I give and bequeath to my daughter, Mary C. Lutz, wife of Sidney J. Lutz, a tract of land situated east of Newton, and on the left side of the public road leading from Newton to St James Church, stopping with the creek, adjoining the land of David Setzer, Levi Plonk and others, to have and to hold to her and her heirs in fee simple forever.

Item 5. I give and bequeath to my daughter, Mary C. Lutz, the house which she now occupies, and the lot upon which it stands, also I give her all the land which I now own in Newton, situated north of the street running between my dwelling and the dwelling which she now occupies, except the 1-2 acre lot which is now occupied by Geo. F. Lutz, to have and to hold to her and her heirs in fee simple forever

Item 6. I give and bequeath to my daughter, Mary C. Lutz one half of the lot bounded as follows:-

By main street by the old lane leading from my house across to college street; by the lots of Sidney Deal and J. F. Herman, and by the street on the north to have and to hold to her and heirs in fee simple forever.

Item 7. I give and bequeath to my son, Quincy A. Setzer all the land which I own situated along the C. & L. R. R. on the east side of the creek, called

creek, including the old Setzer house place, north of the public road, running from Newton to St James Church, to have and to hold to him and his heirs in fee simple forever, (The creek shall be the line).

Item 8. I give and bequeath to my son Quincy A. Setzer, the tract of land upon which my dwelling, now stands, with dwelling and allout houses, except the life estate of my wife devised in a former item of this my Will, bounded on the east by college street, on the north by the old lane leading from my house to college street, a short distance by main Street also on the north by the street running between my house and that occupied by my daughter, Mary C. Lutz on the west by the lands of J. C. Clapp, and on the south by the lands of Alex Summit, Deceased, Catawba College and J. A. Foil, to have and to hold to him his heirs in fee simple forever.

Item 9. I give and bequeath to my son, Quincy A. Setzer, to have and to hold to him and his heirs in fee simple forever two-thirds of all other lands I now own in and near Newton, N. C., and to my daughter, Mary C. Lutz one-third of the lands described in this item to have and to hold to her and her heirs in fee simple forever.

Item 10. I give and bequeath to my son, Quincy A. Setzer, to have and to hold to him and his heirs in fee simple forever, thirty-five acres of my plantation known as the W. R. Self place; and I give and bequeath to my daughter, Mary C. Lutz, to have and to hold to her and her heirs in fee simple forever twenty-five acres of the lands described in this item.

Item 11. I give and bequeath to my grand-son, Geo. F. Lutz, the one-half acre lot upon which his house now stands, and which is occupied by him, in doing this it is my will that he shall not be authorized to dispose of the said lot without the consent of his mother.

Item 12. My will and desire is that my son, Quincy A. Setzer in accepting the bequests herein made give or bequeath at his death out of the lands bequeathed to him in this Will, ten acres of land to each of his children by his present wife; but that they shall not be allowed to barter or agree to sell their interests in these lands to anyone, before they shall come into full and legal possession of the same.

Item 13. My Will and desire is that my daughter, Mary C. Lutz in accepting the bequests herein made give or bequeath at her death out of the lands bequeathed to her in this will, ten acres of land to each of her children; but that they shall not be allowed to barter or agree to sell their interest in these lands to any one before they shall have come into full and legal possession of the same.

Item 14. My will and desire is that my son Q. A. Setzer shall give to my

wife without charge for four years after my death a comfortable support, including Doctor's bills, etc. that after the expiration of four years should my wife be still living, it is my will and desire that my daughter, Mary C. Lutz shall bear one-half of the above mentioned expenses. In case either Q. A. Setzer or Mary C. Lutz should fail to perform the above mentioned duties, it is my will and desire that my wife be allowed her one third interest in all estate.

Item 15. It is my Will and desire that neither Q. A. Setzer nor Mary C. Lutz shall be allowed to bring any claims against my estate for services rendered in the way of board and other like things.

Item 16. It is my will and desire that if either Q. A. Setzer and Mary C. Lutz have contracted debts of which I am security he or she as the case may be shall pay such debts out of his or her own property.

Item 17. It is my will and desire that there be no sale made of any of my property and that the mule now in my possession be the property of my son Q. A. Setzer.

Item 18. It is my will and desire that no claims be brought by my estate against Mary C. Lutz or Sidney Lutz for money borrowed by them of me to pay Daniel Finger for land bought of him.

And lastly, I do hereby constitute and appoint my trusty and beloved son Quincy A. Setzer, 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.

IN WITNESS WHEREOF, I, the said Reuben Setzer do hereunto set my hand and seal this 13th day of March, A. D., 1897.

Reuben Setzer, (Seal)

Signed, sealed, published and declared by the said Reuben Setzer 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.

WITNESSES:

J. A. Foil.
Crawford Clapp.