

State of North Carolina }
Catawba County }

I, S. M. Finger, of Catawba County, North Carolina, being of sound mind and memory and knowing the uncertainty of life and the certainty of death do make this my last Will and Testament in manner and form as follows:—

Item 1. It is my will that my executors provide in the plot of ground in the Newton Cemetery wherein my father's remains lie a decent burial for my body, and that of my beloved wife, and mark the spot by a suitable stone or stones and surround the said plot by curb stone or stone posts and chain, if that shall not have already been done, and that they pay all my just debts.

Item 2. It is my will that my executors keep all my estate together as far as may be possible and manage it as long as my beloved wife, S. H. Finger, shall live, and that she shall have the profits arising therefrom so long as she shall live; and in the event the profits shall not support her in comfort then a sufficiency of the estate to support her shall be converted to her use. The said use of the profits is subject to other provisions of this will.

Item 3. If at my death I should be indebted to Catawba College or to my sister Mrs. Mary J. Fry, it is my will that, if these creditors consent thereto, the interest only be paid on their claims, and that the principal be not paid until after the death of my wife. These interest payments to be paid out of profits.

Item 4. After my death and that of my beloved wife, my executors or those of them who may then be living shall distribute my estate as follows:—

(a) My corner brick store house and ware house and the lot on which they are situated in Newton to Grace Reformed Church in Newton, M. C. to be used for pastors salary, but only the income to be expended. One fourth of income may be used for other purposes.

(b) Five hundred dollars to the Classis of the Reformed Church of North Carolina to be used for home missions.

(c) Five hundred dollars to the Classis of the Reformed Church of North Carolina to be used for foreign missions.

(d) Five hundred dollars to my sister Mrs. Mary J. Fry, if she be living.

(e) Five hundred dollars to my niece Lucy Fry if she be living.

(f) Five hundred dollars to my half-sister Mrs. Billy Leonard, if she be living, if not, then to the heirs of her body, equally to those living.

(g) Five hundred dollars to my nephew Sidney Finger Leonard, if he be living.

(h) Five hundred dollars to my sister Caroline Bow if she be living; if not, then to the heirs of her body then living.

(i) Five hundred dollars to the children of said Caroline Bow, to be equally divided between those of them who may ^{then} be living.

(j.) Three thousand dollars to such person or persons as my beloved wife may indicate by her will. For this amount, without interest, she holds my note payable out of my estate after both her death and mine. The enforcement of this provision shall cancel the said note, it being my intention that she shall have at her disposal absolutely only three thousand dollars to be taken out of my estate after the death of both myself and that of my wife.

Item 5. It is my request that my wife

keep^{up} at a subscription of seventy-five dollars annually to the salary of the Pastor of Grace Reformed Church in Newton so long as services be held in said church every Sunday.

Item 6. It is my will that the foregoing bequest be paid out of such funds as my executors may raise by public or private sale of property, or by the transfer of stock or property at fair valuation as may be agreed upon; so likewise they may pay any debts in like manner.

Item 7. All the balance of my estate I bequest to the Trustees of Catawba College, but upon the condition that the bona fide endowment fund of said Institution shall, within one year after my death and that of my wife, reach at least thirty-five thousand dollars not including this bequest, and upon the further condition that any amount I may be due the Trustees by subscription to the endowment fund or otherwise shall be cancelled and released. All this balance may be paid in real estate, money or stock, as may be deemed advisable by my executors, and it shall be by them and the Trustees valued at a fair valuation and the sum total shall be carried by the Trustees as a separate fund and the proceeds thereof used for the endowment of a professorship. In case there should be a disagreement as to whether the endowment has reached thirty-five thousand dollars in solvent subscriptions or in cash, then it shall be settled by arbitration, and the executors shall have the option to extend the time so as to allow two years instead of one for the fund to reach the thirty-five thousand

Item 8.

dollars if the Trustees so request. In case this bequest to the Trustees of Catawba College becomes void because of the failure of compliance by them with one or both of the conditions mentioned in item (7) seven, then it shall be an "Education and Library Fund" for the benefit of the white people of the town of Newton. My executors, for the purpose of carrying into effect this provision, shall appoint five persons, members of the Reformed Church in Newton, one of whom shall be Samuel L. Rhynes, if then living, who shall become an incorporation under the name of the "Trustees of the Finger Education and Library Fund". These Trustees of this trust fund shall have power under the act of incorporation to fill vacancies in their body, and they shall have power to manage this fund for the education of the white people of Newton as they may think best either in schools or by establishing a library, one or both; and they are hereby requested to use only the income of this fund, which my executors are to turn over to them in cash or property. I enjoin upon these Trustees no details of management, but request that they make the trust as effective as possible by enlisting the help of the citizens of the town by contributions to the fund.

Item 9.

If it shall be shown that advances have been made on any bequest, they shall be deducted.

Item 10.

I hereby appoint my trusty friend and nephew Samuel L. Rhynes, and my beloved wife Sarah H. Finger as executors and executrix of this my last will and Testament, and I will that they take five percent (5%) of all money they pay

and whether for profits made or on bequests paid, and also on the value of property bequeathed to beneficiaries in this will and on stocks and bonds transferred when not converted into money - to be deducted from the bequests.

I do make public, and declare the contents of the foregoing six pages my last will and Testament, in witness whereof I set my hand and seal this 12th day of March, 1876.

S. M. Finger. *(Seal)*

North Carolina, } Superior Court
Catawba County } Before the Clerk.

Personally appeared before me, J. W. Rockell, Clerk of the Superior Court of said County, S. L. Rhyme, who being duly sworn says the paper-writing hereto attached, purporting to be the Last Will and Testament of Sidney M. Finger, deceased, was found among the valuable papers of the said Sidney M. Finger.

Also personally appeared J. B. Little, J. T. Smyre & E. P. Shrum, who being duly sworn say that they are acquainted with the hand-writing of the said Sidney M. Finger, having often seen him write, and that they verily believe that the said paper-writing, hereto attached as aforesaid and every part thereof, together with the name of Sidney M. Finger, thereto subscribed, is in the hand-writing of the said Sidney M. Finger.

S. L. Rhyme

J. B. Little

J. T. Smyre

E. P. Shrum

(Seal)
(Seal)
(Seal)
(Seal)

Sworn to and subscribed
before me this January the 8th 1877.

J. W. Rockell.

North Carolina } In the Superior Court
Catawba County } Before the Clerk.

A paper-writing without attesting witnesses purporting to be the Last Will and Testament of Sidney M. Finger deceased, is exhibited for probate before the Clerk of the Superior Court for Catawba County, and it is thereupon proved by the oath and examination of S. L. Rhyme that the said paper-writing was found among the valuable papers and effects of the said S. M. Finger.

It is further proved by the oath and examination of J. T. Smyre, E. P. Shrum and J. B. Little creditable witnesses, that the said paper-writing and every part thereof together with the name of the said Sidney M. Finger subscribed thereto is in the hand-writing of the said Sidney M. Finger.

It is therefore adjudged that the said paper-writing is the Last Will and Testament of Sidney M. Finger, and the same is ordered to be enrolled as such.

Witness my hand this the
8th day of January, 1877.
J. W. Rockell,
Clerk Superior Court.