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 I, William Caldwell, 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, (hereafter
 named) shall provide for my body a
 decent burial, suitable to the wishes of my
 relatives and friends, and pay all fu-
 neral expenses, together with my just
 debts, however and to whomsoever owing
 out of the monies that may first come
 into his hands as a part or parcel of
 my estate.

Item, I give and bequeath to my
 eldest son John D. Caldwell the sum
 of fifty dollars to be paid by my ex-
 ecutors within one year from the time
 of my death, to have and to hold
 the same to him and his executors and
~~administrators~~ and assigns, to his and
 their use and behoof forever.

Item, I give and devise to my son
 William Caldwell fifty acres of land,
 whereon he now lives, described as follows,
 beginning at a chestnut stump on
 the southwest corner of my farm and
 running in an easterly direction with
 the old line across the Buffalo Shoal
 Road to the junction of the first cross
 fence. Thence with said cross fence to the
 Buffalo Shoal road, thence running in
 a north easterly direction with said road
 to the first branch south of my residence,
 thence up said branch far enough so
 that a line drawn to my western line
 will include the afore said tract of fifty
 acres, to have and to hold to him and
 his heirs in fee simple, forever.

Item I give and devise to my youngest
 daughter Adeline wife of J. C. Campbell
 forty acres of land, described as follows:
 beginning at the western junction of my
 son William's line with the old line, (as it
 is established according to the above bequest)
 and running in a northeasterly direction
 with his line to the first branch, thence in
 a northerly or such a direction and to such
 a point as to include the building in
 which she now lives together with the
 aforesaid forty acres, to have and to
 hold to her and her heirs in fee simple,
 forever.

Item I give and devise to my eldest
 daughter Mary Caldwell forty acres of
 land laying on the northeastern side
 of my daughter Adeline's tract as de-
 scribed in the above bequest and on the
 northern side of my farm, to be run
 off so as to include the aforesaid forty
 acres to have and to hold, to her and
 her heirs in fee simple, forever.

Item I give and devise to my young-
 est son Levi Caldwell the remainder
 of my real estate amounting to about
 one hundred and ten acres, whereon
 I now live, to have and to hold to
 him and his heirs, in fee simple,
 forever, on condition that he takes
 care of and provides a home for his
 mother during her lifetime.

Item My will and desire is that all the
 residue of my estate after taking out the
 debts and legacies above mentioned,
 shall be sold and the moneys owing to me
 collected; and if after so doing there
 should be any surplus over and above
 the payment of debts, expenses, and
 legacies, that such surplus shall be equal-
 ly divided, and paid over to all my
 children, in equal proportion, share and
 alike to them and each and every

of them their executors, administrators,
and assigns, absolutely forever.
And lastly, I do hereby constitute and
appoint my sons William and Levi Caldwell
my lawful executors, 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 rec-
cording and declaring utterly void all
other wills and testaments by me heretofore
made.

In witness whereof I the said William
Caldwell do hereunto set my hand and
seal this 10th day of August A.D. 1875.

Witness, sealed, published, and declared
by the said William Caldwell 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 wit-
nesses thereto.

Wesley Lantry
Willie R. Sealsbury.

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

A paper writing purporting to be the
last will and testament of William
Caldwell, deceased, is exhibited before
me, the undersigned, P. A. Hoyle Clerk
of the Superior Court in and for said County,
by W. C. Caldwell & L. J. Caldwell, the ex-
ecutors therein named, and the due execution
thereof by the said William Caldwell is
proven by the oath and examination of
W. H. Lantry one of the subscribing witnesses,
thereto, who being duly sworn, doth depose and
say and each for himself that he is a
subscribing witness to the paper writing now
shown him, purporting to be the last will
and testament of Wm Caldwell, That the

said Wm Caldwell in the presence of this depo-
nent subscribed his name at the end of said
paper writing which is now shown as afo-
said, and which bears date on the 10 day
of August 1875. (or did in the presence of
this deponent acknowledge the signing the
said paper writing.) And the deponent
further saith that the said William
Caldwell the testator aforesaid, did at
the time of subscribing his name as
aforesaid, declare the said paper writ-
ing 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 testa-
tor subscribed his name to the said
last will and testament as aforesaid,
and at the time of the deponent's sub-
scribing his name as an attesting
witness thereto, as aforesaid, the said
William Caldwell 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 and, Severally sworn and
subscribed this 6 day
of February, before me

P. A. Hoyle
C. J. C.

North Carolina Catawba County } Superior Court,
Feb. 6 1876 }
L. J. Caldwell being sworn says he is acquainted with the hand
writing of W. H. Lantry one of the subscribing witnesses to the
aforesaid paper writing, and that he truly believes the
signature of the said William R. Sealsbury is his genuine
signature. He further says, that he believes William
Caldwell's genuine signature appears at the end of
this paper writing, L. J. Caldwell.