

North Carolina, I have County.

I James M. West of the aforesaid County and State, being of sound mind, but considering the uncertainty of my earthly existence, do make and declare this my last will and testament.

First, my executor, hereinafter named, shall give my body a decent burial, suitable to the wishes of my friends and relations, and pay all funeral expenses together with all my just debts out of the said money which may come into his hands, belonging to my estate.

Second - I give and devise to my beloved wife one bay mule 4 years old with the \$12⁰⁰ I heretofore have advanced.

Third - My will and devise is that all my estate shall be sold, and the debts owing to me collected, and if there should be any surplus over and above the payment of debts, interest, and legacies, that said surplus shall be equally divided and paid over to my heirs at law.

Fourth - I give and devise to my wife, Eliza L. Watson's heirs, Wade West, John Brown, Philmore West, Maria West's heirs, Ezra Turner, Levi Kern, Missouri West in equal proportion, share and share alike.

I hereby constitute and appoint my trusty friend D. E. Nelson, 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 renouncing and declaring utterly void, all other will testaments by me heretofore made.

In witness whereof, I the said James West, do hereunto set my hand and seal.

This the 8 day of March 1907.

Signed, sealed, published and declared by the said James M. West 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.

Witness:

J. R. Postell
D. E. Nelson

State of North Carolina.

Shelby County, } ss. In the Superior Court.
I Peter writing, subscribing to be the last will and testament of James M. West deceased, is exhibited before me, the undersigned Clerk of the Superior Court for the said County, by D. E. Nelson, executor thereof mentioned, and the one declaration thereof by the said James M. West is proved by the oath and affirmation of J. R. Postell and D. E. Nelson, the subscribing witnesses thereto, who being duly sworn deposes and says for themselves that they are the subscribing witnesses to the paper writing now shown them purporting to be the last will and testament of James M. West in the presence of these deponents. Subscribed his name at the end of said paper writing now shown as aforesaid and which bears date of March 8th 1907, and the deponents further say that the said James M. West the testator of aforesaid did at the time of subscribing his name as aforesaid declare that said paper writing is subscribed by him and exhibited to be his last will and testament, and these deponents did therefore subscribe their names at that end of said will as attesting witnesses thereto, and at the request and in the presence of the said testator, and these deponents further say that at the time when the said testator subscribed his name to the said last will as aforesaid, and at the time of deponents subscribing their names as attesting witnesses thereto as aforesaid, the said James M. West 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 these deponents, and further these deponents say not.

(Signed) J. R. Postell,
D. E. Nelson.

Sworn and subscribed to before me this the 8th day of Feb'y. 1907.

Probate fees \$0.00

A. A. Fain
Clerk Superior Court.