

This the 27th day of June 1899
C. C. Cornwell
Clerk superior court.

State of North Carolina }
Gaston County }

In the matter of the last will
and testament of August Farley decd. }

The petition of Janette Farley respectfully shows: -

That Augustus Farley, late of Gaston County, died
in the month of June, 1899 leaving a paper-writing
which purports to be his last will and testament; that
in said paper-writing Jacob Jenkins and Janette
Farley are named as executor and executrix thereof;
that the said Jacob Jenkins has declined to qualify
as executor and his renunciation is filed herewith.
The petitioner further shows that the said Janette
Farley is the widow of the said Augustus Farley and
she produces the said paper writing in Court and
asks that it be admitted to probate.

Your petitioner further says that the subscribing witnesses to the said paper writing are non residents of Gaston County and are residents of the counties of New Hanover and Brunswick, which are more than seventy five miles from the town of Dallas, and to the end that the said paper writing may be probated, your petitioner prays that a commission ~~may~~ be issued by the Court directing ~~that~~ a suitable person to take the deposition of said subscribing witnesses. That the said Augustus Farley at the time of his death, owned real and personal property of the value of about \$10,000⁰⁰, consisting of \$4000⁰⁰ of the stock in the Dallas Cotton Mill, and \$3500⁰⁰ in notes and about \$2000⁰⁰ in real estate; that the parties entitled as legatees under said paper writing, are as follows:

Jeanette Farley, August Switz, Johannah Mockner, Jimmie Nantz, August Abernethy, Cleveland Nantz, John Nantz, Della Nantz, Henry Switz, Augusta Willenwaver, Ada Ferguson, Laura Nantz (married Dave Edwards) Amanda Nantz (married Sherrill) Ida Nantz, married Lee Abernethy) Richard Nantz (minor) Annie Nantz (infant)

Witness-

F. L. Carpenter }
 Ephie Putnam }

J. S. Farley.

Julius Putman }

North Carolina }
Gaston County }

The due execution of the foregoing instrument was
this day proven before me by the oath and examination
of F. L. Carpenter the subscribing witness thereto
Witness my hand, this 29th day of June 1899.
W. B. Cornwell C. J. C.

State of North Carolina }
Gaston County }

In the Matter of the last will and }
testament of Augustus Farley, dec'd }

To Thos. W. Alexander, Greeting;
It appearing to the Court that Augustus Farley, late
of Gaston County, is dead and that he left a paper
writing purporting to be his last will and testa-
ment which paper writing has been offered for
probate in this County and it further appearing
that the witnesses to said paper writing, to wit,

Dr. D. J. Watson & Robert Davis, residents of Brunswick
 County and John Cramer, a resident of New Han-
 over County; Now, you are hereby empowered to
 cause to come before you in the City of Wilmington
 or in the town of South Port, N. C., at such time
 as shall be convenient, the said Dr. D. J. Watson,
 Robert Davis and John Cramer, and they to examine on
 oath upon the interrogatories and cross interrogatories
 hereto annexed, and touching all they may know of
 and concerning the execution of said paper writing
 which purports to be the last will and testament of Augustus
 Farley; their evidence you shall reduce to writing; you
 will return this commission and interrogatories and the
 evidence of the witnesses, together with a certificate under
 your hand and seal of when and where and how you
 shall have executed the power, sealed in an envelope
 and directed to the Clerk of the Superior Court of
 Gaston County at Dallas, N. C. You will endorse on
 the envelope the name of the case.
 Witness C. C. Cornwell Clerk of the Superior } C. C. Cornwell
 Court of Gaston County and seal of said } C. S. C.
 Court, issued this 29th day of June, 1899.

State of North Carolina }
Gaston County }

In the Matter of the last will and }
testament of Augustus Farley, dec'd }

Interrogatories to be propounded to W. W. Z. Watson,
Robert Davis and John Cramer, the witnesses to a paper
writing which purports to be the last will and testament
of Augustus Farley.

1st
Interrogatory,
2nd Interrog.

What is your name and age, and where do you reside?

Were you acquainted with Augustus Farley now deceased,
if so state whether you saw the said Augustus Farley
sign the paper writing which is exhibited to you and
which purports to be the last will and testament of the
said Augustus Farley?

3rd Interrog.

Did you sign the said paper writing as a subscribing
witness thereto in the presence of the said Augustus
Farley and at his request?

4th Interrog.

If you state that you saw the said Augustus Farley
sign the said paper writing and that you at

5th Interrog.

his request signed your name as a subscribing witness thereto, state when and where the signing was done?

6th Interrog.

In your opinion, was the said Augustus Farley of sound mind and memory at the time he executed said instrument of writing?

In your opinion, what was the mental condition of the said Augustus Farley at the time of the execution of the said paper writing?

Osborne Maxwell & Eccards,
Attys.

State of North Carolina
New Hanover County

In the matter of the paper writing purporting to be the will of August Farley, -

Pursuant to the annexed commission to me directed, I, Thomas W. Alexander, under the authority thereof, on the 1st day of July 1899, at the office of the Court House in the City of Wilmington N.C. proceeded to take the depositions of Mr. W. S. Watson, and John B. Cramer, who being first duly sworn to speak the truth concerning the said paper writing, say as follows:

1st Interrog.

Mr. W. S. Watson being duly sworn deposes & says:

What is your name, age, & where do you reside & what

- 1st Interrog. What is your name, age, & where do you reside & what is your occupation?
- Answer. My name is D. D. Watson; age 43; reside at Southport, Brunswick County N.C.
- I am a practicing physician for 17 years.
- 2nd Interrog. Were you acquainted with August Farley now deceased, if so, state whether or not you saw him, the said August Farley, sign the paper writing which is exhibited to you & which purports to be the last will and testament of the said August Farley?
- Answer. I was acquainted with said Farley and was his physician in part while in Southport N.C. I saw him sign the writing which is exhibited to me.
- 3^d Interrog. Did you sign said paper writing as a subscribing witness thereto, in the presence of the said August Farley & at his request?
- Answer. I wrote the said paper writing & at his request & in his presence signed the same.
- 4th Interrog. If you state that you saw the said August Farley sign the said paper writing & that you at his request signed your name as a subscribing witness thereto: state when & where the signing was done?
- Answer. At the house of Capt. Simon Davis, Cor. Potts & West sts.,

40
Southport N.C., on the 4th day of August 1894.

5th Interrog. In your opinion, was the said August Farley of sound mind and memory at the time he executed said instrument of writing?

Answer No; he was not.

6th Interrogatory In your opinion, what was the mental condition of the said August Farley at the time of the execution of the said paper writing?

Answer He was insane.

H. S. Watson M.D.

Sworn to and subscribed before me, this the 1st day of July 1899.

Thomas H. Alexander
Commissioner

Mr John B Cramer being duly sworn deposes and says:

1st Interrogatory What is your name, age + where do you reside and what is your occupation?

Answer. John B Cramer, age 25, Wilmington N.C. I am a Druggist.

2nd Interrogatory Are you acquainted with August Farley, now deceased, if so, state whether or not you saw the said August Farley sign the paper writing which is exhibited to

Harley sign the paper writing which is exhibited to you and which purports to be the last will and testament of the said August Harley?

Answer I knew said Harley. I saw him sign the paper writing above mentioned & which is exhibited to me.

3^d Interrog. Did you sign the said paper writing as a subscribing witness thereto, in the presence of the said August Harley & at his request?

Answer I did.

4th Interrog. If you state that you saw the said August Harley sign the said paper writing & that you at his request signed your name as a subscribing witness thereto. State when and where the signing was done?

Answer The signing was done at the residence of Capt. Simon Davis on the Cor. of Potts and West St. in Southport N.C. on the 4th day of August 1874.

5th Interrog. In your opinion, was the said August Harley of sound mind and memory at the time he executed said instrument of writing?

Answer I believe him to have been of unsound mind.

6th Interrog. In your opinion, what was the mental condition of the said August Harley at the time of the execution of the said paper writing?

Answer. Insane.

Sworn to and subscribed before me, this 1st day of July 1899.

John B. Cramer.

Thos. W. Alexander,
Commissioner

North Carolina
New Hanover County }

In the Matter of the paper writing purporting to be the will of August Turkey.

Pursuant to the annexed Commission to me directed, I Thos. W. Alexander, under the authority thereof on the 3rd day of July 1899, at the office of the Orton House in the city of Wilmington, N.C. proceeded to take the deposition of R. W. Davis Jr. who being first duly sworn to speak the truth concerning the said paper writing, says as follows;

R. W. Davis Jr. being first duly sworn deposes and says: -

Interrog.

What is your name, age, where do you reside & what is your occupation?

Answer

R. W. Davis Jr.; 25 years old; Southport; Postmaster.

2nd Interrog.

Were you acquainted with August Farley, now deceased, if so, state whether or not you saw him, the said August Farley, sign the paper writing which is exhibited to you & which purports to be the last will and testament of the said August Farley?

Answer

I was acquainted with him. I signed the said paper writing which is exhibited to me.

3rd Interrog.

Did you sign said paper writing as a subscribing witness thereto in the presence of the said August Farley & at his request?

Answer

I did.

4th Interrog.

If you state that you saw the said August Farley sign the said paper writing, & that you at his request, signed your name as a subscribing witness thereto; state where and when the signing was done?

Answer

It was signed at the residence of Capt. Simon Davis, Cor. of Falls & West Sts., Southport N.C., on Aug. 4th 1894.

5th Interrog.

In your opinion, was the said August Farley of sound mind & memory at the time he executed

Answer said instrument of paper writing?
I do not believe he was.

Interog. 6th In your opinion, what was the mental condition of the said August Farley at the time of the execution of the said paper writing?

Answer In my opinion he was insane.

Robert W. Davis Jr.
Sworn to and subscribed before me, this 3rd day of July 1897.

Thos. H. Alexander,
Commissioner.

North Carolina }
County of Brunswick }

Will of
August Farley.

I, August Farley of Gaston County, State aforesaid being of sound mind and memory do make, publish and declare this to be my last will and testament in the presence of good men whose names are hereto subscribed as witnesses.

1st. I desire that all my just debts, if any, shall be paid by my executor and executrix hereinafter named out of the first money which may come into

out of the first money which may come into
their hands.

2nd.

I give and devise to my beloved wife Jeanette, the
house and lot in the town of Stanley Creek, N.C.
in which I now live and also the forty (40) acre tract
of land I now own lying partly within the corporate
limits of said town of Stanley Creek, N.C. adjoining
the lands of Charles Smith and others to have and to
hold the same for and during the time of her natural
life, and after her death it is my will and desire
that said real estate shall be and become the property
of my nephew August Surig to have and to hold to
him and his heirs forever.

3rd.

It is my will and desire that no green wood be cut
from the above mentioned forty (40) acre tract, during the
life of my wife and it is further my will and desire
that my house and lot above mentioned be kept in
good repair by my executor and executrix during the
life of my said wife.

4th

I bequeath to my said wife Jeanette One Thousand (\$1000.⁰⁰)
Dollars of the stock I now own in the Dallas Cotton
Mill, an incorporate Company, doing business in
in the town of Dallas N.C. and also One Thousand

Dollars in money to be collected out of any notes I now hold on various persons; but if my said wife should prefer to take the notes themselves, then it is my will that my executor and executrix turn over to her within thirty days after my death, notes to the amount of One Thousand Dollars instead of collecting the money on them and paying it over to her; It is further my will that said Dallas Cotton Mill stock be turned over to her within thirty days after my death. The said Dallas Cotton Mill stock and the said One Thousand Dollars in money or notes to be the property of my wife for and during the time of her natural life, and at her death to be disposed of as hereinafter directed.

5th

I give and bequeath to my said nephew, August Surig Two Thousand Dollars of said Dallas Cotton Mill stock. The above said stock to be delivered by my executor and executrix to the said August Surig within thirty days after my death to have and to hold to him and his heirs forever.

6th

I give and bequeath to my nephew, Henry Surig of Hanover, Germany, the sum of one Thousand Dollars of said Dallas Cotton Mill stock to have and to hold to him and his heirs forever.

7th

I give and bequeath to my sister Johanna Spelmer

him and his heirs forever.

7th

I give and bequeath to my sister Johanna Wetner of the province of Hanover, Germany the sum of Six Hundred (\$600⁰⁰) Dollars to be paid to her by my executor and executrix monthly in sums of ten (\$10⁰⁰) Dollars each month, but if my said sister should die before all of said sum of Six Hundred (\$600⁰⁰) Dollars should be paid to her as above directed, then the balance thereof shall fall back into my estate and be disposed of by my executor and executrix as hereinafter directed.

8th

I give and bequeath to my nephew, Henry Junig of the province of Hanover, Germany, after the death of my wife the One Thousand Dollars of Dallas Cotton Mill stock hereinbefore willed to her for life.

9th

I will and bequeath to Junius Nantz son of William Reeves Nantz the sum of Three Hundred Dollars to be paid him after the death of my wife. Should Junius Nantz die before my wife, the above sum of Three Hundred Dollars shall be equally divided between the other four (4) children.

10th

I give and bequeath to August Abernethy the sum

of Five Hundred (\$500⁰⁰) Dollars, to be his when he arrives at full age 21 years or having married and begot children in either of which events the above said sum shall be paid.

11th I give and bequeath to Cleveland Nantz, son of John X Nantz, the sum of Five Hundred (\$500⁰⁰) Dollars to be paid him when he arrives at full age 21 years, or marries and has begotten children, in either of which events it shall be paid him, if however he should die before he arrives at full age, the above sum shall be paid his parents John X Nantz & wife.

12th I give and bequeath to my cousins Henry and August Surig and to Augusta Wollenmayer all of the village of Cappelengram Brunswick Germany, the sum of Five Hundred (\$500⁰⁰) Dollars to be equally divided between them share and share alike, the said sum to be sent them by my executor and executrix in sums of One Hundred Dollars at a time at periods of two months apart until all is sent.

13th I give and bequeath to Ada Ferguson of Southport N.C. the sum of Two Hundred (\$200⁰⁰) Dollars to be hers to have and to hold.

14th It is my desire and wish that the above legacies and bequests be paid in full in the order in which they

- to have and to hold.
- 14th It is my desire and wish that the above legacies and bequests be paid in full in the order in which they are made.
- 15th If anything remains after the payment of the aforesaid legacies and bequests it is my wish that the same be equally divided between the children of the second wife of Albert Nantz and all the children of William Reeves Nantz.
- 16th I hereby make constitute and appoint my trusted friend Jacob Jenkins and my beloved wife Jeanette Farley both of Eastern County to be my executor and executrix of this my last will and testament.

In witness whereof, I the said August Farley do hereunto set my hand and seal this the 4th day of August in the year of our Lord one thousand, eight hundred and ninety four (1894)

August Farley
mark

The foregoing instrument of writing was signed, sealed, published, and declared by the said August Farley to be his last will and testament in the presence of us and each of us who at his request and in his presence do subscribe our names as witnesses thereto.

W. D. Watson M.D.
John B. Cranner
B. H. Harris Jr