

In the name of God, Amen!

I, James Quiner, of the County of Gaston
 & State of North Carolina, do make, ordain & publish
 this my last will & testament, in manner & form following:

Item first: I will & devise that my executors hereinafter
 named pay all my just debts & expenses out of the
 monies that may first come into their hands,
 & that they shall erect over my grave a marble
 monument, suitable & appropriate to my estate
 & position in life & that the selection of such
 monument shall be left entirely to the unrestricted
 discretion of my executors.

Item second: I devise to my beloved wife Eliza E. Quiner
 one half in value including dwelling & out-houses
 of my parents home place on Deharts' Creek in
 Gaston County, which said one half shall be
 determined & set out in acres & bounds by two
 respectable men, to be chosen by my executors,
 to have & to hold the aforesaid one half in value
 of said lands to the use of my wife Eliza E. Quiner
 for & during her natural life.

Item third: I will & bequeath to my beloved wife Eliza E.

third: I will & bequeath to my beloved wife Eliza E. Quinn for & during her natural life one half of all the personal property belonging to my estate at my death, except the notes & money on hand, and my executors are hereby directed to set apart the said personal property in kind to my wife & it is my will that she use the said one half, just as we have done so as not to make wilful waste of the same; and any of the personal property that cannot be set apart in kind as herein provided for, I direct that such property as indivisible, be sold & the proceeds disposed of as herein provided for in a subsequent item hereof.

fourth: I will & bequeath to my beloved wife Eliza E. Quinn her personal paraphernalia.

fifth: I will & bequeath to my son John R. Quinn absolutely the other remaining one half of the personally mentioned in third hereof & I also will & devise to my said son John R. Quinn the one half of my home place (not set apart to my wife under second hereof).

To have & to hold to said John R. Quinn & his heirs.
Item sixth: I direct my executors to collect the notes & accounts due me at my death & to sell the indivisible property mentioned in Item third, and after paying any debts & other expenses of administration, they shall dispose of the surplus of this fund, coming from money on hand, collection of debts & sale of said property according to the following directions: I first will & bequeath one half of such fund to my son John R. Quinn, absolutely. Second I will & bequeath the other one half of such fund to the use of my beloved wife for life and my said executors are hereby made trustee for my wife, use of said fund.

Item seventh: I will & bequeath to my grandson John Quinn, youngest son of my son Thomas Quinn, and to my great grandson John Holland, son of James Quinn Holland, my grandsons, the one half of the fund bequeathed to my wife in Item sixth, after the death of my wife; and I also will to said John Quinn son of Thomas and to said John Holland, son of James Quinn Holland to be equally divided

between them all of the personal property herein
bequeathed to my wife in kind, that may remain
unconsumed at her death, and my executors are
directed to sell the property so remaining &
make equal division of the proceeds thereof
as well as of the trust fund in their hands
between the said John Quinn & John Holland;
and to my great grandson John Holland & their heirs
to hold in equal interests as tenants in common
the remainder after the expiration of the life
estate of my wife in and to the one half of
my home place herein before described.

My rights

My will

It is my will & desire that the property herein
bequeathed & devised to my son John R. Quinn in
the event of his dying before me shall
go and descend to his right heirs, the
same as if he had been seized & possessed
thereof at his death; and I further direct
that should I survive my wife, the portion
of my estate, ^{personal} herein bequeathed to her for life

shall at my death it may be given to my
grandson, said John Quinn and to my great
grandson John Holland in equal shares or
interests & in the event of either or both of
said John Quinn or John Holland dying
before me, then I will bequeath & devise the
share of the one so dying before me to the
heirs of such decedent as fully & completely
as if the decedent had been seized & possessed
thereof before death.

Quinn test:

I hereby nominate & appoint my son John
R. Quinn and my friend Jas. F. Wilson to be
the executors of this my last will & testament.
I further hereby revoke all other wills
or testamentary papers made & executed by
me & especially a testament made on the
17th January 1889, in which my friend Hon
D. Schmitt was appointed my executor,
and I hereby declare that this change
of executors is made because of the
official elevation of my friend in which
I rejoice.

Signed sealed & published this 17th day of

of great elevation of my friend in which
I rejoice.

Signed sealed & published this 15th day of
February 1875. & the same is witnessed
by the witnesses whose names are
hereunto subscribed in my presence
& by my request & direction & in the
presence of each other
witnesses

Josephine E. Stoup.
J. G. Lewis.
Cyrus ^{his} Stoup.
_{mark}

James Quinn. Quinn

State of North Carolina, in Probate Court,
Gaston County.

A paper writing purporting to be the last
will & testament of James Quinn dec'd,
is exhibited before me the undersigned
Judge of Probate for said County, by
John H. Wilson, the executor therein
named, and the due execution thereof
by the said James Quinn dec'd, by the

has
died
Witnesse
E. J. W.

North Carolina with a re-examination of J. G. Lewis, Josephine E.
 Gaston County Trump, & Cephas Trump, the subscribing witnesses
 in the matter of the Will of James Quinn deceased
 To the Probate Judge of said County Elizabeth Quinn Comes into Court in person and enters her dissent to the Will of James Quinn deceased her late husband and asks that she be remitted to all her rights in the real & personal estate as if her said husband had died intestate.

with a re-examination of J. G. Lewis, Josephine E. Trump, & Cephas Trump, the subscribing witnesses: who being duly sworn doth depose & say & each for himself depose & swear that he is a subscribing witness to the paper writing now shown him, purporting to be the last will & testament of James Quinn deceased. That the said James Quinn in the presence of this deponent subscribed his name at the end of said paper writing, which is now shown as aforesaid, which bears date of the 15th day of Feb'y 1875.

And the deponent further swears that the said James Quinn the testator aforesaid did at the time of subscribing his name as aforesaid declare the said paper writing to be subscribed by him & exhibited to be his last will & testament, & this deponent did thereupon subscribe his name at the end of said will as an attesting witness thereto, and at the request & in the presence of said testator.

And this deponent further swears, that at the said time when the said testator subscribed

died intestate the said time when the said testator subscribed
^{signed} Eliza E. Quinn his name to the said last will & testament as
witness & at the time of its deposition; sub-
scribing his name as an attending witness
thereto as aforesaid, the said James Quinn
was of sound mind & memory, of full age to
execute a will & was not under any restraint
to the knowledge, information or belief of this
deponent: And further these deponents
say not.

Witness

E. H. Withers. Oct 15th 1878

J. G. Lewis. Deut
Joseph E. Stimp. Deut
Cephus ^{his} Stimp. Deut
_{mark}

Swornly sworn and
subscribed this 31st day
of August 1878, before
me.

E. H. Withers.

Probate Judge.

Whereupon pro H. Withers the executor therein named,
duly qualified as such executor, took the necessary
oath testametary thereto, to execute said will
of said said James Quinn. E. H. Withers Judge