

Applications of
Alexander Hooten
For
Letters Testamentary

State of North Carolina
Quincy County

In the matter of the last will & Testament
of Council Hooten } Before E. H. Riggall
Clark Superior Court.

Alexander Hooten being duly sworn, deposes and says:

That Council Hooten, late of said County, is dead, having first made and published his last will and Testament; and that he Alexander Hooten is the executor named therein.

Further, that the property of the said Council Hooten consisting of real and personal estate is worth about \$1200.00 so far as can be ascertained at the date of this application; and that John C. Hooten, St. H. Hooten, Alexander Hooten, Pally Ann Barwick, Gray Sparkes, Jennie M. Dupree, and Olivia Hooten (Olivia Hooten is a minor about 15 years old) all living in Quincy County except St. H. Hooten, are the parties entitled under said will to the said property.

Sworn to and subscribed before me the 11th day of February 1891 } Alexander Hooten.
E. H. Riggall
Clark Superior Court

Last Will and
Testament
of
Council Hooten

State of North Carolina
Quincy County

I Council Hooten of the County and State aforesaid, being of sound mind and memory, but considering the uncertainty of my earthly existence, do make and declare this to be my last will and Testament, in manner and form following.

First. I commend my soul to the keeping of the Lord Jesus whose I am and in whom I trust as my Saviour.

Second. That my executor hereafter named shall provide for my body a decent burial, suitable to the wishes of my friends, and pay all funeral expenses, together with my just debts, out of the first moneys that may come into his hands as a part or parcel of my estate.

Item 1st. I give to my son John C. Hooten that part

of my land lying on the north side of the public road and joining the lands of E. S. Broadway and Fred Jones to have and to hold the same his heirs and assigns in fee simple forever.

Item 2d. I give to my son St. H. Hooten the part of my land my buildings are now on, commencing at Broadway line and running with the public road to the head of the deep gully between my house and the house of my son Alex. Hooten, and running with said deep gully to a point at the upper side of the field known as the pool-hill field, thence along the end of said field to the creek, thence up the creek to Broadway line and with said line to the beginning. I also give my son St. H. Hooten one bed and furniture.

Item 3rd. I give to my son Alexander Hooten the balance of my land joining the lands of Fred Jones and running with his line to the creek thence up the creek to a point already described by the line between him & St. H. Hooten to the public road and with the said road to the beginning to have and to hold said land his heirs and assigns in fee simple forever.

Item 4th. It is my will that each of my sons John C. Hooten St. H. Hooten and Alexander Hooten shall pay into the hands of my executor two hundred dollars each to be used as further directed.

Item 5th. I give to my daughter Pally Ann two hundred dollars to be paid her by my executor.

Item 6th I give to my daughter Jennie M. Dupree one hundred dollars.

Item 7. I give my daughter Gray two hundred dollars and all my household and kitchen furniture that is not otherwise disposed of in this will.

Item 8th I give to my grand daughter Olivia one hundred dollars and one bed and furniture.

And lastly I do hereby constitute and appoint my son Alex. Hooten my lawful executor to all intents and purposes to execute this my last will and Testament. In witness whereof, I the said Council Hooten do hereunto set my hand and seal this the 30th day of September 1885.

Signed in presence of me by his Council ^{his} X Hooten ^{and} _{most}
request as witnesses. J. E. Price
Gray Hooten

Probate of

Will.

State of North Carolina } In the Superior Court
Lenoir County }

A paper purporting to be the last will and testament of Council Hooten deceased, is exhibited before me, the undersigned, clerk of the Superior Court for said County, by Alexander Hooten the executor therein mentioned, and the due execution thereof by the said Council Hooten was proven before me by the oath and examination of J. S. Price and Lucy Hooten now Lucy Sparks the subscribing witnesses thereto, who being duly sworn, did, depose and say, and each for himself depose and say, that he is a subscribing witness to the paper writing now shown him, purporting to be the last will and testament of Council Hooten deceased, that the said Council Hooten in the presence of this deponent, subscribed his name at the end of said paper writing now shown as aforesaid, and which bears date of the 30th day of September 1855.

And the deponent further say, that the said Council Hooten, the testator aforesaid, did, at the time of subscribing his name as aforesaid, declare the said paper writing 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 the deponent further say, that at the said time when the said testator subscribed his name to the said last will as aforesaid, and at the time of deponent's subscribing his name as an attesting witness thereto, as aforesaid, the said Council Hooten 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.

It is therefore considered and adjudged by the Court, that the said paper writing and every part and clause thereof is the last will and testament of Council Hooten deceased, and the same is ordered to be recorded and filed. And thereupon Alexander Hooten the executor is aforesaid duly qualified as such by taking the oath prescribed by law. This 11th day of February 1871

E. H. Biggell
Clerk Superior Court

Recorded March 2nd 1871

E. H. Biggell C.S.C.