

grand children, then it is my will that the survivor or survivors, shall inherit the land equally, in fee simple. It is my will that my executor shall, at my death sell at public sale, all my perishable property, except two beds one of which I give to my grand daughter, Nancy Ann, and the other to my grand son, Egbert Herring, and except further, the cream colored horse, which I give to my son, Benjamin Franklin Herring. And except further, one black cow, and about twenty five pounds of loose feathers—the cow being already in her possession—these, the cow and feathers I give and bequeath to my daughter Sarah Chestnut.

Lastly, I do hereby constitute and appoint my truly friend, Jerry Walters 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 revoking and declaring utterly void all other wills and testaments by me heretofore made.

In witness whereof, I, the said Nancy Herring do hereunto set my hand and seal this the 9th day of February, A. D., 1872.

Signed, sealed, published and declared by the said Nancy Herring to be her last will and testament, in the presence of us, who at her request and in her presence do subscribe our names as witnesses thereto.

P. W. Woolley.

J. R. Emery.

Lenoir County—In the Probate Court. Oct. 9th, 1873.

On reading the application of Jerry Walters to admit a paper writing purporting to be the last will and testament of Nancy Herring, dead, to probate and to be qualified as executor to said paper writing according to the appointment made by same, and having examined on oath P. W. Woolley and J. R. Emery, the two subscribing witnesses to said paper writing as to the execution thereof;

It is adjudged that the said paper writing is the last will and testament of the said Nancy Herring, and thereupon the said Jerry Walters the executor therein appointed comes for

ward and takes and subscribes the following oath.

State of North Carolina, }
Lenoir County. } In the Probate Court.

I, Jerry Walters, do solemnly swear that I believe this writing to be and contain the last will and testament of Nancy Herring deceased, and that I will well and truly execute the same, by first paying her debts and then her legacies, as far as the said estate shall extend, or the law will charge me; and that I will well and faithfully execute the office of an executor, agreeable to the trust and confidence reposed in me and according to law, so help me God.

Jerry Walters.

Sworn and subscribed before me, this 9th day of October, 1873.

W. H. K. Hunter,
Probate Judge.

Whereupon Letters Testamentary are issued to the said Jerry Walters, as executor of the said last will and testament.

W. H. K. Hunter,
Probate Judge.

Recorded in the office of the Probate Judge and Clerk of the Superior Court, in Kingston, Lenoir County, North Carolina, the 9th day of October, 1873.

W. H. K. Hunter,
Probate Judge.

Arctus Jones.

Lenoir County. In the Probate Court
In the matter of the will of } Before W. H. K. Hunter,
of Arctus Jones, } Judge of Probate.

George Jones, being sworn, doth say:

That Arctus Jones, late of said county, is dead, having first made and published his last will and testament; and that George Jones is the Executor named therein.

Further, that the property of the said Arctus Jones consisting of a tract of land containing about 170 acres, a few notes, stock, household, and kitchen furniture and farming implements is worth about \$2000.00 so far as can be ascertained at the date of this application; and that Elizabeth Jones, Marena and Nancy Jones, Anna Hollow, and the sons, brothers and two children of the said Arctus Jones, are the parties

under said will to the said property.

Sworn to and subscribed before me,
this 7th day of May, 1874.
W. H. Hunter,
Probate Judge.

George Jones.

State of North Carolina }
Lenoir County. } In the Probate Court.

A paper purporting to be the last Will and testament of Arctus Jones, deceased, is exhibited before me, the undersigned Judge of Probate for said county, by George Jones the executor therein named, and the due execution thereof by the said Arctus Jones by the oath and examination of Hugh Maxwell and J. L. Maxwell, the subscribing witnesses thereto, who being duly sworn, doth depose and say, and each for himself depose and swear, that he is a subscribing witness to the paper writing now shown him, purporting to be the last Will and Testament of Arctus Jones, that the said Arctus Jones, in the presence of this deponent, acknowledged that he subscribed his name at the end of said paper writing, which is now shown as aforesaid, and which bears date of the 20th day of Dec., 1870.

And the deponent further saith, that the said Arctus Jones the testator aforesaid, did at the time of acknowledging his name as aforesaid, declare the said paper writing as 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 testator acknowledged his name to the said last Will as aforesaid, and at the time of the deponent's subscribing his name as an attesting witness thereto, as aforesaid, the said Arctus Jones 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 not.

Generally sworn and subscribed
this 7th day of May, 1874, before me.
W. H. Hunter,
Probate Judge.

Hugh Maxwell. Dea
J. L. Maxwell. Dea

I Arctus Jones, of the county of Duplin and state of North Carolina, 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, that is to say, first that my executor hereinafter named shall provide for my body a decent burial suitable to the wishes of my relatives and friends and pay all funeral expenses together with all my just debts howsoever and to whomsoever owing out of the moneys that may first come into hands as part of my estate. Item I give and devise to my beloved wife Elizabeth Jones all of my property of every description both real and personal, to have and to hold for and during her widowed lifetime. I give to her sister Lena Hollow to have the privilege of living with her upon my estate as she has done for years past for and during her unmarried or single lifetime. Item I give and devise to each of my half sisters, Marenda and Lanny one dollar each as their share of my estate to be paid to them by my executor within two years after the marriage or death of my beloved wife Elizabeth Jones.

Item My will and desire is that at the marriage or death of my beloved wife the residue of my estate of every description shall be sold and equally divided among all of my own brothers and sisters children equal to them all to have and to hold to them and their heirs forever and I do hereby constitute and appoint my Brother George Jones my lawful executor to all intents and purpors 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 revoking and declaring utterly void all other wills and testaments by me heretofore made in witness whereof I the said Arctus Jones do hereunto set my hand and seal this the 20th day of December, 1870.
Arctus Jones (Seal)

Hugh Maxwell.
J. L. Maxwell.

Lenoir County In the Probate Court
On reading the application of George Jones to

under said will to the said property.

Sworn to and subscribed before me,
this 7th day of May, 1874.
W. H. Hunter,
Probate Judge.

George Jones.

State of North Carolina }
Lenoir County. } In the Probate Court.

A paper purporting to be the last Will and testament of Arctus Jones, deceased, is exhibited before me, the undersigned Judge of Probate for said county, by George Jones the executor therein named, and the due execution thereof by the said Arctus Jones by the oath and examination of Hugh Maxwell and J. L. Maxwell, the subscribing witnesses thereto, who being duly sworn, doth depose and say, and each for himself depose and swear, that he is a subscribing witness to the paper writing now shown him, purporting to be the last Will and Testament of Arctus Jones, that the said Arctus Jones, in the presence of this deponent, acknowledged that he subscribed his name at the end of said paper writing, which is now shown as aforesaid, and which bears date of the 20th day of Dec., 1870.

And the deponent further saith, that the said Arctus Jones the testator aforesaid, did at the time of acknowledging his name as aforesaid, declare the said paper writing as 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 testator acknowledged his name to the said last Will as aforesaid, and at the time of the deponent's subscribing his name as an attesting witness thereto, as aforesaid, the said Arctus Jones 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 not.

Generally sworn and subscribed
this 7th day of May, 1874, before me.
W. H. Hunter,
Probate Judge.

Hugh Maxwell. Dea
J. L. Maxwell. Dea

I Arctus Jones, of the county of Duplin and state of North Carolina, 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, that is to say, first that my executor hereinafter named shall provide for my body a decent burial suitable to the wishes of my relatives and friends and pay all funeral expenses together with all my just debts howsoever and to whomsoever owing out of the moneys that may first come into hands as part of my estate. Item I give and devise to my beloved wife Elizabeth Jones all of my property of every description both real and personal, to have and to hold for and during her widowed lifetime. I give to her sister Lena Hollow to have the privilege of living with her upon my estate as she has done for years past for and during her unmarried or single lifetime. Item I give and devise to each of my half sisters, Marenda and Lanny one dollar each as their share of my estate to be paid to them by my executor within two years after the marriage or death of my beloved wife Elizabeth Jones.

Item My will and desire is that at the marriage or death of my beloved wife the residue of my estate of every description shall be sold and equally divided among all of my own brothers and sisters children equal to them all to have and to hold to them and their heirs forever and I do hereby constitute and appoint my Brother George Jones 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 revoking and declaring utterly void all other wills and testaments by me heretofore made in witness whereof I the said Arctus Jones do hereunto set my hand and seal this the 20th day of December, 1870.

Arctus Jones (Seal)

declared by the said Arctus Jones to be his last will and testament in presence of us who at his request and in his presence of each other do subscribe our names as witnesses thereto.

Hugh Maxwell.
J. L. Maxwell.

Lenoir County In the Probate Court
On reading the application of George Jones to