

writing purporting to be the last will and testament of Arctus Jones, 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 Hugh Maxwell and J. Challa well, 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 Arctus Jones, and thereupon the said George Jones the executor therein named, comes forward and takes and subscribes the following oath:

State of North Carolina, }
 Lenoir County, } In the Probate Court.
 I, George Jones, do solemnly swear that I believe this writing to be and contain the last will and testament of Arctus Jones, deceased, and that I will, well and truly execute the same, by first paying his debts, and then his 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: as help me God.

Sworn to before me

May 7th, 1874.

W. H. Hunter,

Probate Judge.

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

George Jones.

W. H. Hunter,
 Probate Judge.

Recorded in the office of the Probate Judge and Clerk of the Superior Court, in Lenoir County, North Carolina the 7th day of May, 1874.

W. H. Hunter,
 Probate Judge & Clerk.

James Harters.

Lenoir County:— In the Probate Court
 In the matter of the will } Before W. H. Hunter,
 of James Harters. } Judge of Probate.

J. M. Parrott, being sworn, doth say:

That James Harters, late of said county, is dead, having first made and published his last will and testament; and that James M. Parrott is the executor named therein.

Further, that the property of the said James Harters, consisting of lands, horses, mules, cattle, hogs, household and kitchen furniture, farming utensils &c, is worth about \$12000.00 so far as can be ascertained at the date of this application; and that Thomas S. Harters, Laura E. Harters and Elizabeth Harters are the parties entitled under said will to the said property.

Sworn to and subscribed
 before me, this 13th
 day of August, 1874.
 W. H. Hunter,
 Probate Judge.

J. M. Parrott.

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

A paper purporting to be the last will and testament of James Harters, deceased, is exhibited before me, the undersigned Judge of Probate for said county, by James M. Parrott the executor therein named, and the due execution thereof by the said James Harters, by the oath and examination of J. B. Pridgen and Nick Hunter, 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 James Harters, that the said James Harters in the presence of this deponent subscribed his name at the end of said paper writing, which is now shown him as aforesaid, and which bears date of the 7th day of May, 1874.

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

testator subscribed 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 James Harters 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 severally, sworn and subscribed
 this 13th day of August, 1874.
 before me.

J. H. Hunter,
 Probate Judge.

I, James Harters of the county of Senoio and state of North Carolina, being of sound mind and memory, but considering the uncertainty of my earthly existence do make and publish this my last will and testament in manner following, this is to say:

First that my hereinafter named executor provide for my body a decent burial and pay all my funeral expenses together with all my just debts out of the moneys that shall first come into his hands as parcel or part of my estate.

Item: I give to my wife, Elizabeth Harters, her years provisions out of my estate to be set apart by a committee appointed for that purpose by my said wife and my hereinafter named Executor, which committee shall lay off said dower as the law directs and I also loan to her, the said Elizabeth, her dower in that portion of my real estate hereinafter conditionally given to my daughter, Laura E. Harters, including my family residence which dower is to be run off and established by proper metes and bounds as the statute law is and shall provide: So have and to hold for the term of her natural life. And I give and bequeath to my said wife, Elizabeth, all my household furniture beds and bedding which belonged to me at the time of our marriage.

Item: I give to my son Thos. F. Harters, during his natural life that portion of my plantation on which he now lives, on which he cultivates, it being bounded as follows: Beginning in the center of White Hall road, on the line between Sarah E. Harters and myself which runs from the said center of White Hall road down to the center of Shelling Creek

down the meanderings of said Shelling Creek to the corner on the bank of said creek, being the corner known as the corner between Thomas J. Kennedy and myself, thence with the line of Thos. J. Kennedy and my line down to the Stirrup Creek Canal, thence with the meanderings of said canal to a sudden turn or bend in said canal, where Harrison Swamp Canal empties into said Stirrup Creek Canal, thence up said Stirrup Creek Canal to the center of a bridge on White Hall road, thence with White Hall road to the beginning, containing two hundred acres more or less. I also give to my son Thos. F. Harters, one half interest in my tract of land known as the Piney Woods tract lying on the Atlantic and North Carolina railroad, on which Wm. Patterson resides also my gold watch. My further will and desire is that if the said Thomas F. Harters shall die, leaving lawful issue of his body him surviving, then and in that event all the aforesaid lands shall go to such legitimate child or children to have and to hold to them and their heirs in fee simple forever, but should the said Thomas F. Harters die, leaving no such lawful issue him surviving, then and in that event the said lands shall go to my daughter Laura E. Harters, for the term of her natural life, should she survive the said Thomas F. Harters.

Item: Subject to my wife's dower and for the term of her natural life, I give to my daughter Laura E. Harters all the remaining portion of my real property, not heretofore mentioned, consisting of all the land which I purchased of my brother Lewis Harters and the small strip of land which I purchased of Sarah E. Harters, and also the other half interest in my tract of land known as the Piney Woods tract lying on the Atlantic and N.C. railroad. My further will and desire is that if my said daughter Laura E. Harters shall die leaving lawful issue of her body, her surviving, then and in that event, all the land specified in this item shall go to her legitimate children to have and to hold to them and their heirs in fee simple forever. But should the said Laura E. Harters die leaving no lawful issue of her body, her surviving, the said lands shall go to my son Thos. F. Harters, should he survive her subject to the same or like limitations and conditions as the other lands herein given him. I also give and bequeath to my said daughter Laura E. Harters all the moneys which may accrue from the sale of my personal property of every description, which said Executor is hereby directed to make when and as he shall see fit, and