

testator subscribed his name to the said last will as aforesaid, and at the time of the deponents subscribing his name as an attesting witness thereto, as aforesaid, the said James Warters 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 deponents. And further these deponents say not severally, sworn and subscribed
 This 13th day of August, 1874.
 before me.

J. A. Bridgen
 Probate Judge.

I, James Warters 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 Warters, 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. Warters, 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. Warters, 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. Warters 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. Warters, 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. Warters 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. Warters die, leaving no such lawful issue him surviving, then and in that event the said lands shall go to my daughter Laura E. Warters, for the term of her natural life, should she survive the said Thomas F. Warters.

Item: Subject to my wife's dower and for the term of her natural life, I give to my daughter Laura E. Warters all the remaining portion of my real property, not heretofore mentioned, consisting of all the land which I purchased of my brother Lewis Warters and the small strip of land which I purchased of Sarah E. Warters, 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. Warters 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. Warters die leaving no lawful issue of her body, her surviving, the said lands shall go to my son Thos. F. Warters, 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. Warters 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

ent and necessary.

Item: In the event of either of my above named children dying without leaving lawful issue of his or her body, all the lands hereinbefore mentioned shall go to his or her survivor or for life, remainder to his or her heirs in fee simple forever; but if the said Thos. L. Warters and Laura E. Warters shall both die, leaving no lawful issue of his or her body, him or her surviving, then and in that event, all of said lands shall go to my nearest blood kindred as regulated by the laws of descent in North Carolina.

And lastly: I hereby constitute and appoint my trusty and well beloved friend, James M. Parrott, as sole executor, to all intents and purposes, to execute this my last will and testament, and every part and clause thereof according to the true intent and meaning of the same, and declaring utterly void all other wills and testaments, by me heretofore made, and declaring this and this only to be and contain my last will and testament.

In testimony whereof I have hereunto set my hand and seal this 1st day of May, 1874.

signed, sealed, published and declared by this testator to be and contain his will, in the presence of us, who, at his request and in presence and in the presence of each other subscribe our names as witnesses thereto.

J. A. Bridgen,
Nick Hunter

James Warters, (Seal)

Lincoln County:—In the Probate Court—Aug. 13th, 1874.

On reading the application of James M. Parrott to admit a paper writing, purporting to be the last will and testament of James Warters, deceased, to probate, and to be qualified as executor to said paper writing, according to the appointment made by same, and having examined, on oath, James A. Bridgen and Nick Hunter, 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 James Warters, dead, and thereupon the said James M. Parrott, the Executor therein appointed, comes forward, and takes and subscribes the following oath, to wit:

State of North Carolina,
Lincoln County.

In the Probate Court.
I, James M. Parrott do solemnly swear that I believe this writing to be and contain the last will and testament of James Warters, 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 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.

J. M. Parrott.

Sworn to and subscribed
before me, this 18th day
of August, 1874.

W. H. Hunter,
Probate Judge.

Whereupon Letters Testamentary are issued to the said James M. Parrott as executor of the said last will and testament.

W. H. Hunter,
Probate Judge.

Recorded in the office of the Probate Judge and Superior Court Clerk, in Winston, Lincoln County, North Carolina, the 18th day of August, A. D. 1874.

W. H. Hunter,
Probate Judge & Clerk.

Nancy Hines.

Lincoln County:—In the Probate Court.

In the matter of the will of Messrs. Nancy Hines. Before W. H. Hunter, Judge of Probate.

James M. Hines, Jr., & Lovett Hines being sworn doth say: That Messrs. Nancy Hines, late of said county, is dead, having first made and published his last will and testament, and that James M. Hines, Jr., and Lovett Hines are the executors named therein, and that the said J. M. Hines, Jr., has declined to qualify. Further, that the property of the said Nancy Hines, consisting of an undivided interest in the estate of the late William Thompson and is worth about \$2000.00 as far as can be ascertained the date of this application; and that W. H. Hines, Lovett Hines, Sarah E. Hines, Amelia B. Hines, Julia E. Hines, Mark L. Hines and Susan C. Hines are the parties entitled under said will to the said property.

Sworn to and subscribed before me.