

Whereupon, Letters Testamentary are issued to the said John H. Aldridge, as executor of the said last Will and Testament.

W. H. Hunter,
Probate Judge.

Recorded in the office of the Probate Judge and Clerk of the Superior Court in Kingston, Lenoir County, North Carolina the 1st day of August, 1873.

W. H. Hunter,
Clerk of Judge.

Nancy Herring.

Lenoir County—In the Probate Court.
In the matter of the will } Before W. H. Hunter,
of Nancy Herring. } Judge of Probate.

Jerry Walters, being sworn, doth say:

That Nancy Herring, late of said county, is dead, having first made and published her last will and testament, and that Jerry Walters is the executor named therein. Further, that the property of the said Nancy Herring, consisting of real estate, household and kitchen furniture, stocks, &c., is worth about \$5000, as far as can be ascertained at the date of this application; and that Benjamin Franklin Herring, Robert Herring, Nancy Ann Herring, Clemmna Herring, James Allen Herring, & Sarah Chestnut are the parties entitled under said will to the said property.

Sworn to and subscribed
before me this 9th day
of Oct., 1873.
W. H. Hunter,
Probate Judge.

Jerry Walters.

Lenoir County—In the Probate Court.
A paper writing purporting to be the last will and testament of Nancy Herring, dec'd, is exhibited before me, the undersigned, Probate Judge in and for said county by Jerry Walters, the executor therein named, and the due execution thereof, by the said Nancy Herring, dec'd, is proved by the oath and examination of J. H. Woolley and Dr. J. R. Emery, the subscribing witnesses thereto: who being duly sworn, doth 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 Nancy Herring, dec'd. That the said Nancy Herring, in the presence of this deponent subscribed her name at the end of said paper writing, which is now shown, as aforesaid, and which bears date on the day of , 18, and the deponent further saith that the said testatrix, Nancy Herring, did, at the time of subscribing her name, as aforesaid, declare the said paper writing, so subscribed by her, and exhibited, to be her 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 testatrix. And this deponent further saith that at the said time when the said testatrix subscribed her 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 Nancy Herring 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.

B. H. Woolley, (Test.)
J. R. Emery, (Test.)

W. H. Hunter,
Probate Judge.

I, Nancy Herring, of the county of Lenoir and state of North Carolina, being of sound mind and memory, but considering the uncertainty of my earthly existence, do make and declare this 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 my just debts, howsoever and to whomsoever owing, out of the moneys that may come into his hands as a part or parcel of my estate.

Item—I give and bequeath unto my son, Benjamin Franklin Herring a life estate in the land upon which now live, known as the Herring tract of land lying in Brunswick, on the east side of Bear Creek. And upon his death, it is my will that the said land be equally divided between his four children, to wit: Robert, Nancy Ann, Clemmna, and James Allen Herring, and in case of the death of either of