

as aforesaid, declare the said paper writing as 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 Elott 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.

John H. Aldridge
T. M. Aldridge

Generally sworn and subscribed
this 1st day of August,
1873, before me,
W. H. Thibault,
Probate Judge.

I, Nancy Elott, of the county of Lenoir and state of North Carolina being of sound mind and memory, and considering the uncertainty of life, do therefore make, ordain, publish and declare this my last will and testament, hereby revoking and making void all wills by me at any time heretofore made, and first of all I direct that my body be decently buried, and that the funeral expenses be paid with the first money coming into the hands of my executor, after all my lawful debts are discharged, the residue of my estate, real and personal, I give, bequeath and dispose of as follows, to wit: To my son, Richard M. Aldridge, my large lot which he has now in possession.

To my daughter Martha Higgins a cow by the name of Lela and her increase, also one bed and furniture, a calf from the mare, that is, if she has one between now and ten months after my death.

To my granddaughter Frances B. Aldridge one bed and furniture, also a heifer calf, that was calved this spring.

To my granddaughter Nancy B. Basser one bed and bolster without the furniture.

I direct that my clothing and wearing apparel be equally divided between my children and Nancy B. Basser and Smith

Mossing.

Lastly, I direct that all my line stock that has not been mentioned above, household and kitchen furniture and every kind of property of which I may die possessed, be sold for good and current money, and my funeral expenses and all debts which I may owe, or may be paid with the same, and whatever may remain over and above shall be equally divided among all of my children and Mary Herring's children and my daughter Nancy Aldridge's children.

Likewise, I make, constitute and appoint John H. Aldridge to be executor of this my last will and testament.

In witness whereof, I have hereunto subscribe my name and affixed my seal this the eighth day of June, in the year of our Lord, one thousand eight hundred and seventy.

Witnesses:

John H. Aldridge.

T. M. Aldridge.

Nancy Elott
her mark.

Lenoir County In the Probate Court August 1st, 1873.

On reading the application of John H. Aldridge to admit a paper writing purporting to be the last will and testament of Nancy Elott 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 John H. Aldridge and T. M. Aldridge 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 Elott, and thereupon the said John H. Aldridge, the executor therein appointed, comes forward and takes and subscribes the following oath:

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

I, John H. Aldridge, do solemnly swear that I believe this writing to be and contain the last will and testament of Nancy Elott 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, as help me God.

Sworn and subscribed before me
this 1st day of August, 1873.

W. H. Thibault,
Probate Judge.

John H. Aldridge

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, deeth 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 W. H. Woolley and Dr. J. R. Emery, the subscribing witnesses thereto: who being duly sworn, deeth 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.

Deponents sworn and
subscribed this 9th day
of October, 1873.
W. H. Hunter,
Probate Judge.

B. W. Woolley, (Deat.)
J. R. Emery, (Deat.)

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