

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

I James Herring, do solemnly swear that I believe this writing to be and contain the last Will and Testament of Oliver Herring, 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, so help me God.

James Herring.

Sworn and subscribed
 before me, this 6th day
 of July, 1878.

W. H. H. H. H. H.
 Probate Judge.

whereupon Letters Testamentary are issued to the said James Herring as Executor of the said last will and testament.

W. H. H. H. H.
 Probate Judge.

I Oliver 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 relations and friends and pay all funeral expenses together with my just debts however and to whomsoever owing out of the money that may first come into his hands as a part or parcel of my estate.

Item I reserve for the use of my wife Nancy Herring during her natural life the use of my lands that I have given a deed to my son Calvin Herring which her lifetime was received in said deed and I also have her two beds and necessary furniture one half dozen sitting chairs one half dozen plates one half dozen cups and saucers one half dozen knives and forks one fine table one horse one cart body and wheels one cow and calf one sow and five choats and I further give her corn and meat enough for one years support for herself and

family one pot one spider one skillet and waffle irons
 Item I give unto my son James Herring all the lands on the east side of the big swamp that belonged to me at the time I made a deed to him and I further give him what has already been advanced to him to have and to hold to him and his heirs in fee simple forever.

Item I give unto my son Stephen Herring seventeen hundred dollars which he has received I also give him what has already been advanced to him before which I give to him his heirs and assigns forever.

Item I give unto my son Curtis Herring twenty-four hundred dollars which he has received I also give him what has been advanced before to have as his own right and property.

Item I give unto my daughter Barbara Taylor two thousand dollars nineteen hundred and fifty two dollars she has received and also give her what other advancements she has received to have and hold as her own right and property forever.

Item I give unto my son Calvin Herring all my lands lying on the west side of the big swamp which I have given him a deed for and I also give him all that has been advanced before to have and hold as his own right and property.

Item The residue of my estate I wish sold and the money given to my daughter Nancy Herring I also give unto her all my notes and accounts of every kind and nature that I may have in possession at the time of my death to have and to hold as her own right and property.

And lastly I do hereby constitute and appoint my son James Herring 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 Oliver Herring do hereunto set my hand and seal this 14th day of September A. D. 1867

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

Witness
 Evan E. Noble
 Nathan H. Hill
 mark

Oliver Herring (seal)