

State of North Carolina,
Fenois County. } In the Probate Court,
A paper writing purporting to be the last will
and testament of William Ormands, deceased, is
exhibited before me the undersigned, Judge of
Probate in and for said County by J. A. Edwards
the Executor therein named, and the due execu-
tion thereof by the said William Ormands by the
oath and examination of J. L. Kilpatrick and H. C.
Howard, the subscribing witnesses thereto, who, being
duly sworn depose and say, and each for himself
depose and say, that he is a subscribing witness
to said paper writing, now shown him, purporting
to be the last will and testament of William Ormands
in the presence of this deponent, J. L. Kilpatrick, subscribed
his name at the end of said paper writing which is
now shown as aforesaid and which bears date on
the 21st day of January, 1872, and did in the presence
of this deponent, H. C. Howard acknowledge the
signing the said paper writing. And the depo-
nent further saith that the said William Ormands
the testator aforesaid did at the time of signing his
name as aforesaid declare the paper writing as sub-
scribed by him, and exhibited to be his last will
and testament, and this deponent did thereupon
subscribe his name at the end of said will as an at-
testing witness thereto, and at the request and in the pres-
ence of the said testator. And this deponent further
saith that at the said time when the said 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 William Ormands 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 this deponent
says not.

Personally sworn and
subscribed this 14th
day of May, 1872.

H. C. Howard,
Probate Judge.

John L. Kilpatrick,
H. C. Howard.

William Ormands,
Last Will and
Testament

I, William Ormands, of the County of Fenois and State of
North Carolina, being of sound mind and memory, but con-
sidering 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:

Dir: 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, howsoever and to
whomsoever owing, out of the moneys that may first
come into his hands as a part or parcel of my estate.

Item. I give and devise to my daughter Sidney A. M.
Harper, wife of J. E. D. Harper, the following tract of
land known as a part of the Hardy lands beginning at
a stake in the line of my home tract near the mill and
near the end of a cross fence on the Hardy lands and
runs in a westerly direction or a north-westerly course
to Carr's corner formerly a red oak, then along the line
of Carr's lands to the Thomas lands and with the line
of that land to my home tract, and along the line of my
home tract to the beginning, containing eighty-three acres
more or less, to her and her heirs lawfully begotten by
her body forever and my will and desire is that in case
my said daughter, Sidney A. M. Harper should die leav-
ing her husband J. E. D. Harper her surviving that he the
said J. E. D. Harper shall have the privilege of holding said
land as a homestead for himself and children during
his life.

Item. I give and devise to my daughter Susanna E.
Ormands the following tract of land, viz: beginning
at a stake in the line of my home tract near the end
of a cross fence on the Hardy land and near the mill
and runs in a westerly or north-westerly course to Carr's
corner, formerly a red oak, then with his line to the creek
and with the creek to my home tract, and along the line
of my home tract to the beginning, it being the balance
of the Hardy land, containing eighty-three acres
more or less to her and her heirs lawfully begotten
by her body, and in case she should die leaving
no children, that the land herein given her shall be
sent to my daughter Sidney A. M. Harper to her
and her heirs lawfully begotten by her body
forever. I also give to my daughter Susanna

Ormand one bed, bedstead, and furniture, one chest, and all other articles of property which I have put in her possession, to her and her heirs forever.

Item. I give and devise to my two sons Benjamin A. Ormand and James A. Ormand and my daughter Nancy Sumnerell, wife of Peter Sumnerell the whole of my home tract of land to be equally divided between them according to the number of acres in the said home tract, and so divided that my son James A. Ormand shall have the northern portion including the mill, my son Benjamin A. Ormand the Southern portion, and my daughter Nancy the middle, to them and their heirs forever.

Item. I give and devise to my two daughters Sidney A. M. Harper and Susan E. Ormand one bay horse to their joint use to be held by them jointly, to them and their heirs forever. I also give to each of my sons Benj. A. & Jas. A. one bed and furniture to them and their heirs forever.

Item. I give and devise to my daughter Lovey A. Dixon two hundred dollars in currency to her and heirs forever to be paid to her by my Executor out of any money that may come into his hands, and in case there should not be a sufficiency in his hands, then my will is that Benj. A. Ormand, Jas. A. Ormand and Nancy Sumnerell shall pay over the said two hundred dollars to my daughter Lovey A. Dixon out of their shares of the land here in given them.

Item. My will and desire is that all the residue due of my estate (if any) after taking out the devises and legacies above mentioned shall be sold for cash and the debts owing to me collected and if there should be any surplus over and above the payment of debts, expenses and legacies that such surplus shall be equally divided and paid over to my children in equal proportions share and share alike to them and their heirs forever.

And lastly - I do hereby constitute and appoint my trusty friend James A. Edwards 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 William Ormand do hereunto set my hand and seal this the 21st day of January, A. D. 1872.

Wm. Ormand. *Seal*

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

John S. Kilpatrick.

W. L. Howard.

Tenois County - In the Probate Court, May 14, 1872.

On reading the application of J. A. Edwards to admit to probate a paper writing purporting to be the last will and testament of William Ormand, deceased, and to be qualified as Executor to said paper writing according to the appointment made in same, and having examined on oath John S. Kilpatrick and W. L. Howard, the two subscribing witnesses thereto, as to the execution thereof,

It is adjudged that the said paper writing and every part thereof is the last will and testament of the said William Ormand, deceased, and the said J. A. Edwards, the Executor therein named, came forward and takes and subscribes the following oath:

State of North Carolina, J. In the Probate Court, Tenois County.

J. A. Edwards, do solemnly swear that I believe this writing to be and contain the last will and testament of William Ormand, 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.

Whereupon letters testamentary are issued to the said J. A. Edwards.

W. H. H. Hunter,
Probate Judge

Emitted in the office of the Superior Court of