

William Herring

North Carolina, } Probate Court.
Lenoir County. }

Wm. J. Herring and George A. Herring being sworn do say:

That William Herring, late of said County, is dead having made and published his last will and testament, and that the said Wm. Herring and Geo. A. Herring are the Executors named therein. And further that the property of the said William Herring consisting of moneys, bonds and notes, and some household and kitchen furniture is worth about three thousand dollars, and the land mentioned in the said will about \$5000.00, so far as can be ascertained at the date of this application, and the following are entitled under said will to the property therein mentioned: William J. Herring, Nancy J. Herring, George A. Herring of Kingston, Lenoir Co., and Barbara A. Herring, of Greene Co., N.C., children of said Wm. Herring dec'd, Wm. Herring

Sworn to and subscribed
before me this 11th July, 1882.
Wm. H. Hunter
Probate Judge

Wm. Herring
Geo. A. Herring

North Carolina, } Probate Court,
Lenoir County. } July 11th 1882.

In the matter of the will of }
William Herring, dec'd. }

On reading and considering the application of Wm. J. Herring and George A. Herring, to admit a paper writing purporting to be the last will and testament of William Herring, dec'd, to probate, and having examined on oath E. M. Herring and John B. Hill the subscribing witnesses thereto as to the execution thereof and having examined said John B. Hill as a witness to the codicil and John B. Hill as witness as to the handwriting of the said William Herring to the said codicil attached to his said last will and testament, and having examined and considered the application

of William J. Herring and George A. Herring to be qualified as Executors according to the appointment of said paper-writing, It is adjudged that said paper writing and every part thereof is the last will and testament of William Herring, dec'd, and the same, as such, is ordered to be recorded and filed.

And thereupon Wm. Herring and George A. Herring, the Executors aforesaid, come forward, and take and subscribe the following oath: State of N.C., Lenoir Co., In the Probate Court: Wm. J. Herring and Geo. A. Herring do solemnly swear that we believe this writing to be and contain the last will and testament of William Herring, dec'd, and that we will well and truly administer and execute the same by first paying his debts and expenses of his estate and then his legacies as far as the said estate shall extend or the law will charge us, and that we will well and truly execute the office of an Executor agreeable to the confidence reposed in us and according to law: So help us God.

Sworn and subscribed
before me July 11, 1882,
Wm. H. Hunter
Probate Judge.

Wm. Herring
Geo. A. Herring

Whereupon letters testamentary are issued Wm. J. Herring and Geo. A. Herring as Executors of said last will and testament which reads as follows:

In the name of God Amen. I William Herring of the County of Lenoir and State of North Carolina being in health of body, and of sound mind memory and understanding, praise be God for the same, do make this my last will and testament in manner and form following:

I give, devise, and bequeath to my beloved wife Rebecca, her heirs and assigns, the following property, money &c., to-wit: four hundred and fifty dollars in cash, one bed, bedstead and furniture, her choice, one bureau, half dozen flag bottom chairs, one Mahogany table, one work stand.

I give, devise, and bequeath to my son George A. Herring, his heirs and assigns forever the following real estate, to-wit: One parcel of land on falling creek beginning at the School House Spring at a cypress and 6 1/2 E. 100 poles, thence North 88 E. 56 poles, thence

2 1/2 E. 76 1/4 poles, then North 27 E. 64 poles, to 80% E. 26 poles to a water oak, thence to ch 30 1/2 N. 40 1/4 poles to a white oak, thence North 78 West 8 poles, then North 24 N. 4 poles, then up the ditch to 11 N. 40 poles to a maple, then North 32 N. 33 poles to an ash, thence to 65 N. 24 poles to a dead pine stump, then North 20 N. 94 poles to a white oak ^{under a large} stump, then to 45 1/2 N. 65 poles to a white oak ^{under a large} stump, thence to 48 N. to Rutliff's given line, then with Rutliff's given line West 17 poles, then S. 18 E. 120 to a pine gone, then West 67 poles to a stake on the ditch Jacob Parrott's corner, then South 24 1/4 poles to falling creek at a stake centered by two small trees - a birch and holly - thence down the creek to the beginning, also 10 acres on the South side of falling creek making in all about 435 acres.

- 3 I give and bequeath unto my beloved son George all my stock of hogs, cattle, horses, sheep, and all other property of every kind and sort not heretofore given away
- 11 Lastly, All money, notes, bonds and choses in action that may be on hand at my death I leave to all my children to be equally divided between them. And I do nominate, constitute and appoint my sons William J. Herring and George A. Herring sole ^{residing and} Executors of this my last will and testament hereby making void all other and every other will at any time heretofore made by me, and do declare this to be my last will and testament.

In witness whereof I the said William Herring have hereunto set my hand and seal this 11th day of March, 1876.

William Herring

Signed, sealed, published and declared by the said William Herring 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

Edward Matchett Herring
John B. Hill.

I, William Herring of the County of Lenoir and

State of North Carolina, being of sound mind and disposing memory, do this 25th day of August, 1881, make this a codicil as a part and parcel of this my said will heretofore made: March 11th, 1876, find that I have not disposed of heretofore by deed or by my said will, about four acres of land, I do, therefore, by this, my codicil give and devise to my son George A. Herring the following described land aforesaid: About four acres of land in the North-east corner of the ^{land of the} said George A. Herring.

In testimony whereof I hereto set my hand and affix my seal the day and date above written.

William Herring

Signed, sealed, published and declared to be a codicil to his last will and testament (the said William Herring) in presence of us, who, at his request and in his presence do subscribe ourselves as such.

John B. Hill.

North Carolina, } Probate Court,
Lenoir County. } July 11th, 1882.

A paper writing purporting to be the last will and testament of the said William Herring, dec'd, is exhibited before me by Wm. Herring and Geo. A. Herring, the Executors, and the due execution thereof said deceased is proved by the oath and examination of Edward Matchett Herring and John B. Hill, the subscribing witnesses thereto, who, being 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 William Herring, dec'd, that the said William Herring in the presence of this deponent subscribed his name at the end of said paper writing now shown as aforesaid, and which bears date of the eleventh of March, 1876.

And the deponent further saith that the said William Herring, the testator aforesaid, did, at the time of subscribing his name, as aforesaid, declare the said paper writing to be his last will and testament. And this deponent did thereunto

scribe his name at the end of said will as an attesting witness thereto and at the request and in the presence of said testator.

And this deponent further saith that at the time when the said testator subscribed his name to the said last will and testament as aforesaid and at the time of the deponent's subscribing his name as an attesting witness thereto, the said William 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 one of the deponents Jno. B. Hill, further deposes that William Herring, the testator, did, on the 23rd day of August, 1881, subscribe his name to a codicil to the said will or paper writing above mentioned and the defendant John B. Hill did subscribe his name as a witness thereto by the request of said William Herring, and in his presence, and that the paper writing, to wit: the codicil attached, which is now shown him, is the same which he witnessed at the request of said Mr. Herring.

And further the said deponent saith that the said William Herring, the testator aforesaid, died, at the time of subscribing his name as aforesaid, declare the same to be a codicil to the will which he had made on the 11th day of March, 1876. And this deponent did thereupon subscribe his name as a witness thereto at the end of said codicil, and at the request and in the presence of said testator. — And the deponent further saith that at the said time when the testator subscribed his name to the said codicil, as aforesaid, and at the time of the deponent's subscribing his name as an attesting witness thereto the said William 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.

Edw. Herring,
John B. Hill.

Severally sworn and
subscribed this 11th day }

of July, 1882 before me
Wm. H. Hunter
Probate Judge. }

North Carolina, } Probate Court,
Lenoir County. } July 15, 1882.

The foregoing paper writing purporting to be the last will and testament of William Herring, dec'd, and a codicil thereto, are exhibited before me for probate by William D. Herring and George H. Herring, the Executors therein named, and the due execution thereof by the said William Herring, dec'd, is proved by the oath and examination of Edward Matchett Herring and John B. Hill, the subscribing witnesses thereto. It is, therefore considered by the Court that the said paper writing, purporting to be the last will and testament of the said William Herring, deceased, and that said codicil is the codicil thereto; and the same are ordered to be recorded and filed; and thereupon the said William D. Herring and George H. Herring, Executors as aforesaid, duly qualify as such by taking the oath required by law. Letters testamentary issued.

Wm. H. Hunter,
Probate Judge.

Lenoir County: In the Probate Court.

State of North Carolina,

To all whom these presents shall come: — *Cogefing*
It being satisfactorily proven to the undersigned Judge for Lenoir County that William Herring, late of said County, is dead, having made his last will and testament, which has been admitted to probate (a true copy whereof is hereto annexed) and Wm. Herring and George H. Herring, the executors therein named, having qualified as such according to law: Now these are therefore to empower the said Executors to enter in and upon all and singular the goods and chattels, rights and credits of the said deceased, and the same to take into possession, whensoever to be found, and all the just debts of the said deceased to pay and satisfy, and the residue of said estate to distribute according to the directions of said will.

(L.S.)

Witness my hand and the seal of said