

5

In the name of God Amen I Samuel Rogers of the
County of Martin and State of North Carolina being of
sound mind and memory and considering the uncertain-
ty of this brief and temporary life do therefore make ordain and
declare this and no other to be my last will and Testament.

That is to say after all my just and lawful debts are paid
and discharged the residue of my Estate both real and
personal I give bequeath and ordain as follows to
wit—

Item 1st I leave unto my beloved wife all my
Estate both Real and Personal, during her natural life,
except that which is hereinafter devised and after the
Death of my said wife my will is that all of said
property & testate devised to her my said wife above named
be equally divided between Mary Ann Guernan and
Doreas H. Cahan both of whom I have raised and
are now living with me and if the said Mary Ann
Guernan dies without issue lawfully be gotten of her
body my will is that the share devolved to her go to Doreas
body my will is that the share devolved to her go to Doreas
H. Cahan her heirs & assigns forever and in case
the said Doreas H. Cahan should die without leaving an
heir lawfully begotten of her body my will is that the share
devolved to her go to Mary Ann Guernan her heirs &
assigns forever

Item 2^d I give and bequeath unto Anne Guernan
my adopted daughter one Bed and furniture to her and
her heirs forever subject to the first clause of this
will— Item 3^d I give and bequeath unto Doreas H. Cahan
wife of my wife one Bed and furniture to her and her heirs
forever subject to the exception named in the first clause of this
will—

I testify I do hereby constitute make and ordain my worthy
friend Joseph D. Biggs of the County and State aforesaid to execute
to this my last will and Testament— In witness whereof I have
hereunto set my hand and seal to this my last will
and Testament this the twenty eighth day of April 1868—
Signed sealed published
and declared in the presence
of C.B. Haefel

Joseph Holliday

Samuel Rogers

Revenue Stamps One 50 cent dollar

Martin County— S. in the Probate Court

A paper purporting to be the last will and Testament
of Samuel Rogers appears to be exhibited before me
the undersigned Judge of Probate for this County

52

Joseph D. Biggs the executor herein named and the due execution thereof
by the said Samuel Rogers by the oath and examination of C.B. Haefel
and of Joseph Holliday the subscribing witness thereto, who being
fully sworn doth depose and say and declare for himself that on a recent
day that he is a subscribing witness to the paper writing now shown
him purporting to be the last will and testament of Samuel Rogers,
that the said Samuel Rogers in the presence of this subscriber
subscribed his request to the end of said paper writing which is now
shown as aforesaid and which bears date on the 28th April 1868—

And the defendant further saith that the said Samuel Rogers
the testator aforesaid did at the time of subscribing his name as
aforesaid declare the said paper writing so subscribed by him and intended
it to be his last will and testament and this defendant 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 testator.

And this defendant further saith that about same time when the
said testator subscribed his name to the said last will aforesaid
and at the time of the defendant subscribing his name as an attesting
witness thereto as aforesaid the said Samuel Rogers was of sound mind
and memory of full age it is evident a will and was not unduly
restrained by fraud, duress, influence or belief of title defendant, and
further this defendant sayeth—

C.B. Haefel

Joseph Holliday

In consideration whereof
this the 24th day of May 1868— Therefore let
the said paper writing be recorded as such

L.W. Johnson
Probate Judge