

the other executor D. J. Living having renounced and the execution thereof by the said James Ballen by the oath and affirmation of W. M. Proctor and W. P. Garbrough the subscribing witnesses thereto. The being duly sworn doth depose and say and each for himself deposes and says that this a subscribing witness to the paper writing now shown him purporting to be the last will and testament of James Ballen that the said James Ballen in their presence of this deponent subscribed his name at the end of said paper writing which is now shown as aforesaid and which bears date of the 17 day of December 1882 -

And the deponent further saith that the said James Ballen the testator aforesaid did at the time of subscribing his name as aforesaid declare the said paper writing to be subscribed 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 attesting witness thereto and at the request and in the presence of the said testator. And this deponent further saith that at the said time when the said testator subscribed his name to the said will as aforesaid and at the time of the deponent subscribing his name as an attesting witness thereto as aforesaid the said James Ballen was of sound mind and memory of full age to execute a will and was not under any restraint or knowledge information or belief of this deponent.

And further these deponents say not. Legally sworn and Subscribed this 20th day of November 1882.

W. L. Haddo
Probate Judge

W. M. Proctor
W. P. Garbrough

Ballen Ant.
Haddo of
James Ballen
decent
from will

Montgomery County Probate Court.
In the matter of the Estate of James Ballen, deceased.
Will.

To the Honorable the Judge of Probate Court of Montgomery County.

Elizabeth Ballen respectfully represents that she is the widow of the late James Ballen as decedent. That said decedent made certain provisions for her in his last will, which has been duly found and allowed in said Court within its month last past and that she hereby waives the provision made for her in said will & directs from the same and hereby gives notice that she will claim her share in the lands of said decedent and her distributive share & fees allowance of his personal estate.

November the 29th 1882.

Signed in the presence of, Elizabeth Ballen
of W. L. Haddo
Probate Judge

Montgomery County Probate Court.
In the matter of the will of J. Ballen, late of Montgomery County, deceased.
Sarah Bayle.

Jonathan Bayle being duly sworn doth say that Lydia Bayle late of said County is dead having first made and published her last will and testament and that Sarah Bayle the executrix mentioned is dead that against the next of kin is entitled to letters of administration with the will annexed.

Sarah Bayle
Will

Further that the property of the said Sarah Bayle consisting personally of real estate worth about \$4000 at near or less be ascertained at the date of this application and that Jonathan Bayle the executrix Martha Bayle widow of John Bayle and the minor heirs of John Bayle without Surrogate Lydia Jane Bayle Martha Bayle & William Bayle all residing in Montgomery County are the parties entitled under said will to the said property.

Sworn to and subscribed before me } Jonathan Bayle
this 20th day of November 1882.
W. L. Haddo, Judge

Sarah Bayle of the County of Montgomery and State of North Carolina.

Being of sound mind & memory but considering the uncertainty of my earthly existence do hereby my last will and testament in the manner and form following that is to say:

First My step Mother Lydia Bayle shall provide for my body a decent burial to the wishes of my relatives and friends and pay all funeral expenses together with my just debts & expenses and to whomsoever owing.

I give and devise to my step Mother Lydia Bayle one half part of land it being my part of five hundred and fifty three and three fourths acres it being my part of the land of my father's estate it being the undivided tract then tract being and being in the above said State and County adjoining John McLeod and John King it being on the waters of Williams Creek my part of said tract when divided would be 1/2nd of 1/2nd of land when divided of which I Sarah Bayle give and devise to my step Mother Lydia Bayle all that part of land when divided which will be 1/2nd of 1/2nd of land to have and to hold to her and her heirs in fee simple and forever.

2 I give and devise to my brother Riley Bayle fifty cents.

3 I give and devise to John Bayle my half brother fifty cents.

4 I give and devise to my half brother Matthew Bayle fifty cents.

5 I give and devise to my half brother Madison Bayle fifty cents.

6 I give and devise to William L. Bayle nephew fifty cents.

all of which is to be paid when the same here arrive at the full age of twenty one years old and lastly I do appoint my step Mother Lydia Bayle my lawful executrix to all intents and purposes to execute this my last will and testament according to the true meaning of the same & in witness whereof I the said Sarah Bayle do

hereunto set my hand and seal this the Seventeenth day of March in the year of our Lord one thousand eight hundred and sixty three.

Signed sealed published and declared in the said Sarah Bayle to be her last will and testament in the presence of us who at her request and in her presence do subscribe our names as witnesses herewith.

Peter Spaulberger } Sarah Bayle (Test)
Isaac Bayle }
Witness

Supplement or addition.

I Sarah Bayle do give and devise and devise to my step Mother Lydia Bayle one half of my land and covering together with all my clothing to have and to hold for her and her heirs in fee simple and forever.

This supplement written signed sealed and published the same day and date as above mentioned and written it being the 17th day of March 1863 Whereas I Sarah Bayle do hereunto set my hand and seal.

Signed sealed and published in the presence of the witnesses hereunto subscribed.

Peter Spaulberger } Sarah Bayle (Test)
Isaac Bayle }
Witness

Montgomery County in the Probate Court. A paper writing purporting to be the last will and testament of Sarah Bayle deceased is exhibited before me the undersigned Judge of Probate in and for said County by Matthew Bayle one of the legatees and the execution being by the said Sarah Bayle by the oath and examination of Peter Spaulberger and Isaac Bayle the subscribing witnesses both who being duly sworn do depose and say and each for him self depose and swear that he is a subscribing witness to the paper writing now shown him purporting to be

and where
 The last will and testament of Sarah Bayle
 that the said Sarah Bayle in the presence of
 the deponent subscribed her name at the end
 of the said paper writing which is now shown
 as aforesaid and which bears date on
 the 17th day of March 1863 and the deponent further
 swears that the said Sarah Bayle the testator
 aforesaid died at the time of subscribing her
 name as aforesaid, declare the said paper
 writing as subscribed by her and is declared
 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
 thereunto and at the request and in the
 presence of the said testator
 and this deponent further swears that at the
 said time when the said testator subscribed
 her name to the said last will as aforesaid
 and at the time of the deponent subscribing his
 name as an attesting witness thereto as
 aforesaid the said Sarah Bayle 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 to say not -

Soberly sworn and
 subscribed this 20th day
 of November 1882 before me
 W. C. Haddo
 Probate Judge

Peter Stuenkel and
 Isaac Bayle
 witnesses

Montgomery County: In the Probate Court.

In the matter of the will of ^{Before} W. C. Haddo
 of Nixam Baldwin or Judge of Probate.

James S. Parsons being sworn doth say
 that Nixam Baldwin so late of said liberty
 is dead having first made & published his last
 will & testament, & that affiant is the executor
 named therein

Further that the property of the said Nixam Baldwin
 so consisting of Personal Estate is worth about \$4000
 so far as can be ascertained at the date of this applica-
 tion & that Sophia Panting, James W. Baldwin,
 William D. Baldwin, Madison Baldwin, or
 his heirs, Nathan H. Baldwin, Nixam Baldwin,
 Diga Kennedy, Eliza Jane V. Panting, Elizabeth Swift
 & Sarah Jane Mearns are the parties entitled
 under said will to the said property

Baldwin & Nixam
 Well
 James S. Parsons
 Sworn to and subscribed
 before me this 14th day of
 December 1882.
 W. C. Haddo
 Probate Judge.

State of North Carolina
 Montgomery County: I, Nixam Baldwin son
 of the County and State aforesaid, 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:
 That my executor shall provide for my
 body a decent burial suitable to the wishes of my
 relatives and friends and shall pay all funeral expenses
 together with my just debts however and to whom
 soever owing out of the moneys that may first come
 into his hands as a part or parcel of my Estate.
 Item - I give and bequeath to the heirs of my oldest daughter
 Decemard Sophia Panting the sum of Five Dollars to
 be paid by my executor, within two years from the
 time of my death out of any moneys belonging to