

and testament of Mary ^{her} Harris; that the said Mary ^{her} Harris in the presence of three disponent subscribed her name at the end of said paper, writing which is now shown as aforesaid and which bears date of the 19th day of May 1889.

And the disponent further saith that the said Mary ^{her} Harris the testator aforesaid, did, at the time of subscribing her name as aforesaid, declare the said paper, writing so subscribed by her and exhibited 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 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 her name to the said last Will as aforesaid and at the time of disponent subscribing his name as an attesting witness thereto, as aforesaid, the said Mary ^{her} Harris was of sound mind and memory, of full age, and execute a will and was not under any restraint to the knowledge or belief of this deponent: And further these deponents say not.

Robert T. Ansh. ^{my} ^{dear} ^{friend}

Subscribed this 11th day of Sept. 1890 before me, W. R. Harris, C.S.C.

State of North Carolina

Montgomery County, Before H. R. Harris, C.S.C.

A paper purporting to be the last Will and Testament of Mary Harris, deceased, is exhibited before me the undersigned Clerk Superior Court for said County, by Athas T. Ansh the executor therein named. And it is thereupon proved by the oath and examination of A. T. Ansh that A. T. Ansh, one of the subscribing witnesses thereto is dead; and it is further proved by the oath and examination of the said A. T. Ansh that he is well acquainted with the hand writing of C. H. Ansh having often seen him write and that the name of the said C. H. Ansh subscribed as a witness to the said will is in the proper hand writing of the

said C. H. Ansh and it is also proved by the oath and examination of the said A. T. Ansh that the name of the said Mary Harris, subscribed to the said Will as testator is in the proper hand writing of the said Mary Harris and further this deponent without form and subscribed before me this 11th day of November 1890 W. R. Harris C.S.C.

North Carolina } In the Superior Court.
Montgomery County } Before H. R. Harris, C.S.C.
It is therefore considered and adjudged that the foregoing paper, writing and every part thereof, is the last Will and Testament of Mary Harris, deceased and the same is duly recorded as such. This 1890.
W. R. Harris, C.S.C.

Montgomery County, In the Superior Court.
In the matter of the Will of }
W. H. DeBerry, Sr. } Before H. S. Harris, C.S.C.

C. F. DeBerry being sworn, deposes and says: That W. H. DeBerry, Sr., late of said County, is dead, having first made and published his last Will and Testament, and that E. F. and W. H. DeBerry are the executors named therein. Further that the property of the said W. H. DeBerry, Sr. consisting of real and personal notes and claims is worth about \$2000, so far as can be ascertained at the date of this application, and that C. F. DeBerry, W. H. DeBerry, Jr., Mattie DeBerry, wife of J. L. Newbold, Annie DeBerry, & W. Wooler, Sr. are the parties entitled under said Will to the said property.

Sworn to and subscribed before me this 13th day of Sept. 1890
W. R. Harris, C.S.C. }
C. F. DeBerry, }
W. H. DeBerry, Jr. }

In the name of God amen I, W. G. De Berry, Sen.
of the State of North Carolina - County of Montgomery,
impressed with the uncertainty of life & the certainty
of death, but being of sound mind & memory, do
make this my last will and Testament, in manner
& form as follows. That is to say I give & bequeath
to my nephews E. G. De Berry & W. G. De Berry, Jr. The
Wilson tract of land to be equally divided between
them either by sale or otherwise if said tract is bounded as
follows to wit, beginning on the East bank of Black's Creek
at John Musk's Corner runs S. 80 E. about 300 poles to Cook's
Corner, also John Musk's, then N. 42 E. so as to include the
old shop place about one yard, 130 poles to Tom Hearn's line
of the Williams tract then N. 47 W. 177 poles, then a few yards
to the road at & in direction of a large white oak standing
on the edge of the road then along said road which leads
to the old ford across the creek before De Berry's Mill
to said ford then down the various courses of said Creek
to the beginning at John Musk's Corner containing about
220 acres more or less & give to the above mentioned nephews
also 7 1/2 acres of land lying adjoining Dan Robinson and
Jerry De Berry Col. & what debts & claims may be due me,
my surviving implements I wish for the few books &
I own to be equally divided among my 3 or 4 sons &
children & Willie & Annie to have what little furniture
I own & the negroes.
I wish for Frank and Willie De Berry to execute this
will in the division of the Wilson tract & wish the long grounds
to be equally divided between them. The line running E. & W.
I want to have the upper & Will the lower part otherwise
also being made to De Berry for the 4 acres & give to Will.
To G. H. Hooley, Sen. I give & bequeath the two notes which
I hold against G. H. Hooley, Sen. & Amelia & John Bennett
of 1853 each principal to be gathered with all interest which
may be due upon them up to my death.
In testimony whereof I do hereunto set my
hand & seal. W. G. De Berry (Seal)

Signed, sealed & published
in presence of
John G. Smith
J. B. Smith
Sept. 8th 1887

State of North Carolina In the Superior Court,
Montgomery County,

A paper purporting to be the last will and Testament
of W. G. De Berry, Sen. deceased, is exhibited before me, the
undersigned Clerk of said Superior Court for said County, by
E. G. and W. G. De Berry, Jr. the executors therein named, & the due exe-
cution thereof by the said W. G. De Berry, Sen. by the oath & examination of
John D. Smith & J. B. Smith (his name to) thereto, is being duly
proven, each of us say, & each for himself depose & swear that
he is a sub subscribing witness to the paper purporting to be the
last will & Testament of W. G. De Berry, Sen. that
the said W. G. De Berry, Sen. in the presence of this defendant subscribed
his name at the end of said paper purporting, which is now shown
as former will, & which bears date of the 3rd day of Dec. 1887.
And the deponent further swears, that the said W. G. De Berry,
Sen. the testator of said will, died at the time of subscribing his name
as of said will, declare the said paper purporting to be the will of him
& is exhibited, to be his last will and Testament, & this deponent did
thereupon subscribe his name at the end of said will and was
attesting witness thereto, & at the request & in the presence of the
said testator. And this deponent further swears, that at the
said time when the said testator subscribed his name to the
said last will as of said will, & at the time of deponent's sub-
scribing, his name as an attesting witness thereto, as of said
the said W. G. De Berry, Sen. was of sound mind & memory,
of full age to execute as will, & was not under any restraint
to the known legal information or belief of this deponent.
And further these deponents say next,
truly sworn and John D. Smith, J. B. Smith, (Seal)
subscribed this 13th day of Sept. 1890, before me, J. B. Smith, (Seal)
W. P. Harris, C. C. B.

North Carolina In the Superior Court,
Montgomery County, Before W. P. Harris, Clerk Superior Court.
It is therefore considered and adjudged that the foregoing
paper purporting to be the last will and Testament of
W. G. De Berry, Sen. is the last will and Testament of
said deceased & is duly recorded.
This Sept. 13th 1890.
W. P. Harris, Jr.

Montgomery County — In the Superior Court.
In the last will and testament of
R. J. Smith

Debita Smith being duly sworn doth say:
That R. J. Smith late of said County is dead having first
made and published his last Will and Testament and
that Debita Smith is the executrix named therein.
Further that the property of the said R. J. Smith consisting
of personal and real estate worth about
as far as can be ascertained at the date of this application
and that Debita A. Smith, Mary C. Stewart & John Calvin
Smith are the parties entitled under said will to the
said property.

Known & well subscribed before, Debita A. Smith.
on this 11th day of Oct. 1890
W. H. Gorman, C. L.

R. J. Smith of the County of Montgomery and State
of North Carolina being of sound mind and memory
and in perfect health and knowing the uncertainty
of life and the certainty of death and wishing to
give direction to the disposition of my effects to
take place after my death I do make publish and
declare the following to be my last Will and
Testament, to wit:

I. It is my will and desire that my dear wife
Debita A. Smith shall be (upon my death) at
once vested with my entire property both real and
personal for the term of her natural life save
and except ten (\$10.00) Dollars which I wish my
executrix upon my death to pay over to my daughter
Mary C. Stewart.

II. Upon the death of my dear wife it is my will
and desire that my son John Calvin Smith shall
at once enter into possession and be vested with all
the property real and personal of whatever description
that may be of my estate at that time.

III. I hereby make constitute and appoint my beloved
wife Debita A. Smith as my executrix to carry out the
provisions of this my last will and Testament. For testimony
whereof I have to set my hand and affix my seal. This Dec. 24th

G. D. 1889.
W. H. Gorman.
W. H. Gorman.

R. J. Smith (real)

State of North Carolina In the Superior Court.
Montgomery County

A paper purporting to be the last Will and Testament of
R. J. Smith deceased is exhibited before me the
undersigned clerk of the Superior Court for said County
by Debita Smith the executrix therein mentioned
and the due execution thereof by the said Debita Smith
in the path and examination of the W. H. Gorman and
W. J. Gorton the undersigned witnesses thereto being
being duly sworn doth depose and say and again
for himself depose and say that there is
an exhibition of the said paper purporting to be the
last Will and Testament of R. J. Smith to the said Debita Smith in the
presence of this deponent subscribed the name
at the end of said paper purporting to be the
last Will and Testament of R. J. Smith in the
24th day of December 1889 and the deponent further
saith that the said R. J. Smith the testator aforesaid
and at the time of subscribing the name as aforesaid
dispute the said paper purporting to be the last Will and
Testament of R. J. Smith and the deponent further
saith that the said R. J. Smith the testator aforesaid
did thereupon subscribe the name at the
end of said Will as an attesting witness thereto and at
the request and in the presence of the said Debita Smith
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 deponent
subscribing his name as an attesting witness thereto as
aforesaid the said R. J. Smith was of sound mind and
memory of full age and executed a will and was not under
any restraint in the knowledge or information or belief
of this deponent. And further these deponents each and
every of them depose and say that they are the
true and correct copies of the said Will and Testament
of R. J. Smith as aforesaid.

Subscribed and sworn to
on this 11th day
of Dec. 1890
W. H. Gorman, Jr.