

699

See page
11-12-13

I Julia Calston widow of William Calston do enter my dissent to his last will and testament with the request that a proper record of the same be made on the records of said Court
May 9th 1881

Witness Jacob Pauls

Julia Calston
mark

701

State of North Carolina
Hask County

In the presence of God I do

I Zachariah R. Driver being weak in body but 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.

First - that my executor herein after named shall provide for my body a decent burial suitable to the wishes of my relations and friends and pay all my funeral expenses

Item 2nd

I give and devise to my beloved wife Lucinda Driver One hundred and Eighty eight acres of land known as home tract when on I now live so as to include my mansion house all out houses and other improvements to have and to hold during the term of her widowhood then to her body heirs also one horse male Iron gray called Bill one dark bay horse and buggy. One yoke oxen and cart One first choice cow Eight first choice hogs all the household and kitchen furniture and all the farming implements And I give and devise to my Daughters Gilly Jane and Bessie and my son William B Driver all the remainder of my lands to be equally divided between them And lastly I do hereby constitute and appoint my beloved wife Lucinda Driver 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 making and declaring utterly void all other wills and testaments by me heretofore made.

In witness whereof I the said J. R. Driver do hereunto set my hand and seal this 10th day of November 1881
Signed sealed and delivered
in presence of us
Zachariah R. Driver (Seal)

A. J. Taylor
J. H. Pauls

State of North Carolina
Hask County

In The Probate Court

A paper purporting to be the last will and testament of Zachariah R Driver deceased is exhibited before me the undersigned Judge of Probate for said County by Lucinda Driver the executrix thereof named on the clear execution thereof by the said Zachariah R Driver by the oath and examination of J. Payler & J. H. Pisdale the subscribing witnesses thereto who being duly sworn doth depose and say and each for himself depose and swear that he is a subscribing witness to the paper writing now shown him purporting to be the last will and testament of Zachariah R Driver that the said Zachariah R Driver in the presence of said witnesses subscribed his name at the end of said paper which is now shown as aforesaid and which bears date of the 10th day November 1881 and the defendant further swears that the said Zachariah R Driver the testator aforesaid died at the time of subscribing his name as aforesaid and declared the said paper writing to be his last will and testament and the 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 the defendant further swears that at the said time when the testator subscribed his name to the said last will as aforesaid and at the time of the defendant subscribing his name as an attesting witness thereto as aforesaid the said Zachariah R Driver knew what he was doing and the full scope and effect of the same of full age to execute a will and was not under any restraint to the knowledge information or belief of this defendant and further this defendant say not

Signed Sealed and delivered
in the presence of
Benj H Perdy
Probate Judge

A. J. Payler (Seal)
J. H. Pisdale (Seal)

State of North Carolina
Hask County

I Joseph H. Harper of the County and State aforesaid being of sound and disposing mind and memory and knowing the certainty of death and the uncertainty of life do make and declare this my last will and testament as follows

Item 1st It is my will and desire that my wife Coranny Harper shall have possession and hold during her natural life all my estate and property both real and personal of every description and I hereby devise and bequeath the same to her during her life

Item 2nd Upon the death of my said wife Coranny Harper it is my will and desire that my son Augustus Lafayette Harper and my two daughters Jennett Louisa & Francis Ann shall have jointly and equally all my personal property

Item 3rd Upon the death of my wife Coranny I will and bequeath my tract of land on which I now live to my son Lafayette Harper and my two daughters Jennett Louisa and Francis Ann equally to share and share alike - And I desire that they should all live together on the same I further desire that the tract of land should never be sold out of the family but to remain in the same and should Lafayette die leaving no lawful heir then I desire that the two girls Jennett Louisa & Francis Ann have the entire tract of land share and share alike ^{and so} ~~as~~ ^{on} the same and her or her heirs to have all and in case the three should die leaving no issue then and in that case I will and desire that my sons Benj H. Harper and Spencer Harper have the same to share and share alike to them and their heirs forever

Item 4th It is my will and desire and request that my son Augustus Lafayette shall upon my death remain and carry on my farm for the sustenance of his mother during her life and after her death to continue the same for his own benefit and the benefit of my two daughters Jennett Louisa and Francis Ann Harper so long as they remain unmarried

Item 5th I hereby nominate and appoint my son Augustus Lafayette my executor to this my last will and testament

In witness whereof I do hereunto set my hand & Seal this the 11th day June 1878

Joseph H. Harper (Seal)

Witness
of Geo. N. Lewis
Wm. Thomas