

Last Will and Testament of David G. Russell, deceased

I, David G. Russell of the County of Union and State of North Carolina, being of sound mind and memory, but considering the uncertainty of my earthly existence do make and declare this to be my last will and testament in manner and form following, that is to say:

First, That my executors hereinafter named shall provide for my body after my death a decent burial suitable to the wishes of my family and friends, and pay all my just debts, whatsoever and to whomsoever owing, out of the first money that comes into their hands as a part of my estate.

Second, I give and devise to my beloved wife Cynthia Russell Three Hundred dollars in money to be paid to her by my executors out of the first money into their hands, after paying my debts. Also I give to her two choice beds, stands and furniture for same, my choice bureau and six chairs all to be hers during her natural life, and in addition I will and devise that my wife shall live with my son John A. Russell, if she desires on the land hereinafter devised to him and have her support out of the same during her natural life.

Third. I give and devise to my son, J. M. Russell fifteen

and devise that my wife shall live with my son John A. Russell, if she desires on the land hereinafter devised to him and have her support out of the same during her natural life.

Third. I give and devise to my son, J. M. Russell fifteen acres of land which I bought from Henry Beaver in addition to the hundred acres heretofore conveyed to him.

Fourth. I give and devise to my son Jno. A. Russell one hundred and twenty five acres of land including my buildings and improvements lying in the fork of the South and North prongs of Dyck Creek to be laid off in proper and convenient form, allowing the creek to be the North and South lines. Together with about eight or ten acres on the road beginning at the corner at the ford. Subject to the incumbrances above mentioned.

Fifth. I will and devise that my executors hereinafter named sell the balance of my home place after laying out the hundred and twenty five acres for my son John A. Russell being about one hundred and twelve acres more or less. If my three daughters shall so direct them on a credit of twelve months with interest from date and divide and pay over to my three daughters, Elizabeth Beaver, Francis Woods and Jane M. Schorn the proceeds thereof, but

about fifty acres and the balance of my personal property be sold my notes be collected and the proceeds thereof together with my money on hand after paying debts, legacies &c, be equally divided between all of my children share and share alike. The property directed to be sold in this last item. (Article Seven) I direct the sale to be on a credit of twelve months and title of the one hundred acres retained till purchase may be paid with interest from date and my executors to take bond with good and sufficient securities.

Lastly, I do hereby constitute and appoint my trusty friends J. M. Russell and A. C. Russell to be my executors, to execute this my last will and testament hereby revoking and declaring utterly void all other wills by me heretofore made and I further direct that the Probate Court require my said executor or any one appointed to execute this to enter into bond with approved security, for a faithful discharge of their duty as in case of Administrators.

This January 6th 1891

D. G. Russell

Signed sealed and delivered
by D. G. Russell to be his last
will and testament in our

Witness

presence who at his request
and in his presence and in
the presence of each other
subscribe our names as witnesses thereto.

Jno. H. Long
D. M. Long

State of North Carolina, } ss. In the Superior Court.
Union County. }

A paper purporting to be the Last Will and Testament of D. G. Russell deceased, is exhibited before me, the undersigned, clerk of court for said county, by J. M. Russell and A. C. Russell the executors therein mentioned, and the due execution thereof by the said D. G. Russell is proven before me by the oath and examination of Jno. H. Long and D. M. Long the subscribing witnesses thereto; who being duly sworn, doth depose and say, ~~and~~ each for himself, that he is a subscribing to the paper writing now shown him, purporting to be the Last Will and Testament of D. G. Russell; that the said D. G. Russell, in his presence subscribed his name at the end of said paper writing and which bears date of the 6th day of January 1891. That the said D. G. Russell did at the

now shown him, purporting to be the Last Will and Testament of D. G. Russell; that the said D. G. Russell, in his presence subscribed his name at the end of said paper-writing and which bears date of the 6th day of January 1891. That the said D. G. Russell did at the time of subscribing his name as aforesaid declare the said paper-writing to be his Last Will and Testament, and that he 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, that at the time the said testator subscribed his name to the said Last Will as aforesaid, and at the time he subscribed his name as a witness thereto, the said D. G. Russell 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 the deponent. It is therefore adjudged that the said paper-writing and every part and clause thereof is the Last Will and Testament of D. G. Russell, deceased, and ordered that the same be recorded, and that Letters Testamentary be issued to J. M. Russell, the Executors therein named, who thereupon take the oath required by law and Letters Testamentary are issued to them. This 16th day of July, 1895
J. H. Wolfe, C. J. C.