

Last Will and Testament of Jacob O Howard.

I Jacob O Howard 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 my last will and testament in manner and form following, that is to say,

First:

That my Executor (hereinafter named) shall provide for my body a decent burial suitable to the wishes of my relatives and friends and pay all funeral expenses together with my just debts howsoever and to whomsoever owing out of the moneys that may first come into his hands as a part or parcel of my estate.

Item 2^d

I give and devise to my oldest son Jonathan M Howard the sum of two dollars together with one half interest in a sorrel mare which he and my daughter Mary bought of Caroline M P Howard and for which I hold their note bearing date Feby 26 1872.

Item 3^d

I give and devise to my daughter Mary Taylor the sum of Two dollars and also one half interest in the sorrel mare above mentioned.

Item 4th

I give and devise to my oldest daughter Jane O Howard one fifth part of the rest or remainder of my estate after it has been sold to the best advantage either publicly or privately.

Item 5th

I give and devise to my son Jacob S Howard one fifth part of the remainder of my estate after first satisfying the two first

devises or legacies viz Jonathan M. Howard and Mary Taylor, and also after the burial expenses & debts have been paid.

Item 6th I give and devise to my daughter Margaret Leicy Broom the same amount or equal portion as named in Items 4 & 5 or one fifth part after my debts and burial expenses have been paid and after the bequests mentioned in Items 2^d & 3^d have been satisfied.

Item 7th I give and devise to my son R. C. Howard an interest in my Estate equal to that named in Items 4, 5 and 6.

Item 8th I give and devise to my daughter Caroline S. Cowan an interest in my Estate equal to that named in Items 4, 5, 6 and 7.

And Lastly, I do hereby constitute and appoint my son and trusty friend Jacob S. Howard 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 revoking and declaring utterly void all other Wills and Testaments by me heretofore made.

In witness whereof I the said Jacob S. Howard do hereunto set my hand and seal this the 27th day of September 1890.

Jacob S. Howard *Seal*

Signed sealed published and declared
by the said Jacob S. Howard to be his Last
Will and Testament in the presence of us who
at his request and in his presence do subscribe
our names as witnesses thereto.

by the said Jacob O Howard to be his Last Will and Testament in the presence of us who at his request and in his presence do subscribe our names as witnesses thereto.

S. A. Crane
H. M. Parks

Whereas I Jacob O Howard have made my Last Will and Testament in writing bearing date the 27th day of Sept 1890 and have thereby made sundry devises and bequests according to then existing circumstances, but my mind having undergone some change on account of some statements or acknowledgements that have been made since the writing of the aforesaid will I do by this my writing which I hereby declare to be a codicil to my said will to be taken and construed as a part thereof, will and direct that my oldest son J M Howard shall come in and share equally with the rest of my children in the partition of my Estate; but the note which I hold against him shall be considered as a part of his share in my Estate.

I also will and direct that my daughter Mary Taylor shall come in and share equally with the rest of my children in the partition or division of my Estate; but one half the value of the sorrel mare mentioned in the foregoing will (and which she now has possession of) shall be considered as a part of her share of my Estate.

I also will and direct that my land & hall be rented out for the space of four or five years and then to be sold and an equal division of the proceeds to be made among my children;
In testimony whereof I hereunto set my hand and seal this the 6th day of December 1890.

Signed sealed published and declared by the said Jacob O. Howard to be a codicil or part of his last will and Testament in presence of us who at his request and in his presence do subscribe our names as witnesses.

W M Parks

J H Howey

Jacob O. ^{his} Howard ^{mark} (seal)

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

A paper purporting to be the Last Will and Testament with the Codicil thereto attached of Jacob O. Howard deceased, is exhibited before me, the undersigned, C. S. C. for said County, by J. S. Howard the executor therein mentioned, and the due execution thereof by the said Jacob O. Howard by the oath and examination of S A Crane & W M Parks witnesses to the Will, and W M Parks & J H Howey witnesses to the codicil, who, being duly sworn doth depose and say, and each for himself depose and saith, that he is a subscribing witness to the paper-writing now shown

Jacob O Howard by the oath and examination of S A Crane & W M Parks witnesses to the Will, and W M Parks & J H Hawley witnesses to the codicil: who, being duly sworn doth depose and say, and each for himself depose and saith, that he is a subscribing witness to the paper-writing now shown him, purporting to be the last will and testament and codicil of Jacob O Howard: that the said Jacob O Howard, in the presence of this deponent, subscribed his name at the end of said paper-writing which now shown as aforesaid, and which bears date of the 27th day of September 1890 and the Codicil thereto which bears date of the 6th day of December 1890. And the deponent further saith, That the said Jacob O Howard the testator aforesaid, did, at the time of subscribing his name as aforesaid, declare the said paper-writing so subscribed by him and exhibited, to be his Last Will and Testament and Codicil 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 last Will as aforesaid, and at the time of deponent's subscribing his name as an attesting witness thereto, as aforesaid, the said Jacob O Howard 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 these deponents say not.

Severally sworn and subscribed
this 1st day of December, 1890, before me
F. H. Wolfe, C.S.C.

J H Hawley (Seal)
W M Parks (Seal)
S. A. Crane (Seal)