

Last Will ⁴⁴ Testament of James M. Haywood, decd.

I, James M. Haywood of the County and State aforesaid being of sound mind, but considering the uncertainty of my earthly existence, do make and declare this my last will and testament.

First My executors hereinafter named, shall give my body a decent burial, with tomb stones to mine and my wife's graves suitable to the wishes of my friends and relatives and pay all funeral expenses together with all my just debts out of the first moneys which may come into their hands belonging to my estate

Second. It is my will and desire that what I have heretofore given to my son A. B. Haywood be his proportionate part of my real estate which sums amounts to about three hundred and fifty dollars

Third It is my will and desire that what I have heretofore given to my daughter Manerva C. Turner be her proportionate part of my real estate

Fourth It is my will and desire that what I have heretofore given to my daughter Hester A. Halloway be her proportionate part of my real estate

Fifth It is my will and desire that what I have heretofore given to my daughter Louisa R. Hill be her

my earthly existence, do make and declare this
my last will and testament.

First My executors hereinafter named, shall give my
body a decent burial, with tomb stones to mine
and my wife's graves suitable to the wishes of my
friends and relatives and pay all funeral expenses
together with all my just debts out of the first
moneys which may come into their hands belonging
to my estate

Second. It is my will and desire that what I have heretofore
given to my son A. B. Haywood be his proportionate part
of my real estate which sum amounts to about three
hundred and fifty dollars

Third It is my will and desire that what I have heretofore
given to my daughter Maervia C. Turner be her
proportionate part of my real estate

Fourth It is my will and desire that what I have heretofore
given to my daughter Hester A. Salloway be her pro-
portionate part of my real estate

Fifth It is my will and desire that what I have hereto-
fore given to my daughter Louie Beckill be her
proportionate part of my real estate.

Sixth I give and bequeath to my son A. B. Haywood during
his natural life and then to his legal heirs in fee

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Last Will and Testament of James M. Haywood, Cato.

Simple all of my Gurley tract of land lying on the west side of Twelve Mile Creek adjoining the lands of Brown as the Lewis Mining Property and others

Seventh It is my will and desire that my executors sell all the remainder of my real estate not otherwise disposed of in this will and divide the proceeds thereof equally between A. C. Haywood, E. A. Haywood, Arminia S. Brown and Etter H. Turner (deceased) heirs (four shares)

Eighth It is my will and desire that my executors reserve enough from the share of Etter H. Turner's (deceased) heirs to put suitable tomb stones to the graves of Henry Turner and wife (deceased)

Ninth It is my will and desire that my executors sell all my personal effects (after my wife receives her just claims) and divide any surplus thereof equally between my children

Tenth. I hereby constitute and appoint my trusty friends J. E. Brown and J. C. Hill my lawful executors to all intents and purposes, to execute this my last will and testament according to the true intent and

between my children
Tenth. I hereby constitute and appoint my trusty friends
J. E. Brown and J. C. Still my lawful executors
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.

In witness whereof, I, the said James M. Haywood
do hereunto set my hand and seal, this the 2nd
day of January A. D. 1896
James M. Haywood 

Signed sealed, published and declared by the said
James M. Haywood to be his last will and testa-
ment in the presence of us, who at his request and in
his presence do subscribe our names as witnesses thereto.
Witness James M. Lamberlin
Witness J. L. King

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

A paper purporting to be the Last Will and Testament
of James M. Haywood, deceased, is exhibited before

Last Will and Testament of James M. Haywood, Contd.

Last Will

me, the undersigned, Clerk of Court for said County, by J. E. Brown and J. C. Hill the executors therein mentioned, and the due execution thereof by the said James M. Haywood is proven before me by the oath and examination of James M. Timberlin and J. L. King the subscribing witnesses thereto, who being duly sworn, doth depose and say, each for himself, that he is a subscribing witness to the paper-writing now shown him, purporting to be the Last Will and Testament of James M. Haywood, that the said James M. Haywood, in his presence, subscribed his name at the end of said paper-writing and which bears date of the 2nd day of January, 1896 that the said James M. Haywood 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

and which bears date of the 2nd day of January 1896 that the said James M. Haywood 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 James M. Haywood 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 James M. Haywood, deceased, and ordered that the same be recorded and that Letters Testamentary be issued to J. E. Broom and J. C. Hill the Executors therein named, who thereupon take the oath required by law and Letters Testamentary are issued to them. This 13th day of January 1896
J. H. Wolfe, C. J.