

Last Will and Testament of John Houston.

I, John Houston 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 relations and friends, and pay all funeral expenses together with my just debts, howsoever and to whomsoever owing out of the money that may first come into his hands as a part or parcel of my estate.

Item 1st I give and devise to my daughter Margaret, One hundred dollars which amount I intend her to have over and above the rest of my legatees.

Item 2nd I give and devise to my four grand children, viz: Pamela, Margaret, Ira L. and Minney Conder, Three hundred dollars to be divided equally between them share and share alike.

Item 3rd I give and devise to my grand daughter Elizabeth

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 relations and friends, and pay all funeral expenses together with my just debts, howsoever and to whomsoever owing out of the money that may first come into his hands as a part or parcel of my estate.

Item 1st I give and devise to my daughter Margaret, One hundred dollars which amount I intend her to have over and above the rest of my legacies.

Item 2nd I give and devise to my four grand children, viz: Pamela, Margaret, Bra L. and Nancy Conder, Three hundred dollars to be divided equally between them share and share alike.

Item 3rd I give and devise to my grand daughter Elizabeth Elkins, the sum of three hundred dollars to remain in the hands of my Executor until she marries or becomes of age of which sum she may receive with interest.

Item 4th My will and desire is that all the residue of my estate, if any, after taking out the devised and

Last Will & Testament of John Houston, Comth.
 Legacies above mentioned shall be sold and the
 debt owing to me collected and if there should
 be any surplus over and above the payment
 of debt, expenses and legacies that such sur-
 plus shall be equally divided and paid over
 to my 4 children, viz: Ambros P. Houston,
 John C. Houston, Agnes Winchester, William
 Wm Houston, Angell W. Houston and
 Margaret Houston, share and share alike.
 I will and desire is that in making the
 division in the foregoing Item 4th that
 each one will account for the amount
 which each one has received from me
 previous to the date of this writing, which
 amounts will be found set forth on papers
 inclosed with this will, but that no inter-
 est be counted on the amounts each one
 has received.

Item 5th


Item 6th

I do hereby constitute and appoint Ambros
 P. Houston, Trustee for my son John C. Houston
 if said John C. Houston, still resides in
 the State of Mississippi, but if said John

I do hereby constitute and appoint Ambros
D. Houston, Trustee for my son Jno. C. Houston
if said John C. Houston, still resides in
the State of Mississippi, but if said John
C. Houston, returns to the State of North
Carolina, I do appoint my son Hugh M.
Houston, as trustee for him and that my
Executor pay over to said trustee in the State
wherein said John C. Houston resides all
the devised herein made to my said son
John C. Houston, and that said trustee
exercise his best judgment with his said
J. C. Houston, in paying out or investing
the same to the use of said John C. Houston.
And lastly, I do hereby constitute and appoint
my son Hugh M. Houston my lawful
Executor, to all intents and purposes to
execute this my last will and testament
according to the true 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 John Houston.

do hereunto set my hand and seal.
This the day of A. D. 1875.

John Houston 

Signed, sealed, published and declared by the said John Houston to be his last will and testament, in presence of us who at his request and in his presence do subscribe our names as witnesses thereto.

Witnesses { B. D. Houston
W. A. Phifer.

State of North Carolina } Nov. 16th 1877.
Union County }

Then was the foregoing paper writing offered for Probate in open Court by A. M. Houston, the Executor and duly proven by B. D. Houston & W. A. Phifer the subscribing witnesses thereto. It is therefore considered by the Probate Court that the foregoing paper

State of North Carolina } Noor 16th 1877.
Harris County }

Then was the foregoing paper writing offered
for Probate in open Court by A. M. Houston
the Executor and duly proven by ^{H. J.} B. J.
Houston & W. H. Miller the subscribing
witnesses thereto. It is therefore considered
by the Probate Court that the foregoing paper
writing, every part and clause thereof is
the last will and testament of John
Houston dec'd. and the same is ordered to
be recorded and filed.

And the said Hugh M. Houston, the Exe-
cutor therein named was duly qualified
as such by taking the oath as prescribed
by law.

This 16th Noor 1877.

G. W. Alcox, P. J.