

Russell Rogers' Last Will and Testament.

The Last Will and Testament of Russell Rogers of the County of Union and State of North Carolina.

In the name of God amen. I, Russell Rogers of the foregoing County & State being desirous of arranging my worldly affairs in such a manner as to secure my property to those hereinafter named, and so as to prevent any difficulty or confusion concerning the same after my death, and being of sound mind & memory, do make & publish this my Last Will & Testament.

Item 1.

I commend my body to its mother earth and my soul to the God who gave it; and it is my will and desire that my Executor provide for my body a decent and respectable burying suitable to the condition of my Estate.

Item 2

It is my will and desire that my Executor pay all my just debts, burying expenses &c out of my personal estate.

Item 3

It is my will and desire that my Executor collect all the outstanding debts owing to me and that he sell all the personal property of every description at public sale after duly advertising the same according to law and that he apply the proceeds of the sale thereof to the discharge of any and all such debts as may be hereafter found justly due by me, though for the instruction of my Executor I will say that within my present recollection I am not aware that I owe any man living a single cent - though in the

Item 4.

event that my Executor should hereafter be satisfied that I am mistaken & that I do justly owe any sum of money it is my will & desire that it be paid; and the remainder of the proceeds of said personally and the sum of money collected upon the outstanding indebtedness as aforesaid, I will and desire to be applied as hereinafter set forth.

Item

It is my will and desire that all my property of every description, real personal and mixed be equally divided among my wife, children and grandchildren - that is to say, I will and desire that my wife shall have one part, each of my living children shall have an equal part with my wife, & my grandchildren to have the part which would have belonged to their mother equally divided between them, and to this end I have made the direction already given in Item 3 above set forth, and in furtherance of the same purpose I will and desire that my Executor as soon after my death as is practical and convenient, shall expose to public sale, at the Court House door in the Town of Monroe, after advertising the same for thirty days or longer, all of my real estate of every description and convey the same to the highest bidder - said sale to be on a credit of six months.

Item

Item 5.

It is my will and desire that my Executor, after collecting all the debts of every description & selling all the personally as directed in Item 3 above, and after selling all the realty as directed in Item 4 above, and after paying all my just debts & necessary expenses as directed in Item 2 above, and after all the expenses of accounts, settlements, commissions and other necessary expenses incidental to the management of the estate are paid, turn over & pay to my beloved wife Belinda J. Bessie

every description & selling all the personally, as directed in Item 3 above, and after selling all the realty as directed in Item 4 above, and after paying all my just debts & necessary expenses as directed in Item 2 above, and after all the expenses of accounts, settlements, commissions and other necessary expenses incidental to the management of the estate are paid, turn over & pay to my beloved wife Belinda J. Rogers one share of all the remainder, and to my daughters Rachel T. Edgeworth, Rosanna H. Eason, Susan J. Blakeley, Caroline A. Belk, Joan M. Laney, Julia E. Doster each one share equal to that of my beloved wife, and one share each, equal to those of my wife & daughters, to my sons William V. S. Rogers & R. H. A. Rogers, and the remaining share to my grandchildren F. P. Daylor and Mary R. Richardson equally. That is to say, I will & desire that the remainder of the proceeds of all my property, real & personal after everything necessary is paid as above, explained, be divided into ten equal parts & that my Executor pay one party to my wife, & one part to each of my children above-named, and one part to my two grandchildren above-named equally between them.

Item 6. In the event that my wife should die before me, then I will & desire that the proceeds of all my real & personal estate, as described in the latter portion of Item 6 above be divided into nine, instead of ten, equal parts and one part given to each of my children & one equally between my two grandchildren. And in the event that either of my grandchildren or any of my children should die

before me, then my will & desire is that the share of the deceased one under this will & testament shall go to such person or persons as legally represent the child, children, or grandchildren so deceased.

Item 7. In accordance with the tenor and meaning of the foregoing several Items in this my last will & testament I hereby will, bequeath and devise unto my wife, children and grandchildren above-named each such share of my property, real & personal as is set forth in Items 4, 5 and 6. above.

Item 8. To carry out the provisions of the several foregoing Items I hereby nominate and appoint my well beloved son R. H. A. Rogers my Executor to this my last will & testament. In testimony whereof I have hereunto set my hand this the 19th day of August A D 1879.

Signed in the presence of the subscribers who witnessed the same at the request of the Testator and in his presence

G C McLarty

C N Simpson

Whereas, I, Russell Rogers, have made my Last Will and Testament in writing, dated 19th day of August 1879, and have therein directed what disposition shall be made of my property, but circumstances as they then existed have changed, in that I have paid for the use and benefit of my children R. H. A. Rogers H. V. S. Rogers, Rachel T. Edgeworth, Carrie A. Belk, Rosa F. Eason and Susan J. Blakeley the sum of Four Hundred and Eight & 1/4 dollars. Now therefore I direct and will

disposition shall be made of my property, but circumstances as they then existed have changed, in that I have paid for the use and benefit of my children R. W. A. Rogers, W. V. S. Rogers, Rachel T. Edgeworth, Carrie A. Belk, Rosa F. Eason and Susan J. Blakeley the sum of Four Hundred and Sixty $7\frac{1}{4}\%$ dollars, Now therefore I direct and will that in the final settlement of my estate under this will by my executor, that R. W. A. Rogers shall account for and be charged with the sum of Sixty Five dollars with interest thereon from the 12th day of November 1880; that W. V. S. Rogers shall account for and be charged with Sixty Five Dollars with interest thereon from the 4th day of February 1880; that Rachel T. Edgeworth shall account for and be charged with Sixty Five dollars with interest thereon from the 18th day of November 1880; that Carrie A. Belk shall account for and be charged with Sixty Five Dollars with interest thereon from the 9th day of November 1880; and that Rosa F. Eason shall account for and be charged with Sixty five dollars with interest thereon from the 11th day of November 1880 and that Susan J. Blakeley shall account for and be charged with Forty Four $7\frac{1}{4}\%$ (\$44²⁴) Dollars with interest thereon from the 18th day of December 1884, The rate of interest to be charged on these amounts shall be Six per centum per annum.

Since the execution of my will, I have purchased from my daughter Rosa F. Eason, a tract of land containing forty eight (48) acres and have not paid her in full for it and as I desire her to reap the full benefit from the land after paying to me, the amount I have paid her

Russell Rogers Will cont^d

on the land, I therefore direct my executor to sell the said tract of land as hereinbefore directed, separate from any other tract and out of the proceeds arising from the sale, he shall retain as a part of my estate to be divided as hereinbefore directed in my will, the sum of One hundred and forty six & $\frac{33}{100}$ Dollars, without interest and all money in excess of said sum arising from the sale of this land, he shall pay to Rosa F. Eason, if living, if not living then it shall be paid to her children.

In witness whereof I here to set my hand and seal this 19th day of December 1884.

R Rogers (Seal)

Signed, sealed, and declared by Russell Rogers to be a codicil to his last will and testament in the presence of us, who at his request and in his presence subscribe our names as witnesses thereto.

C N Simpson
Geo C McLarty

State of North Carolina

Union County. } ss In the Superior Court
a paper purporting to be the Last Will and Testament ^{-and codicil thereto-} of Russell Rogers, deceased, is exhibited before me, the undersigned, Clerk of Court for said County, by: R N A Rogers the Executor

State of North Carolina

Union County.

ss

In the Superior Court.

a paper purporting to be the Last Will and Testament ^{and Codicil thereto} of Russell Rogers, deceased, is exhibited before me, the undersigned Clerk of Court for said County, by: R. W. A. Rogers the Executor therein mentioned, and the due execution thereof by the said Russell Rogers is proven by the oath and examination of C. N. Simpson and Geo. C. McLarty 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 and Codicil thereto of Russell Rogers; that the said Russell Rogers in his presence subscribed his name at the end of said paper-writing and which bears date of the 19th day of August A.D., 1879, and the Codicil thereto which bears date of the 19th day of December 1884; that the said Russell Rogers 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 ^{and Codicil} 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 and the Codicil thereto as aforesaid, and at the time he subscribed his name as a witness thereto, the said Russell Rogers 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 and the Codicil thereto of Russell Rogers, and ordered that the same be recorded and that Letters Testamentary be issued to R H A Rogers the Executor therein named, who thereupon takes the oath required by law and Letters Testamentary are issued to him. This 16th day of March 1891.

F H Wolfe, C.S.C.

Last Will and Testament of Eli Hemby dec^d

State of North Carolina
Union County

I, Eli Hemby being of sound mind and memory do make ordain and publish this to be my last will and Testament as follows:

Item 1st I will that out of the first moneys that may come into the hands of my Executors, my funeral Expenses together with just debts that I may owe be paid.

Item 2nd I devise to my beloved wife my Christopher Stevens tract of land containing Ninety-six acres, also my home tract containing One hundred and Ninety-six acres embracing all the improvements where I now live, and thirty acres of wood land being a part of the

Item 2nd I devise to my beloved wife my Christopher Stevens tract of land containing Ninety-Six acres, also my home tract containing One hundred and Ninety-Six acres embracing all the improvements where I now live, and thirty acres of wood land being a part of the Hagler Tract, Excepting about Sixteen acres being on the west side of the Charlotte and Monroe Road and north west of a road leading West from said Charlotte road and passing on the South side of a house now occupied by T. J. Cohen embracing said house, the part Excepted is a part of the home tract and a part of the Hagler tract to have and to hold to her my beloved wife for and during the term of her natural life in satisfaction for and in lieu of her dower and thirds of and in all my real estate containing in aggregate about Three hundred and Six acres. I also give and devise to my beloved wife all my household and kitchen furniture of every description as now used by me and my family; One Mule her choice of my stock; all my stock of hogs and one years provision for herself and stock; said personal property except my eight day clock to be hers during her natural life, and at her death to be equally divided between the daughters of Andrew and Eliza Starnes

Item 3rd I will and devise to my Niece Margaret Starnes about fifty-five acres of land being a portion of my home tract on the west side of the Charlotte and Monroe road including my dwelling and other improvements; also about twelve acres of wood land being part of the Thirty and Three quarter acre Hagler Tract Commencing at a Pine Stump