

Last Will of Sherwood Ross, decd.

I, Sherwood Ross, of the County of Union and State of North Carolina, being of sound mind and memory, but considering the uncertainty of the duration of my life, do make and declare this my Last Will and Testament in manner and form as follows, to-wit:

Item I. I will and direct that my executors hereinafter named collect all debts due me and that they pay all debts that I may owe and also that they provide for my body a decent burial suitable to the wishes of my relatives and friends and pay all funeral expenses.

Item II. I will and devise to my wife Drucilla A. Ross for and during her natural life or widowhood, after all my debts and funeral expenses are paid, all my other property of every description whatsoever, whether the same consist of money, notes, accounts, real or personal property or specific chattels, all of it to be delivered to her by my executors and to be held, possessed and enjoyed by her during her natural life or widowhood subject to the devises and bequests hereinafter made, she

ing
lent
lia,
id
d
t
cific chattels, all of it to be delivered to her by my
executors and to be held, possessed and enjoyed by
her during her natural life or widowhood subject to
the devises and bequests hereinafter made, she
holding and enjoying during the minority or
nonage of my children the use of all such
property as is hereinafter willed to my minor
children, for I have great confidence in my
wife and have an abiding conviction that she
will at all times do what is just and equitable.

Item II II. In order to make my sons Thomas
Ross and Charles Ross equal in property with
what I have heretofore given to my sons S. F.
Ross and M. C. Ross, I will and devise in fee simple to
my son Thomas Ross (the same to be delivered to him
by my wife when he becomes of age) my tract of land
in Union County, N. C., known as the Jordan
Place and containing One Hundred and Six
Acres more or less, he to account and pay to my
estate the sum of Two Hundred Dollars with in-
terest on it from the time he becomes twenty one
years of age, with the payment of which amount
I hereby charge the said tract of land, I also will
to my said son Thomas (the same to be delivered

To him by my wife upon his attaining his majority) one horse worth one hundred dollars, one saddle, one Cow and calf, and one bed and the necessary bed-clothing for it. And for the purpose of equality aforesaid, I will to my son Charles Ross (the same to be paid over to him by my wife when he attains his majority) Three Hundred Dollars in money with interest on it from the time he becomes twenty one years of age, and also a horse and saddle, a Cow and calf, and one bed and the necessary bed-clothing for it, these specific chattels to be of the same value as the articles of personally willed above to my son Thomas.

Item II V. I consider that my daughter D. A. Shearin lacks Fifty Dollars of having received as much personal property as the value of specific chattels which I have given or willed to each of my four sons, and to make her equal to them in land and personal property I hereby will to her Three Hundred and Fifty Dollars to be paid to her ^{by my executor} at the death of my wife or as soon thereafter as may be practicable, said sum to bear interest from the time of the death of my said wife.

Item V. Out of the property I have willed to my said wife for her natural life or widowhood, I will and direct that my said wife or her heirs

wife or as soon thereafter, as may be practicable,
said sum to bear interest from the time of the death
of my said wife.

Item V. Out of the property I have willed to my
said wife for her natural life or widowhood, I will
and direct that my said wife give off and deliver
to each of my daughters Julia Alice Ross, Elizabeth
J. Ross and Emma B. Ross, as they marry or
become twenty one years of age, the same amount
and kind of specific Chattel property as we have here
to fore given my daughter D. A. Shearman, and I
will to each of my said three daughters, Julia A.,
Elizabeth J., and Emma B. Ross, three hundred
and fifty dollars with interest on it from the time
of my said wife's death and the same to be paid to them
by my executors as soon after the death of my said
wife as may be practicable.

Item VI. I will and direct that my executors turn
over and deliver to my wife all the property and
effects that I have willed to her or to my minor
children, ~~but~~ if the children are minors at my
death, but if the children are of age at my death then
it is my will that my executors pay over & deliver
directly to such as are of age the legacies herein willed

to them. I will and direct that, after the death of my said wife or after she ceases to be a widow, my executors sell all of my property of every description then on hand upon such terms and in such manner as they may see fit and with the proceeds of such sales together with all the moneys and effects then on hand to pay off the pecuniary legacies hereinbefore created (including the legacy of Three Hundred Dollars in favor of my son Charles Ross hereinbefore created if it shall not have been paid by my wife,) and that the balance of said funds be equally divided between ~~my~~ eight children, the children of my deceased son S. F. Ross taking their father's share and the children of any other deceased child also jointly receiving their parents share.

Lastly, I hereby nominate and appoint my son M. C. Ross and my son-in-law D. B. Shearin my executors to execute this my last will and testament according to the true intent and meaning of the same and every clause thereof. I hereby revoking and declaring as null and void all other wills and testaments heretofore made by me.

Has intent and meaning of the said and every clause thereof. I hereby revoking and declaring as null and void all other wills and testaments heretofore made by me.

In witness whereof I have herewith set my hand and affixed my seal on this 26th day of July A.D. 1893.
Sherwood Ross (Seal.)

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

J. J. Vain
J. D. McRae

State of North Carolina }
Union County }

In the Superior Court
A. J. J. purporting to be the Last Will and Testament of Sherwood Ross, deceased, is exhibited before me, the undersigned, clerk of Court for said County,

by M. C. Ross and B. B. Sherwin the executors therein mentioned, and the due execution thereof by the said Sherwood Ross is ^{before me} proven by the oath and examination of J. D. McKee one of the subscribing witnesses thereto, who, being duly sworn, doth depose and ^{swear} and 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 of Sherwood Ross; that the said Sherwood Ross, in the presence of this deponent, subscribed his name at the end of said paper writing ~~which is now shown as aforesaid~~, and which bears date of the 26th day of July, 1893; that the said Sherwood Ross 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 Sherwood Ross 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. And it further appearing upon oath of S. R. Moore, that he is acquainted with the signature of Sherwood

Last

Item

Item

Item

scribe 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 Sherwood Ross 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. And it further appearing upon oath of S. R. Moore that he is acquainted with the signature of Sherwood Ross, the testator, and that the signature to said Will purporting to be that of Sherwood Ross, is the genuine signature of Sherwood Ross, and upon the oath of W. L. Howie that he is acquainted with the handwriting of J. J. Haun one of the subscribing witnesses and that the signature of said witness is his genuine signature and that J. J. Haun is dead. It is therefore adjudged that the said paper-writing, and every part and clause thereof is the Last Will and Testament of Sherwood Ross, deceased, and ordered that the same be recorded and that Letters Testamentary be issued to M. C. Ross & D. B. Sherrin, the Executors therein named, who thereupon take the oath required by law and Letters Testamentary are issued to them.

This 2nd day of July 1894.

Heu

Heu

Heu

any
of the
S. R.
Shenwood
Will
ine sig-
W. L.
J. J.
sig-
is that
the
ines of is
red,
1892
Execution
by law

Item II II I bequeath and devise to my children, Nellie H. Stevens, Fannie E. Stevens and George P. Stevens, the sum of three hundred and fifty dollars, each to be expended, with any accumulated interest thereon, by their guardian in their necessary education, care and maintenance in such a way as to secure the best possible benefit to each of them, and the amounts of \$350.00 herein given to Nellie, Fannie and George, each shall not be accounted for by them as an advancement or otherwise in the final distribution of my estate among my children.

Item II V It is my will that my estate shall be adjusted and distributed among my children equitably and fairly and with that end in view, I require my children to account among themselves for the advancements which I have heretofore made to them, as follows: Mary J. Smith shall account for one thousand (\$1000.00) dollars, Maggie A. English for five hundred and forty three (\$543.00) dollars, Robert L. Stevens for nine hundred (\$900.00) dollars; Will F. Stevens, for four hundred and twenty one (\$421.) dollars, Samuel S. Stevens, for seven hundred (\$700) dollars, and before they shall receive any further amounts, those of my children, who have receiving nothing shall be made equal out of my estate and each of them shall be entitled to receive nothing

A. J. Stevens, Will, continued

more until all have received an equal amount with the others, and the estate remaining after payment of my debts and charges of executing this will shall be distributed among my children, so that, by accounting for advancements, every child shall have his or her equal part thereof; but Nellie, Fannie and George shall not be required to account for \$350 given to each of them.

Item V

It is my will that my executors, hereinafter named, shall, at such time as they deem best for my estate, sell all my property, both personal and real, either publicly or privately, for cash or on credit, as their judgment may dictate, and if in their judgment, a sale of my real estate cannot be made without sacrifice or loss, and there is need of raising money to pay any outstanding indebtedness, then I desire them to borrow such sums as they may think necessary by executing a mortgage or mortgages upon my real estate, if thereby they can prevent a sacrifice of the property or see a brighter future for a sale of the property to advantage. And until a sale of the property is made by them, I direct them to rent the lands and use the rents as a part of the general assets of my estate; except that Mary J. Smith shall continue to occupy and use the place I now inhabit.

Item VI

Item VII

future for a sale of the property to advantage. And until a sale of the property is made by them, I direct them to rent the lands and use the rents as a part of the general assets of my estate; except that Mary J. Smith shall continue to occupy and enjoy the land whereon she now lives, until a sale thereof shall become necessary, without the payment of rents, and Will F. Stevens shall occupy the place, where he lives, during the year 1895 without payment of rent.

And in the final settlement of my estate, and distribution of the balance among my children, if the share of Mary J. Smith shall be sufficient to purchase the entire tract where she lives, that she shall have the said tract of land, known as the "Lew Allen Helms" tract, and if it is not equal to the value of the entire tract, but will be sufficient to buy a part thereof, including the dwelling and buildings, I prefer that she shall select a part and take it in payment of her share, if it is large enough to provide her a comfortable home and sufficient land for farming purposes. In the management of the "Stevens Mills", I prefer that my executors shall look after my interest therein and hire a proper Miller to run the mills.

I desire and authorize my executors to compromise, compound, discount or renew any and all doubtful, desperate or insolvent debts, judgments, which might be made collectible in whole

Item V //

A. J. Stevens' Will, continued

or in part.

Item V II II

It is my wish that the partnership affairs and interests of Stevens & Phifer be settled as speedily as will be consistent with a due care for the interests of the firm and without injury to the surviving partner and I desire that W. H. Phifer, my partner shall retain out of the partnership effects or funds a commission, which will afford him a reasonable compensation for his services in winding up and settling the affairs of the partnership.

Item V III II

I appoint my sons Robert L. Stevens and Will F. Stevens executors of this will and do declare this to be my only last will and testament.

In witness whereof I hereto set my hand and seal, this 17th day of January 1895

Signed, sealed, published & declared
by A. J. Stevens to be his last
will and testament in the
presence of us, who, at his
request and in his presence
and in the presence of each
other, do subscribe our names
as witnesses thereto,

A. J. Stevens 

request and in his presence
and in the presence of each
other, do subscribe our names
as witnesses thereto,

W. C. Wolfe

W. C. Heath

H. B. Adams.

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

A paper purporting to be the last Will and Testament of
A. F. Stevens deceased, is exhibited before me, the undersigned,
Clerk of Court for said County, by Robert L. Stevens & Will
F. Stevens the executors therein mentioned, and the due execu-
tion thereof by the said A. F. Stevens is proven by the oath
and examination of W. C. Wolfe, W. C. Heath & H. B. Adams the
subscribing witnesses thereto; who, being duly sworn, doth depose
and say, and each for himself deposeth and saith, that he
is a subscribing witness to the paper writing now shown
him, purporting to be the last will and testament of A.
F. Stevens; that the said A. F. Stevens in his presence subscribed his
name at the end of said paper writing and which bears date of the
17th day of January 1895; that the said A. F. Stevens did, at the

A. F. Stevens, Will, continued

more until all have received an equal amount with the others, and the estate remaining after payment of my debts and charges of executing this will shall be distributed among my children, so that, by accounting for advancements, every child shall have his or her equal part thereof; but Nellie, Fannie and George shall not be required to account for \$300 given to each of them.

Item V

It is my will that my executors, hereinafter named, shall, at such time as they deem best for my estate, sell all my property, both personal and real, either publicly or privately, for cash or on credit, as their judgment may dictate, and if in their judgment, a sale of my real estate cannot be made without sacrifice or loss, and there is need of raising money to pay any outstanding indebtedness, then I desire them to borrow such sums as they may think necessary by executing a mortgage or mortgages upon my real estate, if thereby they can prevent a sacrifice of the property or see a brighter future for a sale of the property to advantage. And until a sale of the property is made by them, I direct them to rent the lands and use the rents as a part of the general assets of my estate; except that Mary J. Smith shall continue to occupy and enjoy the land where she now lives.

Item

Item V

future for a sale of the property to advantage. And until a sale of the property is made by them, I direct them to rent the lands and use the rents as a part of the general assets of my estate; except that Mary J. Smith shall continue to occupy and enjoy the land whereon she now lives, until a sale thereof shall become necessary, without the payment of rents, and Will F. Stevens shall occupy the place, where he lives, during the year 1895 without payment of rent.

And in the final settlement of my estate, and distribution of the balance among my children, if the share of Mary J. Smith shall be sufficient to purchase the entire tract where she lives, that she shall have the said tract of land, known as the "Lew Allen Helms" tract, and if it is not equal to the value of the entire tract, but will be sufficient to buy a part thereof, including the dwelling and buildings, I prefer that she shall select a part and take it in payment of her share, if it is large enough to provide her a comfortable home and sufficient land for farming purposes. In the management of the "Stevens Mills", I prefer that my executors shall look after my interest therein and hire a proper Miller to run the mills.

Item V II

I desire and authorize my executors to compromise, compound, discount or renew any and all doubtful, desperate or insolvent debts, judgments, which might be made collectible in whole

A. F. Stevens' Will, continued

or in part.

Item V II II

It is my wish that the partnership affairs and interests of Stevens & Phifer be settled as speedily as will be consistent with a due care for the interests of the firm and without injury to the surviving partner and I desire that W. H. Phifer, my partner shall retain out of the partnership effects or funds a Commission, which will afford him a reasonable Compensation for his services in winding up and settling the affairs of the partnership.

Item V III II

I appoint my sons Robert L. Stevens and Will F. Stevens executors of this will and do declare this to be my only last will and testament.

In witness whereof I hereto set my hand and seal, this 17th day of January 1895

Signed, sealed, published & declared by A. F. Stevens to be his last will and testament in the presence of us, who, at his request and in his presence and in the presence of each other, do subscribe our names as witnesses thereto,

A. F. Stevens 

(17 to 1895)

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

W. C. Wolfe

W. C. Heath

H. B. Adams.

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

A paper purporting to be the last Will and Testament of
A. F. Stevens deceased, is exhibited before me; the undersigned,
Clerk of Court for said County, by Robert L. Stevens & Will
F. Stevens the executors therein mentioned, and the due execu-
tion thereof by the said A. F. Stevens is proved by the oath
and examination of W. C. Wolfe, W. C. Heath & H. B. Adams the
subscribing witnesses thereto; who, being duly sworn, doth depose
and say, and each for himself deposeth and saith, that he
is a subscribing witness to the paper-writing now shown
him, purporting to be the last will and testament of A.
F. Stevens; that the said A. F. Stevens in his presence subscribed his
name at the end of said paper-writing and which bears date of the
17th day of January 1895; that the said A. F. Stevens 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 A. J. Stevens 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 A. J. Stevens,
 deceased, and ordered that the same be recorded and that
 Letters Testamentary be issued to Robt. L. Stevens and Will. J. Stevens,
 the Executors therein named, who thereupon take the oath required
 by law and Letters Testamentary are issued to them.
 This 2nd day of February 1895

Las

Last Will and Testament of William W. Houston, Deceased
 State of North Carolina