

Last Will & Testament of Thomas D. Winchester, dead.

Last

I, Thomas D. Winchester, Jr. 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 there shall be provided for my body a decent Masonic burial and that my executrix erect over my grave tomb stones, carved with Masonic designs, and pay all necessary funeral expenses together with my just debts, howsoever and to whomsoever owing, out of the moneys that may first come into her hands as a part of my estate.

Second

I give and devise to my beloved wife during the term of her natural life the lot and residence on which I now ~~live~~, also the lot in rear of my residence known as the "Orchard Lot" also thirty acres of land adjoining Michall Osborne, J. Shute and others, and one other tract of land, known as the "Mulder tract" adjoining the lands of T. J. Ezzell, H. M. Houston and others.

Third

I Give and bequeath unto my beloved wife Five Hundred dollars in money, my household and kitchen furniture of every description, two head of horses or mules to be selected by her, two cows and calves, all

Six

Ezzell, H. M. Houston and others
Third I give and bequeath unto my beloved wife Five
Hundred dollars in money, my household and Kitchen
Furniture of every description, two head of horses or
mules to be selected by her, two cows and calves, all
of my hogs, one wagon and harness one buggy and
harness, all my farming tools, all my corn, fodder and
wheat on hand at my death, also all of my growing
crop of every description and a child's part of all
the money belonging to my estate except the gold
which I have deposited in the Bank at Charlotte

Fourth I give, and devise to my son John R. and his
heirs the lot on which Milton Dargan now lives
and known as Lot No. on the plan of the
town of Monroe and I will that this Lot shall be
improved by Executrix in such manner as she may
think best and that the improvements shall be valued and
accounted for in the final settlement and distribution
of my estate so that my son John R's share of my
estate shall not exceed in value, the property devised
to my Children E. Cheatham, Leora L. and Mattie
E. I also give and bequeath to my son John R. my
rifle gun

Fifth I give and devise to my son E. Cheatham and his

Last Will & Testament of Geo. D. Winchester, Deceased

heirs, the lot and residence in which I now live and also the lot in rear of my residence and known as the "Orchard Lot" subject however to the life estate hereinbefore devised to my wife.

It is my wish that the residence and lots given to my son E. Cheatham shall be valued and accounted for in the final settlement and distribution of my estate so that his share of my estate shall not exceed in value the property devised to my children John R. Corah L. and Mattie E.

Sixth

I give and devise to my daughter Corah L. and her heirs the lot on which my store and the buildings in rear of the store stand known as Lot No 10 on the plan of the town of Monroe and it is my will that my executrix improve the lot devised herein to my daughter Corah L. in such manner as to her may seem best and that my daughter Corah L. shall account for the improvements made by executrix in the final distribution of my estate so that her share of my estate shall not exceed in value the property devised to my children John R., E. Cheatham and Mattie E.

Seventh

I give and devise to my daughter Mattie E. and her heirs the lot in front of my residence and known as lot No. 1 on the plan of the town of Mourse, and it is my will that the lot devised to my daughter Mattie E. shall be improved by executrix in such a manner as she may deem best and that my daughter Mattie E. shall account for the improvements made by my executrix in the final settlement and distribution of my estate so that my daughter, Mattie E.'s share of my estate shall not exceed in value, the shares devised to my Children John R., E. Cheatham and Corah L.

Eighth

I give and bequeath to my daughter Mary Amanda Howard one hundred dollars to be paid my executrix and it is my will that the Children of my daughter Mary Amanda Howard, shall represent her in the distribution of my estate and that my executrix shall pay over to the Children of my daughter Mary

Last Will and Testament of J. D. Winchester, Decd, Contd.

La

Ninth.

Tenth

Amanda, when they arrive at full age, one Child's share of all my estate, except the gold deposited in the Bank in Charlotte, and in the meantime the money thus given to my Grand Children, shall be deposited in such place as to my executrix may seem safest so as to accumulate interest. It is my will that, if my daughter should ever come to want, my executrix allow her an ample support out of the money bequeathed to her Children.

It is my will that the gold which I have deposited in the Bank at Charlotte, shall be kept at interest until my son John R. arrives at full age and then my executrix shall draw out one fourth of the money with the interest accrued thereon, and pay it to my son John R., the remaining three fourths shall be equally divided among my other three Children, Leora, Leathand and Mattie, each receiving their share with the interest accrued thereon, as they respectively arrive at the age of twenty one years. It is my will, if my wife should think that the gold deposited in the bank is not safe that she draw it out and deposit it where she may think it will be safer, but in no case to be paid to any of my Children until they arrive at full age.

they respectively arrive at the age of twenty one years. It is my will, if my wife should think that the gold deposited in the bank is not safe that she draw it out and deposit it where she may think it will be safer, but in no case must she change the gold into currency, but must deliver it to my children as before directed in specie.

Eleventh It is my will that my executrix sell all my property both real and personal, which is not disposed of in this will, that my stock of goods be sold at public auction, for cash, that my evidences of debt, choses in action, judgments, notes, book accounts &c be collected, and the money placed in some safe bank by my executrix, to draw interest until it becomes necessary to use the money for the purpose of carrying out the intentions of this my will.

Twelfth I do hereby constitute and appoint my beloved wife Elizabeth my lawful executrix 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 void all other wills and testaments by and theretofore made. In testimony whereof, I the said Thomas D.

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Last Will And Testament of Thos. D. Winchester, Deceased.

Winchester do herewith set my hand and seal this
the 4th day of March A D 1873
Signed, sealed, published and
declared by the said Thomas D.
Winchester to be his last Will
and Testament in the presence
of us who at his request
and in his presence ^{and the presence} of each
other do subscribe our names
as witnesses thereto.

S. S. S. McCauley
H. C. Adams

Thos. D. Winchester

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

A paper purporting to be the Last Will and Tes-
tament of Thos. D. Winchester, deceased, is exhibited
before me, the undersigned, Clerk of Court for said
County, by Elizabeth J. Winchester, the executrix therein
mentioned, and the due execution thereof by the said

Testament of Thos. D. Winchester, deceased, to be proved
before me, the undersigned, Clerk of Court for said
County, by Elizabeth J. Winchester, the executrix therein
mentioned, and the due execution thereof by the said
Thos. D. Winchester, is proved before me by the oath
and examination of S. S. McCauley and H. B.
Adams, 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 Thos. D. Winchester; that the said
Thos. D. Winchester in his presence subscribed his
name at the end of said paper writing and which
bears date of the 4th day of March, 1873, that the
said Thos. D. Winchester, did at the time of subscrib-
ing 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 Thos. D. Winchester 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 deforcent. It is therefore adjudged that the said paper writing and every part and clause thereof is the Last Will and Testament of Thos. D. Winchester, deceased, and ordered that the same be recorded and that Letters Testamentary be issued to Elizabeth J. Winchester, the Executrix therein named, who thereupon takes the oath required by law and Letters Testamentary are issued to her,
This 7th day of August, 1895.

J. H. Wolfe, C. S. C.

Last Will ^{and} 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 the rites of the