

I, Lavina C. Israel of the County of Buncombe and State of North Carolina being of sound mind and memory do make and publish this my last will and testament in manner and form following, that is to say:

- 1 I in my will that all my ^{just} debts be paid and also my burial expenses including Tombstones.
- 2 I give and bequeath to my beloved daughter Mary & Morgan one head and eight covers ^{one 13 covers} and one fourth of my wearing apparel and five Dollars this and no more.
- 3 I give and bequeath to my grand children Bessie Morgan and Martha Morgan Adm Clark and Herman Clark two dollars a piece and no more.
- 4 I give and bequeath my beloved son William L Israel one cow valued at fourteendollars.
- 5 I give and bequeath to my beloved son R. L. Israel one cow valued at twelve dollars.
- 6 I give and bequeath to each of my beloved daughters Laura, Clark Miriam & Bessie and Eva L. Bessie, three heads and providing to be equally divided between them and valued by persons that know their worth, I also give them each one fourth of my wearing apparel.
- 7 I give and bequeath to my second son Samuel J. Israel money enough to make him equal with the other children.
- 8 All the rest residue and remainder of my real and personal estate real and owned by me at my decease.

I give, devise, and bequeath in equal shares, to my said sons William L. Israel Samuel J. Israel and R. L. Israel and to my said daughters Miriam & Bessie Laura T. Clark and Eva L. Bessie, their heirs and assigns forever. And last I here by constitute and appoint my friend C. W. Howell Executor of this my will in witness whereof I Lavina C. Israel have hereunto set my hand and seal this the sixth day of November 1894.

L. C. Israel

Subscribed by the testator in presence of each of us and at the same time declared by her

To as her last will and testament Witness our hands, this the sixth day of November 1894.

F. W. C. Kelly
D. N. Custer
W. J. Robertson
W. R. F. Jameson
and all

State of North Carolina
Buncombe County John the Superior Court

A paper purporting to be the last will and testament of Lavina C. Israel deceased is exhibited before me the undersigned, Clerk Court for said County, by C. W. Howell the executor therein mentioned, and the due execution thereof by the said Lavina C. Israel by the oath and examination of F. W. C. Kelly and D. N. Custer the subscribing witnesses thereto, who being duly sworn, doth depose and say, and each for himself depose and say that he is a subscribing witness to the paper writing now shewn him purporting to be the last will and testament of Lavina C. Israel that the said Lavina C. Israel did in the presence of this deponent, subscribe her name at the end of said paper writing which was shown as aforesaid, and which bears date of the sixth day of November 1894,

And the deponent further saith, that the said Lavina C. Israel the testator aforesaid, did at the time of subscribing her name as aforesaid, declare the said paper-writing so subscribed by her and exhibit to be her last will and testament, and this deponent 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. And this deponent further saith, that at the said time when the said testator subscribed his name to the said last will as aforesaid, and at the time of the deponent's subscribing his name as an attesting witness thereto, as aforesaid, the said Lavina C. Israel was of sound mind and memory of full age to execute a will, and was not under any restraint to the knowledge, in

promanor or agent of said defendant, and
further these deponents say that
D. N. Curtis Qual
severally sworn and sub-
scribed this 3rd day of
December 1894 before me
J. L. Cuthy C.S.C.

Bencombe County, Va.
Bencombe County, Va.

J. H. Johnston being duly sworn
doth say, that he is a grandson of Andrew
H. Johnston, and that his father died before
said A. H. Johnston, and that he was a
person interested in the estate of said
Andrew H. Johnston.

That he doth present for probate the
paper writing purporting to be the will of
Andrew H. Johnston, from the records of
Bencombe County opened for probate by
W. F. Johnston the Executor named therein -

That said Executor is dead and no
person has been appointed administrator
cum testaments annexo d. b. n. as offiant
is informed and believes, and that therefore
no notice has been served there being
no person on whom the same could be
served.

That the value of the testator's property
as near as can be ascertained was about
\$1200⁰⁰ of personal property and as offiant
is informed and believes, and the value
of the real estate at the time of the death
of the testator in 1868, was about five or
six thousand dollars, as nearly as offiant
can estimate the same: the property is
now of greater value. The nature of the
personal property was cattle, stock, money
and household property, and the nature
of the real estate was farm and wood lands.
The names and residences of the heirs claimed
and legated, are as follows as known to
offiant, 1. James H. Johnston, Indiana
2. W. W. Johnston Bencombe County
3. Honey Hunter Bencombe County
4. The Children of W. F. Johnston Robert Johnston,
Leah Britt, in Bencombe County, and Thomas
Johnston Haze Johnston, and Gabe Johnston
and Feller Johnston in Clay County,
5. The Children of Franklin Johnston, F. F.
Johnston, Honey Runer, J. V. Johnston, in
Bencombe County, and Franklin A. Willis
in Henderson County

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