

America Le Davis
(Will, Cont.)

testament of America Le Davis, that the said America Le Davis, in the presence of this deponent subscribed her name at the end of said paper writing, now shown as aforesaid, and which bears date of the 28th day of August 1902. And the deponent further saith, that the said America Le Davis, the testatrix aforesaid, did, at the time of subscribing her name as aforesaid, declare the said paper writing so subscribed by her and exhibited, to be a codicil to her last Will and Testament and this deponent did thereupon subscribe his name at the end of said Codicil to her will as an attesting witness thereto; and at the request and in the presence of the said testatrix. And this deponent further saith, that at the said time when the said testatrix subscribed her name to the said Codicil to her last Will as aforesaid, and at the time of deponent's subscribing his name as an attesting witness thereto as aforesaid, the said America Le Davis 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 this deponent. And further these deponents say not.

J. F. Holmes (Real)

Solemnly sworn & subscribed this 4th
day of June, 1903 before me,

J. E. McCubbin, Clerk, Superior Court,

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

A paper writing purporting to be a codicil to the last Will and Testament of America Le Davis, deceased, is exhibited before me, the undersigned, Clerk of the Superior Court for said County by O. D. Davis and Joseph B. Neal two of the executors therein mentioned and the due execution thereof by the said America Le Davis, is proved by the oath and examination of James Plummer and J. Allen Brown the subscribing witnesses thereto: who being duly sworn doth depose and say and each for himself depose and saith that he is a subscribing witness to the paper writing now shown him purporting to be a codicil to the last Will and Testament of America Le Davis, that the said America Le Davis in the presence of this deponent, subscribed his name at the end of said paper writing, now shown as aforesaid and which bears date of the 16th day of October, 1902.

And the deponent further saith, that the said America

Le Davis, the testatrix aforesaid, did, at the time of subscribing her name as aforesaid, declare the said paper writing so subscribed by her and exhibited, to be a codicil to her last Will and Testament, and this deponent did thereupon subscribe his name, at the end of codicil to her said will as an attesting witness thereto; and at the request and in the presence of said testatrix. And this deponent further saith, that at the said time when the said testatrix subscribed her name to the said Codicil to her last Will as aforesaid, and at the time of deponent's subscribing his name as an attesting witness thereto, as aforesaid, the said America Le Davis 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 this deponent. And further these deponents say not.

James Plummer (Real)

J. Allen Brown (Real)

Solemnly sworn & subscribed this 10th
day of June, 1903 before me,

J. E. McCubbin, Clerk, Superior Court,

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

A paper writing purporting to be a codicil to the last Will and Testament of America Le Davis, deceased, is exhibited before me, the undersigned, Clerk of the Superior Court for said County by O. D. Davis and Joseph B. Neal two of the executors therein mentioned, and the due execution thereof by the said America Le Davis is proved by the oath and examination of James Plummer and J. Allen Brown, the subscribing witnesses thereto; who being duly sworn, doth depose and say and each for himself depose and saith that he is a subscribing witness to the paper writing now shown him purporting to be a codicil to the last will and testament of America Le Davis, that the said America Le Davis in the presence of this deponent, subscribed her name at the end of said paper writing now shown as aforesaid, and which bears date of the 1st day of December, 1902.

And the deponent further saith, that the said America Le Davis, the testatrix aforesaid, did, at the time of subscribing her name as aforesaid, declare the said paper writing so subscribed by her and exhibited, to be a codicil to her last Will and Testament, and this deponent did thereupon subscribe his name at the

(America L. Davis)
(Will Court)

end of said Codicil to her Will as an attesting witness thereto; and at the request and in the presence of said testatrix. And this deponent further saith, that at the said time when the said testatrix subscribed her name to the said Codicil to her last Will as aforesaid, and at the time of deponents subscribing his names as an attesting witness thereto as aforesaid, the said America L. Davis 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 this deponent; And further these deponents say not.

James Plummer Seal

Sworn & subscribed this 10th day of June 1903, before me,

J. F. McElbain Clerk Superior Court.

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

A paper writing purporting to be a codicil to the last Will and Testament of America L. Davis, deceased, is exhibited before me, the undersigned, Clerk of the Superior Court for said County by O. D. Davis and Joseph B. Neal, two of the executors therein mentioned, and the due execution thereof by the said America L. Davis is proved by the oath and examination of James Plummer and J. Allen Brown the subscribing witnesses thereto, who being duly sworn doth depose and say, and each for himself depose and saith that he is a subscribing witness to the paper writing now shown him purporting to be a codicil to the last Will and Testament of America L. Davis, that the said America L. Davis, in the presence of this deponent, subscribed her name at the end of said paper writing, now shown as aforesaid, and which bears date of the 12th day of March 1903,

And the deponent further saith, that the said America L. Davis, the testatrix aforesaid, did, at the time of subscribing her name as aforesaid, declare the said paper writing so subscribed by her and exhibited to be a Codicil to her last Will and Testament; and this deponent did thereupon subscribe his name at the end of said Codicil to her Will as an attesting witness thereto; and at the request and in the presence of ^{the} said testatrix. And this deponent further saith, that at the said time when the said testatrix subscribed her name to the said Codicil to her last Will as aforesaid, and at the time of

deponents subscribing his name as an attesting witness thereto, as aforesaid, the said America L. Davis 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 this deponent; And further these deponents say not.

James Plummer Seal
J. Allen Brown Seal

Sworn & subscribed this 10th day of June 1903, before me,

J. F. McElbain Clerk Superior Court.

State of North Carolina, In the Superior Court.
Rowan County } Before the Clerk.

A paper writing purporting to be the last Will and Testament of America L. Davis, deceased, and bearing date of September 13, 1878, is exhibited for probate in open Court by Joseph B. Neal and O. D. Davis the executors therein named; and it is thereupon proved by the oath and examination of J. E. Foster, J. W. Todd and Rosa Neal Braumock, that J. M. Carson and N. A. Foster, the two subscribing witnesses thereto, are both dead, and it is further proved by the oath and examination of the said J. E. Foster, J. W. Todd and Rosa Neal Braumock, that he or she is well acquainted with and knows the handwriting of J. M. Carson having often seen him write, and sign his name and that the name of the said J. M. Carson subscribed as a witness to the said will is in the genuine handwriting of the said J. M. Carson. And it is also proved by the oath and examination of J. E. Foster, J. W. Todd and Rosa Neal Braumock that he or she is well acquainted with and knows the handwriting of N. A. Foster having often seen him write and sign his name, and that the name of the said N. A. Foster, subscribed as a witness to the said will is in the genuine handwriting of the said N. A. Foster; and it is further proved by the oath and examination of J. E. Foster, J. W. Todd and Rosa Neal Braumock, that he or she is well acquainted with and knows the handwriting of America L. Davis the testatrix therein named, having often seen her write and that her name as appears subscribed at the end of said paper writing as testatrix is in her own genuine handwriting.

And also a paper writing purporting to be a republication, ratification and Confirmation by America L. Davis of her said last Will and Testament, and

dated August 14, 1885 is exhibited in open Court for probate by her said executors Joseph B Neal and O D Davis, and it is thereupon proved by the oath and examination of J. E. Foster, J. M. Todd and Rosa Neal Braumock, that J. M. Carson and N. A. Foster, the two subscribing witnesses thereto, are both dead, and it is further proved by the oath and examination of J. E. Foster, J. M. Todd and Rosa Neal Braumock, that he or she is well acquainted with the handwriting of J. M. Carson having often seen him write and that the name of the said J. M. Carson, subscribed as a witness to the said re-publication, ratification and confirmation of the said will is in the genuine handwriting of the said J. M. Carson; and it is also proved by the oath and examination of J. E. Foster, J. M. Todd and Rosa Neal Braumock, that he or she is well acquainted with and knows the handwriting of N. A. Foster, having often seen him write and that the name of N. A. Foster, subscribed as a witness to the said re-publication, ratification and confirmation of the said will, is in the genuine handwriting of the said N. A. Foster, and it is further proved by the oath and examination of J. E. Foster, J. M. Todd and Rosa Neal Braumock, that he or she knows the handwriting of America to Davis, the testatrix therein named, having often seen her write, and that her name as appears subscribed at the end of said paper writing as testatrix is in her own handwriting.

And also another paper writing purporting to be a codicil, made by America to Davis to her last Will and Testament, and bearing date of November 1st 1893 is exhibited in open Court by Joseph B Neal and O D Davis, the executors, for probate, and it is thereupon proved by the oath and examination of J. F. Young and Chas. J. Bingham the subscribing witnesses thereto.

And also another paper writing purporting to be a codicil, made by America to Davis, to her last Will and Testament and dated Sept 29, 1896 is exhibited in open Court by O D Davis and Joseph B Neal, the executors for probate, and it is thereupon proved by the oath and examination of Wm. M. Greenow and W. L. Fields, the subscribing witnesses thereto.

And also another paper writing purporting to be a codicil to the last Will and Testament of America to Davis, deceased, and dated June 3, 1898, is exhibited

in open Court by O D Davis and Joseph B Neal, the executors, for probate, and it is thereupon proved by the oath and examination of E. E. Hillispe and John Wakefield, the subscribing witnesses thereto.

And also another paper writing purporting to be a codicil to the last Will and Testament of America to Davis, deceased, and dated April 21, 1899 is exhibited in open Court by O D Davis and Joseph B Neal, the executors, for probate, and it is thereupon proved by the oath and examination of J. F. Young and O. W. Spencer, the subscribing witnesses thereto.

And also another paper writing purporting to be a codicil to the last Will and Testament of America to Davis, deceased, is exhibited in open Court by O D Davis and Joseph B Neal, the executors; and it is thereupon proved by the oath and examination of J. F. Young and O. W. Spencer, the subscribing witnesses thereto.

And also another paper writing purporting to be a codicil to the last Will and Testament of America to Davis, and dated May 13, 1901 is exhibited in open Court by O D Davis and Joseph B Neal, the executors, for probate, and it is thereupon proved by the oath and examination of O. W. Spencer and L. H. Clement, the subscribing witnesses thereto.

And also another paper writing purporting to be a codicil to the last Will and Testament of America to Davis, deceased, and dated July 16, 1901, is exhibited in open Court by O D Davis and Joseph B Neal, the executors, for probate; and it is thereupon proved by the oath and examination of L. H. Clement and W. L. Maupin, the subscribing witnesses thereto.

And also another paper writing purporting to be a codicil to the last Will and Testament of America to Davis, deceased, and dated _____ day of _____ to Richard Wood is exhibited in open Court for probate by the executor Joseph B Neal and O D Davis; and it is thereupon proved by the oath and examination of Charles L. Leoon and Burton Leaze, the subscribing witnesses thereto.

And also another paper writing purporting to be a codicil to the last Will and Testament of America to Davis, deceased, and dated May 17, 1902, is exhibited in open Court by Joseph B Neal and O D Davis, the executors for probate, and it is thereupon proved by the oath and examination of John Wright Davis and James M. Davis, the subscribing witnesses thereto.

And also another paper writing purporting to be a

(America & Davis
Will Court.)

Codicil to the last Will and Testament of America & Davis, deceased, and dated May 31st 1902, is exhibited in open court for probate by O.D. Davis and Joseph B. Neal, the executors; and it is thereupon proven by the oath and examination of O.W. Spencer and Burton Craige, the subscribing witnesses thereto.

And also another paper writing purporting to be a Codicil to the last Will and Testament of America & Davis, deceased, and dated May 31st 1902 is exhibited in open court by O.D. Davis and Joseph B. Neal, the executors for probate; and it is thereupon proven by the oath and examination of R.J. Holmes and O.W. Spencer, the subscribing witnesses thereto.

And also another paper writing purporting to be a Codicil to the last Will and Testament of America & Davis, deceased, dated July 4, 1902, is exhibited in open court by O.D. Davis and Joseph B. Neal, the executors, for probate, and it is thereupon proven by the oath and examination of R.J. Holmes and O.W. Spencer, the subscribing witnesses thereto.

And also another paper writing purporting to be a Codicil to the last Will and Testament of America & Davis, deceased, and dated August 24, 1902, is exhibited in open court for probate, by Joseph B. Neal and O.D. Davis, the executors; and it is thereupon proven by the oath and examination of James M. McKee and O.W. Spencer, the subscribing witnesses thereto.

And also another paper writing purporting to be a Codicil to the last Will and Testament of America & Davis, deceased, and dated August 23, 1902, is exhibited in open court by Joseph B. Neal and O.D. Davis, the executors for probate; and it is thereupon proven by the oath and examination of R.J. Holmes and O.W. Spencer, the subscribing witnesses thereto.

And also another paper writing purporting to be a Codicil to the last Will and Testament of America & Davis, deceased, and dated October 16, 1902 is exhibited in open court by O.D. Davis and Joseph B. Neal, the executors aforesaid, for probate; and it is thereupon proven upon the oath and examination of James Plummer and J. Allen Brown, the subscribing witnesses thereto.

And also another paper writing purporting to be a Codicil to the last Will and Testament of America & Davis, deceased, and dated December 1st 1902, is exhibited in open court by O.D. Davis and Joseph B. Neal, the executors as aforesaid for probate; and it is thereupon proven by the oath and examination of James Plummer

and J. Allen Brown, the subscribing witnesses thereto. And also another paper writing purporting to be a Codicil to the last Will and Testament of America & Davis, deceased, and dated March 12, 1903, is exhibited in open court by O.D. Davis and Joseph B. Neal, the executors as aforesaid for probate; and it is thereupon proven by the oath and examination of James Plummer and J. Allen Brown, the subscribing witnesses thereto.

It is therefore considered and adjudged by the court that the said paper writings, together with the several Codicils and every part thereof, is the last Will and Testament of ^{the said} America & Davis, deceased, and the same and every part thereof is ordered to be recorded and filed.

This the 10th day of June, 1903.

J. S. McQuibbin
Clerk of Superior Court.

(Will.)

State of North Carolina,
Rowan County,

I, America & Davis of the County and State aforesaid, do make & declare the following to be my last Will and Testament. This Will is now made by me to dispose of whatever property, effects and interests I may have in my own right, and also in the execution of a power and authority vested in me by the last Will and Testament of my former husband, Col. George Rowan dec. by which I am authorized & Empowered to dispose of by will, all the property both real, personal & mixed, therein willed and devised to me either for life or otherwise, my will & desire is:

Item 1st Having heretofore sold and conveyed to Wiley C. Thomas the mill tract of land lying on Naked Creek in Ashe County, I hereby will and devise the same to him & his heirs, according to the boundaries of his said deed.

Item 2nd Having sold and conveyed to Geo. W. Ray a tract of land on Buffalo Creek in Ashe Co. I hereby will and devise the same to him & his heirs, according to the boundaries of his said deed.

Item 3rd Having sold and conveyed to John B. Greer a tract of land on Phoenix Creek in Ashe Co. I hereby will and devise the same to him and his heirs according to the boundaries of his said deed.

Item 4th Having sold and conveyed to Dr. L. C. Gentry the lot in the town of Lenoir whereon he now lives. I

America & Davis
will seal.

- Item 5th hereby will and devise the same to him & his heirs according to the boundaries of his said deed having contracted to sell to Mrs Barker a tract of land at the mouth of Phoenix Creek, the purchase for which has not been fully paid, I hereby will the same to him according to the boundaries purchased, on condition that he pay the balance of the said purchase money.
- Item 6th Having contracted to sell to J. W. Lord a lot in Jefferson, whereon he now lives I hereby devise the same to him, on condition that he do pay the amount still due of the purchase money.
- Item 7th Having contracted to sell various other lots and tracts of land in Ashe Co, to other persons, the purchase money for which has not been paid, I hereby will and devise to the said purchasers, respectively, the lands so contracted for upon their payment in full of the said purchase money.
- Item 8th And if I have hereafter executed any deeds for lands in Ashe Co, or shall hereafter convey any such lands, I hereby will and devise the said lands so conveyed, to the purchasers, respectively, upon a full compliance of the conditions in said deeds.
- Item 9th As to the balance of my estate of whatever character, including that which was willed to me by my sd former husband dec & the proceeds thereof, and whatever I derive therefrom and which under said will I am empowered & privileged to devise, I hereby will, devise and appoint as follows to wit
- Item 10th I will and devise to my present beloved husband D. A. Davis, four bonds on the City of Wilmington of one thousand dollars each, provided he be alive at the time of my death, but if I survive him, then this legacy is not to take effect, but be divided as mentioned in next item.
- Item 11th I will and devise that the whole of the property mentioned in item 9th of this will, of whatever character, and which is not otherwise herein disposed of, and every other property, right, interest or power which I may have or possess shall belong to, and be divided among, my brothers & sister & her husband in the following shares and proportions to wit. To Addison L. Rousseau & his heirs I will one fourth part thereof. To Adolphus Rousseau & his heirs I will one fourth part thereof. To Quincy J. Neal & his wife Adelaide & their heirs I will one fourth part thereof. And to Pinckney Rousseau & his heirs

Item 12th I will one fourth part thereof. I hereby constitute and appoint my brother Addison L. Rousseau and my brother in law Quincy J. Neal my executors to this my last will and Testament, and authorize them to carry out the provisions of the same as I have herein directed, hereby revoking all former wills by me made and declaring this to be my only true and valid will - In testimony whereof I have hereunto set my hand and seal, this 13th day of September 1878.

Mrs. America L. Davis Seal

Signed, sealed & declared in the presence of us, who witnessed the same in her presence & by her direction

J. M. Pearson.

N. A. Foster.

I, America L. Davis do hereby re-publish, ratify and confirm the above foregoing last will and Testament, and I now recognize and declare the same to be my last will and legal appointment. Done on this the 14th August 1885.

America L. Davis. Seal

Signed, sealed and declared in the presence of us, who witnessed in her presence and by her direction.

J. M. Pearson

N. A. Foster.

North Carolina,
Rowan County.

I, America L. Davis, of the County of Rowan and State of North Carolina, do make and publish this my last Codicil to be added to my last will and Testament bearing date September 13th 1878. I hereby revoke so much of Item 12 of said will which appoints Addison L. Rousseau and Quincy J. Neal my executors, and re-affirming all the other provisions of the said will I hereby constitute and appoint Samuel K. Scott, of Mebane, N. C. and John J. Neal of Jefferson, N. C. my executors to carry out the provisions of my said will made Sept. 13, 1878.

Mrs. A. L. Davis.

Signed, sealed & delivered in the presence of J. F. Young and C. J. Bingham, this 10th Nov. 1878.

J. F. Young.

C. J. Bingham

State of North Carolina,
Ashe County.

I, America L. Davis of the County of Rowan and State of North Carolina, do hereby certify that on the 13th day of September 1878, make

America & Davis
will seal.

- Item 5th hereby will and devise the same to him & his heirs according to the boundaries of his said deed having contracted to sell to Mrs Barker a tract of land at the mouth of Phoenix Creek, the purchase for which has not been fully paid, I hereby will the same to him according to the boundaries purchased, on condition that he pay the balance of the said purchase money.
- Item 6th Having contracted to sell to J. W. Lord a lot in Jefferson, whereon he now lives I hereby devise the same to him, on condition that he do pay the amount still due of the purchase money.
- Item 7th Having contracted to sell various other lots and tracts of land in Ashe Co, to other persons, the purchase money for which has not been paid, I hereby will and devise to the said purchasers, respectively, the lands so contracted for upon their payment in full of the said purchase money.
- Item 8th And if I have hereafter executed any deeds for lands in Ashe Co, or shall hereafter convey any such lands, I hereby will and devise the said lands so conveyed, to the purchasers, respectively, upon a full compliance of the conditions in said deeds.
- Item 9th As to the balance of my estate of whatever character, including that which was willed to me by my sd former husband dec & the proceeds thereof, and whatever I derive therefrom and which under said will I am empowered & privileged to devise, I hereby will, devise and appoint as follows to wit
- Item 10th I will and devise to my present beloved husband D. A. Davis, four bonds on the City of Wilmington of one thousand dollars each, provided he be alive at the time of my death, but if I survive him, then this legacy is not to take effect, but be divided as mentioned in next item.
- Item 11th I will and devise that the whole of the property mentioned in item 9th of this will, of whatever character, and which is not otherwise herein disposed of, and every other property, right, interest or power which I may have or possess shall belong to, and be divided among, my brothers & sister & her husband in the following shares and proportions to wit. To Addison L. Rousseau & his heirs I will one fourth part thereof. To Adolphus Rousseau & his heirs I will one fourth part thereof. To Quincy J. Neal & his wife Adelaide & their heirs I will one fourth part thereof. And to Pinckney Rousseau & his heirs

Item 12th I will one fourth part thereof. I hereby constitute and appoint my brother Addison L. Rousseau and my brother in law Quincy J. Neal my executors to this my last will and Testament, and authorize them to carry out the provisions of the same as I have herein directed, hereby revoking all former wills by me made and declaring this to be my only true and valid will - In testimony whereof I have hereunto set my hand and seal, this 13th day of September 1878.

Mrs. America L. Davis Seal

Signed, sealed & declared in the presence of us, who witnessed the same in her presence & by her direction

J. M. Pearson.

N. A. Foster.

I, America L. Davis do hereby re-publish, ratify and confirm the above foregoing last will and Testament, and I now recognize and declare the same to be my last will and legal appointment. Done on this the 14th August 1885.

America L. Davis. Seal

Signed, sealed and declared in the presence of us, who witnessed in her presence and by her direction.

J. M. Pearson

N. A. Foster.

North Carolina,
Rowan County.

I, America L. Davis, of the County of Rowan and State of North Carolina, do make and publish this my last Codicil to be added to my last will and Testament bearing date September 13th 1878. I hereby revoke so much of Item 12 of said will which appoints Addison L. Rousseau and Quincy J. Neal my executors, and re-affirming all the other provisions of the said will I hereby constitute and appoint Samuel K. Scott, of Mebane, N. C. and John J. Neal of Jefferson, N. C. my executors to carry out the provisions of my said will made Sept. 13, 1878.

Mrs. A. L. Davis.

Signed, sealed & delivered in the presence of J. F. Young and C. J. Bingham, this 10th Nov. 1878.

J. F. Young.

C. J. Bingham

State of North Carolina,
Ashe County.

I, America L. Davis of the County of Rowan and State of North Carolina, do hereby certify that on the 13th day of September 1878, make

(America & Davis
Will Cont.)

and published my last Will, And on the 1st day of Nov. 1893 I made, published and declared a codicil to said will, naming other Executors for my will than those named in the will, and I now make, publish and declare this to be a second Codicil to my said last Will, and this is my last Codicil and must be taken as an addition to my said last will; I now hereby give and bequeath to my nephew Joseph B. Neal, my lands lying in the Negro Mountain in Ashe County near the town of Jefferson, as shown in a deed to him recorded in this County Deed book L.D. 336. I also will to him a tract of land which I have this day conveyed to him by a deed, 12 acres more or less, near the town of Jefferson also; I also give and bequeath to my nephew John J. Neal the following described boundary of land lying in Ashe County. Beginning on a large Black Gum by the side of the road that leads from Jefferson towards the Healing Springs, and thence bounded as follows, thence S 88 1/2° West 71 poles to the North West Corner of J. B. Neal's Corner, thence North 45° West with old road with the J. B. Neal line 6 poles to a stake then North 32° West 52 poles to a stake in the old road & the J. B. Neal line, then North 71° West with the old road 18 poles to a stake, then North 77° West 9 poles to a lower Chestnut, the old Wyatt Corner, then South 85° West 68 poles to a stake in the old road, then South 23° West with the old road 27 poles to stake in the old road on top of the ridge, then South 36° West 8 poles to stake in said old road, then South 67° West with said old road 30 poles to white oak on bank of said old road, then West 9 poles to white oak near the old Store House place & near a branch that runs into Buffalo Creek near the widow Smith's place, then West 29 1/2 poles to small sugar tree on the ridge, then North 40° West of the ridge with the fence 36 poles to stake, then North 20° West with said ridge and fence 8 poles to a bunch of wild Cherry sprouts, then North 5° East with ridge & fence 32 poles to small black walnut, then North 43° East with ridge & fence 17 poles to 3 small white walnuts, then North 36° East with said ridge and fence 40 poles to white walnut on north side of top of ridge, then North 30° East with ridge & fence 16 poles to Chestnut, then North 45° East with said ridge & fence 40 poles to small Ash on the ridge, then North 40° East with fence North of top of ridge 57 poles to small sugar tree near highest point of said ridge, then North 53° East 26 poles to sugar tree, then North 25° East 80 poles to Hickory on a high rocky point on the main

ridge, then South 66° East down a ridge 12 poles to an Ash, then South 66° East 33 poles to stake on the ridge, then South 57° East 30 poles to white oak, then South 69° East 57 poles to Chestnut on a ridge, then South 10° East 30 poles to Chestnut, then South 12° West 34 poles to stake in the bend of main road leading from Jefferson to Healing Springs, then South 38° East with said road 34 poles to stake, then North 87° East with the road 28 poles to stake, then with said road South 8° East 10 poles to stake, thence with the said road South to the Black Gum, the beginning Corner, also any other lands that I own, adjoining this boundary, and lying on the North West side of the main ridge some 20 acres more or less. I also give and bequeath to my friend J. W. Colvard all that part of my farm that lies on the West side of the South Fork of New River at mouth of Naked Creek in Ashe County, bounded on East by South Fork of New River, on the North and West by big Naked Creek & on South by the Colvard lands and J. M. Bower's lands known as that part of J. A. Parks lands on West side of said South Fork. — All the land that I have bequeathed in this Codicil are lands that I have under the will of my deceased husband Col. George Bower, given under my hand and seal this September 29, 1896.

Mrs. A. L. Davis Seal

Signed, sealed and delivered in our presence, and Mrs. Davis signs it in our presence and we witness it at her request and she declares it as her last Codicil to her last Will, and we witness it in her presence, this Sept. 29, 1896.

Attest,

Wm. R. Lovell.

Wm. M. Trauson.

W. L. Fields

Codicil to Mrs. A. L. Davis Last Will,

I in this added Codicil of my last Will and Testament do hereby in consideration of the payment of Fifteen Hundred Dollars (\$1500.00) by Riley Bower, will and devise to the said Riley Bower, the following described tract or parcel of land known as the Grimesley place, situated in the County of Ashe and state of North Carolina, and beginning at the mouth of Ronc Creek at a stake running South fifty degrees East with the meanders of said Creek two hundred and ten poles to a bunch of poplars, thence South eighty poles to a Chestnut, thence West one hundred and thirty poles to a white oak, thence North two hundred forty poles to the first station, also the adjoining tract beginning at the mouth of said Ronc Creek at a stake, running South seventy degrees West ninety four poles to a stake.

(America & Davis
Will Cont.)

thence South twenty four degrees west forty two poles to a stump, thence South twenty four degrees east one hundred and ten poles to a white oak, thence east sixty five poles to a white oak on a ridge, thence North two hundred and thirty four poles to the first station including in both tracts two hundred acres more or less. June 2nd. 1898.

Witnesses

E. E. Killisnoe,

John Wakefield.

A. C. Davis

Know all men by these presents that for and in consideration of the sum of Two hundred and fifty dollars to me paid. I have this day sold and do hereby sell and convey unto John J. Neal and his heirs forever the following described parcel of land lying in Ashe County, Northwest of the town of Jefferson, bounded as follows: on the east by the old town boundary, on the North by the land of W. P. Thomas heirs and Walter Gentry, on the west by the road leading from Jefferson to Helton, and on the South by the street back of the Methodist Church, the Rose Neal lot, the parsonage lot and the Transon lot, containing about 4 acres, to have and to hold to him and his heirs forever. Witness my hand and seal this 2nd day of April, 1899.

A. C. Davis (Seal)

I, America C. Davis, do hereby make and ordain the foregoing deed of conveyance to constitute a codicil to my last Will and Testament now in the possession of J. E. Foster in Jefferson, N. C. and to take effect as such.

Witnesses

O. W. Spencer,

J. F. Young,

A. C. Davis

I, America C. Davis of the County of Rowan and State of North Carolina, being of sound mind and memory, do make and publish this 19th day of April 1901, this another Codicil to my last Will and Testament, the said wills and previous codicils being at this time in the hands of Mr. J. E. Foster in the town of Jefferson, N. C., in whose care I have entrusted them for safe keeping; it being my will and desire that the said J. E. Foster shall immediately attach this Codicil to my will as a part thereof, as he has heretofore attached the previous codicils made by me.

I. I will and devise to Adelaide R. Neal, Winston H. Neal and his wife Minnie Neal to have and to hold

during the term of their natural lives the following described real estate lying in the town of Jefferson, County of Ashe & State of North Carolina, and described as follows: Lots 18 and 19 in the old map of the town of Jefferson on which are located the Brick house known as the Jefferson Inn, offices, store house and other out buildings, bounded on the East by W. P. Thomas heirs, on the West by a back alley, on the West by the L. E. Gentry lot, and on the South by main street, same being willed to me by the will of the late Col. Geo. Bower. It is my will and desire that the three parties above named shall hold said real estate for and during their natural lives, and after their death I will and devise said real estate with the appurtenances to the heirs of Adelaide R. Neal, to have and to hold the same to them and their heirs in fee simple forever.

II I will and devise to Winston H. Neal and wife Minnie Neal, to have and to hold to them & their heirs and assigns in fee simple the following described tract of land, lying North of Jefferson on Edge Fork of Nokes Creek containing about 100 acres. Beginning on a Spanish Oak in Adam Bowers old line running East 10 poles to a Beach in the Rogan line, thence North 52 poles to a Spanish oak, Rogan's Corner, thence East 175 poles to a red oak, thence North 100 poles to a Spanish oak, thence West 95 poles to a Chestnut in the Grubb line, thence South 26 poles to a Spanish oak, thence West 80 poles to a stake, thence to the beginning. The two tracts above described have been the day conveyed by deed to the several parties above named and this Codicil is made in consequence of certain provisions in the will of the late Geo. Bower. Witness my hand and seal April 17th 1901.

A. C. Davis (Seal)

The following named witnesses signed at my request and in my presence, April 17. 1901.

J. F. Young,

O. W. Spencer,

North Carolina;
Rowan County.

I, America C. Davis of the County of Rowan and State of North Carolina, being of sound mind and memory, do make and publish this as another Codicil to my last Will and Testament, my said will being now in the possession of J. E. Foster in the town of Jefferson N. C. It is my will and desire that this Codicil shall be placed in the hands of the said J. E. Foster.

Item I

American & Davis
Will Cont.

I now mention in the proportions indicated, and I bequeath to them the same as follows: I so divide to go to the three daughters of Joseph & B. Neal, of Ashe County, Bess Neal, Bert Neal and Cula Neal, to be equally divided between them at their death, each one's part to go to her heirs. One third to go to my niece, Mrs. Nellie Scott, of Wilkes, NC, and at her death to her heirs.

In testimony whereof I have hereunto set my hand and caused my seal to be affixed. A. C. Davis Seal

Signed, Sealed, and published by the said American & Davis as a codicil to her last Will and Testament in our presence, and we in her presence, and in the presence of each other, have at her request here subscribed our names as witnesses.

Chas. L. Coon
Benton Craig.

North Carolina,
Rowan County,

I, American & Davis, of the County of Rowan and state of North Carolina, being of sound mind and disposing memory, do make and declare this another codicil to my last Will and Testament published by me, and dated 13 day of September 1878, and which is now in the hands of J. C. Foster of the town of Jefferson N. C. and it is my will and desire that this codicil shall also be placed in the hands of J. C. Foster, of Jefferson, N. C. and to be by him attached to my will and Testament, and is to be taken as a part of the same.

Item 1st

I give and devise to my nephew Winston H. Neal and his heirs in fee simple the following described lands lying in the County of Ashe and state of North Carolina, on the dividing ridge of the Three Top Mountain and on the waters of Ben Bolin's Creek, a tributary of Three Top Creek and known as my Ben Bolin lands and bounded as follows, to wit: Beginning on a large Chestnut on the head waters of Ben Bolin's Creek in a land thicket, running South 66 poles to a beech & buck eye on a branch near a beech stump, then East 20 poles to a large poplar, then South 60° East up a ridge 100 poles to a red oak near 2 small sugar trees and a large Chestnut, then North 65° East 80 poles to a locust stump in a fence near M. S. Roads barn, then North 15° East 64 poles to a chestnut-oak and dead Chestnut snag on a ridge, then North 15° West 64 poles to Hickory, near the corner of a dead mine, then North 55° East 20 poles to Thomas line

near a large Rock on the top of the dividing ridge, then a Northerly course with Thomas line and to a red oak, then to first station. I also give and devise to my nephew Winston H. Neal and his heirs in fee simple the following described piece of land in Ashe County and on the dividing ridge, and on the head waters of Buffalo Creek, and bounded as follows, to wit: Beginning at a red oak stump on top of the dividing ridge near where the road leading from Tree Top P. O. to Trout P. O. crosses the dividing ridge running North 15° West 160 poles to a stake, then North 75° East 100 poles to a stake, then South 15° East 160 poles to a stake, then to the first station. I also give and devise to my nephew Winston H. Neal and his heirs in fee simple the following described parcel of land in Ashe County, on the waters of Ben Bolin's Creek and on the West side of the dividing ridge and bounded as follows, to wit: Beginning at a large Chestnut on the waters of the Three Top Fork, of the North Fork of New River and on a branch that heads against the head of Buffalo Creek, running North 120 poles to a Spanish oak, then East 130 poles to a stake, then South 120 poles to a stake, then West to the beginning; Also I give and devise to my nephew Winston H. Neal & his heirs in fee simple the following piece of land in Ashe County and bounded as follows, to wit: Beginning at a maple on Ben Bolin's Creek below the late Bowers old improvement and running East 160 poles to a Chestnut and white oak, then South 99 poles to a stake, then West 160 poles to a stake, then North to the first station. I also give and devise to the said Winston H. Neal & his heirs in fee simple any other lands which I may have on the North and west of the appraised parcel of land and adjacent thereto. All of the lands devised and bequeathed in this codicil are lands that I have under the will of my deceased husband, Col. George Bowers.

In witness whereof I the said American & Davis do hereunto set my hand and seal, this 17th day of May, 1902.

A. C. Davis Seal

Signed, sealed and published by the said A. C. Davis as a codicil to her last Will and Testament in our presence, and we in her presence, and in the presence of each other, have at her request, here subscribed our names as witnesses.

Witness

John Knight Davis,
James M. Davis.

(America to Davis)
Will. Cont.

North Carolina
Rowan County

I, American to Davis, of the County of Rowan and State of North Carolina, being of sound mind and disposing memory, do make this another Codicil to my last Will and Testament, bearing date of September 13, 1878, and which will, with the added Codicils, is now in the hands of J. C. Foster of the town of Jefferson, N. C., and it is my will and desire that this Codicil be placed in the hands of the said J. C. Foster to be attached to my will, by him as he has heretofore attached the Codicils ~~heretofore~~ made by me, and this Codicil is to be taken as a part of my last Will and Testament.

Item 1st Having willed and devised to W. P. Thomas in Item 1st of my original will a certain tract of land in Ashe County, North Carolina, on Naked Creek, known as the mill tract and bounded by the lands of the estate of George Kees, decd, Piper, Waugh, W. H. Luther and others, and the said Wiley P. Thomas having since died, I now will and devise to J. D. Thomas and his heirs the land described in the 1st item of my will and above named, and the deed referred to in the 1st item of my will shall be taken and considered in more fully describing the lands, given to J. D. Thomas in this item.

Item 2nd I will and devise to Mrs. Lizzie Martin and her children the following lands lying and being in Ashe County, North Carolina, and bounded as follows, to wit: Beginning on a large rock on the top of the dividing ridge, running North 55° East 16 poles to a Buckeye stump, then N 20° E, 60 poles to a Lynn on the East side of a branch of Buffalo Creek, then N 35° E, 42 poles to a large sugar tree in the corner of a new clearing, then North 20° E 30 poles to a stake near a large Chestnut, then N. 50° W 56 poles to a ^{poplar} white oak stump, in John Cuckin's line, then N. 70° W, 120 poles to a sugar tree, then West 48 poles to John Funcher's line, then south with his fence to his corner, then with his line to the top of the dividing ridge, then a South Course and top of the ridge to the beginning.

Item 3rd Having willed and devised to Dr. L. G. Gentry a certain lot in the town of Jefferson, N. C., and the said L. G. Gentry having since died, I now will and devise to Mrs. Maud Gentry widow of the said Dr. L. G. Gentry, the lot devised and willed to Dr. L. G. Gentry in Item 4 of my will, and which lot is bounded as follows, to wit: bounded on the east by the lot known as the Brick Inn lot on the North by the lot of the

west by street leading towards Helton, N. C. and on the South by main street.

Item 4th Having willed and devised to John & Neal my nephew certain land fully bounded and described in my Codicil dated September 29, 1896, and also in a Codicil and deed dated April 21, 1897, and John & Neal having since died, I now will and devise to Eulalie Neal widow of John & Neal, decd, and to the children of the said John & Neal, decd, all of the lands formerly willed to John & Neal in my Codicils dated September 29, 1896, and April 21, 1897, and reference is made to these Codicils and deed and they are to be considered in giving more particular and complete description of the lands now willed to Eulalie Neal, and the children of John & Neal, deceased.

Item 5th Having made a residuary clause in my last Will and Testament dated September 13, 1878, and having named my three brothers Addison L. Rousseau, Adolphus Rousseau, Pinkney Rousseau, and my brother in law Quincy F. Neal and my sister Adelaide Neal my residuary legatees and my three brothers and brother in law having since died, I now will and devise all of the remainder of my property, which I now have or may hereafter receive under the will and Testament of my deceased husband, Ed. George Bowser, real, personal and mixed, and which I have not heretofore devised in my will and Codicils, to the children of my deceased brother and my sister Adelaide Neal in the following shares, to wit: One fourth to the children of Addison L. Rousseau, decd, one fourth to the children of Adolphus Rousseau, deceased, one fourth to the children of Pinkney Rousseau, deceased, and one fourth to Adelaide Neal.

Signed, sealed, published and declared by American to Davis to be a Codicil to her last Will and Testament, dated Sept 13, 1878, on this the 21st day of May, 1902.

A. C. Davis *(Seal)*

Signed, sealed, and declared by American to Davis to be a Codicil to her last will and Testament in the presence of us, who sign the same in her presence and in the presence of each other and at her request, as witnesses thereto on the day and year above named.

O. W. Spencer
Barton Craige

(Over)

(America L. Davis)
(Will Cont. 3)

in simple forever the said tracts or parcels of land, In
more particular description see deed from America L.
Davis to Joseph B. Neal of June 28th 1902.

Dated this July, 2, 1902.

Witness
O. W. Spencer,
R. J. Holmes.

A. L. Davis Seal

North Carolina,
Rowan County.

I, America L. Davis, of the County of Rowan and State
of North Carolina, being of sound mind and memory do
make and publish this additional Codicil to my last Will
and Testament, revoking every other provisions in any
previous will or Codicil in so far only as such pro-
visions may be in conflict with the provisions of
this Codicil, but re-affirming said will and subsequent
Codicils in all other particulars.

Item 1st I hereby nominate and appoint Orin O. Davis of
Salisbury, N.C., and James C. Rousseau of Wilkesboro, N.C.,
as executors of my last Will and Testament and executor
to carry into execution also the provisions contained in
the several Codicils made by me subsequent to said
will.

Item II These executors are appointed by me to administer generally
my estate, and especially to see that the property willed and
devised to me by the will of my late husband George
Bower, shall after my death be divided and distributed
by my said executors as the same has been by my wills
and disposed of by my last Will and Testament now in
the possession of J. E. Foster of Jefferson, N.C., together with
the several Codicils also in his possession.

In witness whereof I have hereunto subscribed my name
in the presence of James M. McKee and O. W. Spencer,
who have witnessed me sign this Codicil.

This 21st day August 1902.

Witness
James M. McKee,
O. W. Spencer.

A. L. Davis Seal

Aug. 21, 1902.

North Carolina,
Rowan County,

I, America L. Davis of the County of Rowan and State of

make and publish as another Codicil to my last will and Testament
My said will being now in the possession of J. E. Foster in the
town of Jefferson N.C.

Item I It is my will and desire that this Codicil shall also be placed in
the hands of the said J. E. Foster and to be by him attached to my
will, and to be taken as a part of the same.

Item II In order to perfect the title of Joseph B. Neal to certain
tracts or parcels of land lying in County of Ashe, and State of
North Carolina, First tract being the land purchased by
J. B. Neal from Dr L. L. Sentry and also deeded by Mrs A. L. Davis
to J. B. Neal on the 30 day of January 1900, said recorded in
the office of Reg^r of deeds of Ashe County, in book P. P. page
320, said tract containing 23 acres more or less.
Second tract deeded by J. B. Neal to L. L. Sentry on the 6 day of
January 1900, and recorded in office of Reg^r of deeds of Ashe
County in book P. P. page 124, said parcel of land containing
18 acres more or less.

This Codicil is made to protect the title of said J. B. Neal
to said lands. Said L. L. Sentry having died prior to the date
hereof. For this consideration and for valuable consider-
ation and for the love and affection which I have for
the said J. B. Neal, I do by this Codicil to my said will
give and devise to the said Joseph B. Neal his heirs and
assigns in fee simple forever the said tracts or parcels
of land, dated this 28th day of August 1902.

Witness.

O. W. Spencer,
R. J. Holmes,

A. L. Davis Seal

North Carolina,
Rowan County,

I, America L. Davis of the County of Rowan and
State of North Carolina, being of sound mind and disposing
memory, do make and publish this another Codicil to my
last Will and Testament made & published by me on the
13 day of September, 1878, and re-published and ratified
on the 14 day of Aug. 1895, and which ^{said} will together with
the already added Codicils is now in the hands of my
Trusted friend J. E. Foster of Jefferson, N.C., and this Codicil
shall be placed in the hands of the said J. E. Foster to
be by him attached to my last will now in his hands
and to be taken as a part of my said last Will and Testament.

I now hereby give and devise to my niece, Foster's daughter

America (Davis)
Will Cont.

daughters of my nephew J. K. Neal, all of my minerals of every kind together with all mining rights and privileges in, on and upon the following described tract or parcel of land lying and being in Ashe County, North Carolina, on the waters of the North Fork of New River and adjoining the lands of J. A. Heath, S. M. Brook, the heirs of Dr. L. C. Kentry, and others and containing about five hundred (500) acres more or less, which lands and minerals I have and possess under the will of Col George Bowers.

I give and devise the above described minerals and mining rights and privileges in the following proportions, to wit: To Mrs. Nettie Scott and her heirs one third ($\frac{1}{3}$), To Miss Ola Neal, Cula Neal and Rust Neal and their heirs, two thirds ($\frac{2}{3}$) each one to have an equal share which is one third of two thirds ($\frac{2}{3}$ of $\frac{2}{3}$) of the entire property.

Given under my hand and seal this the 16th day of October, 1902.

A. L. Davis (Seal)

Signed, sealed, published and declared in our presence, and Mrs. A. L. Davis signs it in our presence and we witness it at her request and she declares it as her last Codicil to her last Will and Testament and we witness it in her presence and in the presence of each other.

This the 16 day of October 1902.

Attest.

James Plummer,
J. Allen Brown.

North Carolina
Rowan County.

I, America L. Davis of the County of Rowan and State of North Carolina, being of sound mind and memory, do make and publish this additional Codicil to my last Will and Testament, revoking any other provisions in my previous Will or Codicils in so far only as said provisions may be in conflict with the provisions of this Codicil but re-affirming said Will and Codicil in all other respects.

Item 1st I hereby nominate and appoint Joseph B. Neal of Jefferson, N.C. and James P. Rousseau of Wilkesboro, N.C. as executors of my last Will and Testament, and exutors to execute the provisions contained in the several Codicils made by me subsequent to said will.

Item 2nd I appoint these executors to administer on my estate and especially to see that the property

husband George Bowers shall after my death be divided and distributed by my said executor as the same has been willed and disposed of by my last Will and Testament and Codicils thereto now in the possession of J. C. Foster of Jefferson, N.C.

In witness whereof I have hereunto subscribed my name in the presence of James Plummer & John Allen Brown who have witnessed me sign my name to this Codicil. This Dec first 1902.

Witnesses.

James Plummer,
J. Allen Brown.

A. L. Davis, (Seal)

North Carolina,

Rowan County,

I, America L. Davis, being of sound mind but mindful of the uncertainty of life and desiring to provide for my niece Ola E. Neal, (who has been so good and kind to me) after my death, do make, publish and declare this to be a Codicil to my last Will and Testament, now in the safe of J. C. Foster of Jefferson, N.C.

I give and bequeath to my said niece Ola E. Neal, Two Thousand Dollars worth of my State bonds which were willed to me by my late husband, George Bowers, this bequest to be the first one satisfied out of the said bonds by my executor. The value of the State bonds to be the market price of the same at the date of the settlement of this bequest. And if for any reason the said amount of Two Thousand Dollars cannot be settled in State bonds as aforesaid, then my executor are instructed to pay over to the said Ola E. Neal the sum of Two Thousand Dollars out of the first monies left in their hands after all funeral expenses and Doctor's bills have been paid.

In testimony whereof I have hereunto set my hand and affixed my seal, This March 12th 1903.

A. L. Davis (Seal)

Signed, sealed and published by the said America L. Davis as a Codicil to her last Will and Testament in our presence and we in the presence of each other, have at her request, hereunto subscribed our names as witnesses.

This day of March, 1903.

James Plummer,
J. Allen Brown.