

by him and exhibited to be his last will and testament and this defendant did then 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 defendant further says that at the time when the said testator subscribed his name to the said last will and testament as aforesaid and at the time of defendant subscribing his name as an attesting witness thereto as aforesaid the said Atty. Thompson 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 defendant and further these defendants say the said

J. B. Thompson (Seal)

Solely sworn to before

J. C. Richardson (Seal)

and subscribed this

the 2nd day of March 1885-

before me J. W. Dickson. c/o

Know all men by these presents

That I Eli Graybeal of Ashe County and State of North Carolina being feeble in body but of sound mind and memory do declare and publish this my last will and testament

1st I will and devise to my beloved Grandson Eli Mitchell Bugh the land covered by the deed of Amos Graybeal and his father Mitchell Bugh, it being about one half of the tract of land wherein I formerly lived known as the Geo. Bower tract adjoining the lands of Catherine Bunkett m. and Richard Bunkett and others for boundaries of the same aforesaid is made to the said

deed

2nd I will and devise to my beloved son David Henry Graybeal the other half of said tract of land adjoining the lands of Catherine Bunkett m. and Christian Bunkett + others of the value of one thousand also I will and devise to the said David H. Graybeal the tract of land known as the Boney land adjoining the lands of Catherine Bunkett m. and Catherine Bunkett m. Shade Coleman + others of the value of four hundred dollars also I will and devise to the said David Graybeal the tract of land known as the Hanch tract adjoining the lands of Jacob B. Hanch John Antone + others one half of the mineral I except and devise the same to my son Calvin M. Graybeal the said tract is of the value of five hundred dollars to have and to hold the three several tracts of lands hereinbefore devised except one half the mineral in the Hanch land to the said David H. Graybeal and his heirs forever upon this condition that if the said David Graybeal should die without leaving heirs or heirs of his body or lawful then and in that event it is my will and desire that the said lands shall go over to my son Calvin M. Graybeal and his heirs + their heirs

3rd I will and devise to my beloved daughter Belia E. Graham wife of Watson Graham and heirs the two several tracts of land on Big Hether Creek in said County adjoining the lands Joseph Hurrell Washington Hurd + others for the exact boundary of the same aforesaid is made to the said heretofore made by me to her for said

Tracts of land and the same is of the value of Twelve hundred dollars. And I also will and devise to my beloved daughter Maria Graham and her heirs the tract of land on the waters of Buffalo Creek in said County known as the Jamie Johnson tract of land containing 250 acres adjoining the lands of Melvin Campbell Hutton Ray John Kiddle & others of the value of one thousand dollars. I will and devise to my beloved son Calvin M. Graybeal and his heirs subject to the widows dower the tract of land on which I now live adjoining the lands of Geo. H. Hamilton William Spencer the old Col. John Ray tract & others of the value of Eighteen hundred dollars.

I will and devise to my grandson Eli Mitchell Dugli one bed and bedding to be selected by his grandmother Maria Graybeal.

It is my will that whereas David H. Graybeal has been advanced in personal property in the sum of one hundred and eighty seven dollars, and Maria C. Graham in the sum of two hundred and forty dollars and Calvin M. Graybeal in the sum of five hundred and eighty seven dollars and it is my express will that each of my three children be made equal, that is David H. Graybeal Maria Graham & Calvin M. Graybeal and that each of them take the several tracts of land hereinbefore devised to them or the valuation herein named and that they account to each other for the several sums herein mentioned as advancements to them. And it is my will that my Executor after giving me a decent burial and paying all my just debts shall pay over the sum of ten to my beloved wife Emily Graybeal & my three children and that if the personal property is insufficient to make them equal in land and personal property there having more than their equal share is to be paid to those who have not, so that all may be equal. And I do hereby constitute and appoint my son Calvin M. Graybeal my lawful Executor to this my last will and Testament.

In testimony whereof I have hereunto set my hand and seal this July 28th 1885-

Wiley H. Coleman
W. B. Bunkell

Eli. Graybeal

State of North Carolina }
Rock County } In Probate Court

A paper writing purporting to be the last will and Testament of Eli Graybeal deceased is exhibited before me the undersigned Judge of Probate for said County by Calvin M. Graybeal the son therein mentioned and the due execution thereof by the said Eli Graybeal by the oath and examina-
tion of Wiley H. Coleman & W. B. Bunkell the subscribing witnesses thereto who being duly sworn both before and say and each for himself depose and say that he is a subscribing witness to the paper writing now shown him purporting to be the last will and Testament of Eli Graybeal. That the said Eli Graybeal 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 28th day of July, 1885-

And the deponent further says that the said Eli Graybeal the testator aforesaid and at the time of subscribing his name as aforesaid declare the said paper writing to be subscribed by him and exhibited to be his 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 says 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 subscribing his name as an attesting witness thereto as aforesaid the said Eli Graybeal 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 and

W. H. Coleman
W. B. Bunkell

Calvin M. Graybeal

Sworn and subscribed this 18th day of March 1885 before me J. M. Dickson C. S. J.