

under any restraint to the knowledge, information or belief, of this deponent. And further these deponents say not.

J. N. Hudler (Seal)
L. W. Taylor (Seal)

Severally sworn and
Subscribed this 11th day
of Sept 1877 before me,
U.S. Clerk, C. S. C.

North Carolina Ashe County.

August 18th 1877.

I Fredell McMillan of said County and State being of sound mind and memory but weak in body and considering the uncertainty of this frail and transitory life and the certainty of death do make public ordain and declare this to be my last will and testament revoking all wills heretofore by me made, that is to say,

- 1st I will that my body be given a decent Christian burial suitable to the wishes of family and that the expenses of the same be paid by my executrix herein after named out of any property coming into her possession as such
- 2^d I will that all my just debts be paid and discharged and that all the remainder of my property be disposed as follows to wit
- 3^d I will that my beloved wife Mary Ann McMillan have my land on which I now live during her natural life or widowhood but in case she should marry or change my name, then the land heretofore named is to be divided among all my children as herein after directed.
- 4th I will that my son A. R. McMillan have two hundred and twenty five dollars in the land bought by me of Robert Hudler and this is to be his full share of my estate, provided however that my executrix is authorized and empowered by this will to swap or change some land as heretofore agreed upon by myself and A. R. McMillan

5th To, P. McMillan my son I have had one horse for which I charge him the sum of twenty five dollars which he is to account for in the distribution of my estate with my other heirs, my other heirs to wit, Minnie McMillan, Mollie McMillan, Ireland McMillan, Addie Cleveland McMillan Archie Hollins McMillan and Maud May McMillan have not been advanced and are entitled to their full share of my estate

6th I will to my wife Mary Ann McMillan all my personal property of whatever nature or kind, and authorize and empower her to sell and dispose of same either at public or private sale as she may deem best or so much of the same as will pay all my just debts and cost &c and the remainder if any is to be kept on the farm for the use and benefit of the family. Lastly I appoint my wife Mary Ann McMillan my executrix to execute and carry out this my last will and testament according to the intent and meaning of the same. In witness whereof I have herunto set my hand and seal done this the 18th day of August A.D. 1877.

Attest

R. J. Gander

A. R. Vannoy

Wm. H. Taylor

Fredell McMillan

State of North Carolina } S. S. In the Superior Court.
Ashe County }

A paper writing purporting to be the last will and testament of Fredell McMillan deceased, is exhibited before me, the undersigned, Clerk of the Superior Court for said County, by Wm. H. Taylor one of the subscribing thereto and the due execution thereof by the said Fredell McMillan is proven by the oath and examination of Wm. H. Taylor and A. R. Vannoy. 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 the last will and testament of Fredell McMillan, that the said Fredell McMillan in the presence of the deponent

subscribed his name at the end of said paper writing, now shown as aforesaid, and which bears date of the 18th day of August 1899. And the deponent further saith that the said Medell McMillan the testator aforesaid, did, at the time of subscribing his name as aforesaid, declare the said paper writing so 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 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 deponent's subscribing his name to the said last will as aforesaid, and at the time of deponent's subscribing his name as an attesting witness thereto, as aforesaid, the said Medell McMillan was of sound mind and memory, of free 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.

Wm. H. Taylor Deat
A. H. Wainwright Deat

Severally sworn and
subscribed this 4th day
of Sept 1899. Before me.

A. D. Eller
Clerk Superior Court.

Known all men by these presents, that I, Daniel Davis Woodruff of the County of Ashe and State of North Carolina, Farmer, being in full health, but of sound and disposing mind, and memory, do make and publish this my last will and testament.

And as to my worldly estate:
First, my will is, that to George C. Woodruff I give, devise, and bequeath, the piece or parcel of land to which he now holds a deed dated June 24th day 1893.

I give and bequeath to William Adolphus Woodruff the piece or parcel of land to which he now holds a deed dated June 24th day 1893. Also the amount of thirty five dollars out of my estate, more than he has already received.

I give and bequeath to James David Woodruff the amount of three hundred and fifty five dollars which he has already received instead of land.

I give and bequeath to John Emmitt Woodruff the piece or parcel of land to which he now holds a deed dated, April 20th day 1895. Also the amount of thirty seven dollars out of my estate more than he has already received.

I give and bequeath to Edmund McGehee Woodruff the amount of three hundred and fifty dollars in lands as his lawful ~~interest~~ share out of my estate more than he has already received. And also, three hundred and fifty dollars now in lands and the home, if he takes care of the home and does well and truly takes care of me and my wife Nancy Woodruff during our natural life, but if he does not take care of our home and take proper care of me and my wife Nancy Woodruff then he is only to receive three hundred and fifty dollars out of my estate.

I give and bequeath to Matthew Clementine Fairchild the amount of three hundred and fifty dollars in lands, more than she has already received.