

Last Will and Testament of W. P. Thomas Second.

In the name of God Amen.

I Wiley P. Thomas of the County of Ashe and State of North Carolina being sound in mind and memory, but failing in health and knowing the uncertainty of life and the certainty of death, do this day make and ordain this my last will and Testament concerning the property with which God has blessed me.

First I give and devise to my beloved wife Larrina all my lands, except the Masonic lot, the Cool Younger lot and the Brinett lot to her own use and behoof during her widowhood. Second, I will to my son A. H. Thomas the North Fork plantation containing about 770 acres during his natural life after the death or marriage of his mother, and if he dies leaving lawful issue then the said plantation to go to said issue, but if he should die without lawful issue, then in that case the said plantation to go to my children then living or if any of them are dead leaving children then those children to take the same that their parent would have taken had such parent been living. The said land to be valued to the said A. H. Thomas at \$9000 or Nine thousand Dollars and he is to account for eleven hundred dollars cash already advanced to him but without being charged interest.

Third I give and devise to my son John J. Thomas the lot whereon I now live, the barn lot deeded to me by E. C. Bartlett, the Reminger lot where my water comes from, and the lot of land I bought of W. R. Dufhey & wife containing about 38 acres, adjoining the John J. Bryan lot and the Thomas M. Guire land south of Town, all to be subject to the rights above stated of his mother and to be accounted for in settlement at \$3500. I also give him the mill tract east of Jefferson, subject to the same provisions to be accounted for at the sum of \$7350.00 and subject to the same provision, I give him the Pond Mountain land to be accounted for at \$2000.00 making \$9000.00. Fourth I give and devise to my daughter Elizabeth C. Thomas the lands down at the Old Fields, and the tract at the head of Buffalo where Sheets, lives all of which subject to the first item in this will, and to be accounted for at \$5500.00. Fifth I will and devise to my youngest child Collie my Threestop lands, made up of seven or eight tracts, and containing something over six hundred acres, also the Pocket Ridge land containing over three hundred acres, subject to the first item in this will and to be

accounted for at the sum of \$3500.00.

Sixth I will my Elk Knob and Johnson Ridge land to my children above named without division till they may see cause to divide. Sell to advantage and if that opportunity occurs before Collie arrives at full age and the others all agree that a good opportunity to sell has come my executors are empowered to convey her interest therein, and account to her for the proceeds.

Seventh, I will that my executors hereafter named sell all the other property I may have of every description and apply the proceeds to make all my children equal, and in case any of the land titles should prove defective I want all the children to share the loss equally.

Eighth, I appoint J. J. Thomas and J. H. Todd executors of this my last will and testament, hereby revoking all other wills by me made.

June 11th 1886.

George W. Rorer

W. A. Currin

W. P. Thomas

July the 26th 1886 I this day make this Codicil to the foregoing will because the following items were overlooked at the time of writing first.

I will in addition to what is contained in the foregoing, that my beloved wife have all the house hold and kitchen furniture on hand, and also fifteen hundred dollars in cash for her to use. I also give my youngest daughter Collie in addition to what I have willed her one thousand dollars to complete her education, and she is not to be charged with the same in the final settlement of my estate.

Last W. P. Rorer

W. A. Currin

W. P. Thomas.

State of North Carolina } S.S. In the Probate Court.

Ashe County } A paper purporting to be the last will and Testament of W. P. Thomas deceased is exhibited before me the undersigned, Judge of Probate for said County by J. H. Todd and John J. Thomas the executors therein mentioned, and the due execution thereof by the said W. P. Thomas (including the Codicil) by the oath and examination of George W. Rorer & W. A. Currin 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 shown him purporting to be the last will and Testament of W. P. Thomas including the Codicil. That the said W. P. Thomas in the presence of this deponent, subscribed his name at the

of said paper writing, which is now shown as aforesaid, and which bears date of the 14th day of June 1886, Codicil of the date 26th July 1886. And the deponent further saith, that the said W. P. Thomas the Testator aforesaid, did, at the time of subscribing his name as aforesaid, declare the said paper writing as subscribed by him and exhibited, to be the 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 as an attesting witness thereto, as aforesaid, the said W. P. Thomas 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.

George W. Reese
H. A. Curren

Personally seen and subscribed
this 13th day of October 1886, before me
J. M. Dickson
Probate Judge

I Eli Miller of the County of Ashe and State of North Carolina being of sound mind and disposing memory do make and declare this my last will and testament in manner and form following that is to say, I will at my death my body be buried in a manner suitable to wish of my beloved wife Mary Miller and that all my just debts be paid out of the first money coming into the hands of my Executors hereafter named. First I give and bequeath all my household and kitchen to my beloved wife Mary Miller Second and all my personal property to my beloved wife Mary Miller her natural lifetime and after her death it is my desire that my Executors shall sell all the household and kitchen furniture and personal property and after paying all the expenses that the money shall be equally divided between my three daughters Anna Beren Elizabeth Miller and Amanda Miller and each of my heirs shall inherit without appeal. I hereby appoint my trusty friends Eldon Weaver J. M. Miller Esq. to execute to all my intents and purposes this my last will and testament truly revoking all other wills heretofore by me made. In testimony whereof I hereunto set my hand and seal

This 13th day of May A.D. 1881

Signed sealed and delivered in the presence of
J. H. Davis
David Miller
Eli Miller

State of North Carolina
Ashe County } In Probate Court

A paper writing purporting to be the last will and testament of Eli Miller deceased is exhibited before me the undersigned Judge of Probate for said County by J. H. Miller one of the Exrs. therein mentioned and the due execution thereof by the said Eli Miller by the oath and affirmation of J. H. Davis David Miller the subscribing witnesses, who being duly sworn each depose and say