

when the said Testator subscribed her name to the said last will as afore said and at the time of the of the deponent subscribing her name as an attesting witness thereto as afore said the said Harriet Cochran 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 the said deponent and further the deponents say not

Severally Sworn and Subscribed
this 30th day of October A.D. 1868

J. B. Reed
Probate Judge

J. R. Lance
Mary, W. Stuart

Transferred

In the name of God amen

I A H Johnston of the County of Buncombe and State of North Carolina being of sound mind and memory But considering the uncertainty of my earthly Existence do make and this my last will and Testament in manner and form following that is to say first that my executor hereinafter named shall shall provide for my body a decent Burial suitable to the wishes of my Relations and friends and pay all funeral expenses to gether with my last debts hereunder and to whomsoever owing out of the money that may first come into his hands as a part or part of my estate

I give and devise to my Beloved wife Mary all land from lower line of the home tract up to the Big ditch above the the off the meadow field that runs from the river to the road including my dwelling house & all out houses supposed to be about Two hundred acres to have and to hold to her the said Mary for and during the term of her natural life in satisfaction for and in lieu of her dower and Third of and in all my real estate

I give and devise to my daughter Nancy wife of John Hunter a portion of my home tract on the west side of the river including 12 acres but less J. B. Lutton beginning on a forked black oak the South east corner of the home tract and runs north to a cedar at the edge of the swamp then with the fence to the back & gum corner on the river bank then down the

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meanders of the river to the mouth of the
Spring Branch that Bishop used water out
of then up the Branch passing the Spring
a short course to where the road crosses the river
at the gap of the ridge above J. B. Lances then
crossing the Big Road the same direction
to the east and west line of the Home tract
then east with that line to the beginning contain-
ing about seventy five acres more or less to
have and to hold to her the said Nancy and
her heirs free and independent of her said husband
John Hunter to have and to hold to her the said
Nancy and her heirs of her Body in fee simple
for ever

I give & devise to my son James all that portion
of my home tract that I have given to my wife
for and during her natural life and be the said
James is to have full possession at death of my
wife to have and to hold in fee simple
forever

I give and devise to my daughter Harriot all my
tract of land known as the James Presley tract
containing seventy five
acres to have and to hold to her the said Harriot and her
heirs in fee simple forever

I give and bequeath to my beloved wife Mary
all of my household and kitchen furniture
except one bed and necessary furniture that is
for Harriot during her natural life I also give
my one horse best own choice one two horse
wagon and harness two cows her own choice
six sheep her own choice and all the poultry
I give and bequeath all the above articles during
her lifetime

I give and bequeath to my daughter Harriot
one bed & blanket and necessary furniture one
side saddle one cow and calf 4 head of sheep
one sow and pig

my will and devise is that all the residue
of my estate if any after taking out the
and legacies above mentioned shall be sold
and the debts owing to me collected and if
there shall be surplus over and above the
debts expenses and legacies that such surplus

shall be equally divided between my wife and all my children except James he is to have nothing out of my estate except the land I give him
 now therefore my will and desire is that my son W^m Johnston is hereby constituted and appointed my lawful executor to all intents and purposes to execute this my last will and testament according to the true intent and meaning of the same and every part and clause thereof hereby Revoking and declaring utterly void all other wills and testaments by me heretofore made in witness whereof I set my hand and seal

W^m Johnston Esq

State of North Carolina

Buncombe County Office of Probate Judge

I James E. Reed Judge of the Probate Court in and for the County aforesaid do hereby certify that on this 4th day of December 1868 there appeared before me at my office William H. Johnston who being duly sworn saith that the said will was found among the valuable papers of the said Andrew H. Johnston after his death and it was shown by the oath of H. S. Sumner W. H. Murray & W. R. Young three credible witnesses that they and each of them are acquainted with the handwriting of the said Andrew H. Johnston having often seen him write and verily believe that the name of the said Andrew H. Johnston subscribed to the said will and the said will itself and every part thereof are in the proper handwriting of the said Andrew H. Johnston and that the said handwriting is generally known to the acquaintance of the said Andrew H. Johnston as well more fully and at large appears from the affidavit of said witnesses now on file in my office

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In testimony whereof I have hereunto set my hand this day and date above written

J. E. Reed Probate Judge