

State of North Carolina }
Buncombe County

In the name of God Amen.
I Asbury Davis of the County of Buncombe
and State of North Carolina being of
sound mind and memory, do make and publish
this paper writing as my last will and Testament.

I will and desire that all of my just debts be paid
after my death, and that my funeral expenses and
doctor bills, shall have preference.

My will and desire is, that my beloved wife, if she out-
lives me, to have a usufruct of my personal property laid
of by my executor, to do her or to help to maintain
her during life, and then at her death, to be divided equally
between my heirs if any left.

I have made all my seven children, namely, Loucinda Davis,
Kinsey Davis, Eliza Holden, Louisa Curtis, Caroline
Hampton, Ellen Glen, and Jasper Davis, equal as near
as I can in personal property when they married or became
of age, and since then I have given Loucinda Davis tract
of land, valued at four hundred and fifty dollars. And I
desire to make them all equal, I have paid Kinsey Davis
four hundred and fifty dollars and paid Edmund Holden
four hundred and fifty dollars and Louisa Curtis four
hundred dollars, leaving fifty dollars to be paid to her
to make her equal and paid to Caroline Hampton four hundred
and fifty dollars and to Ellen Glen four hundred and
fifty dollars and to the heirs of my son Jasper Davis
namely, George Davis, Leander Davis, Mary Davis, Eugene
Davis, Louisa Davis my grand children, I
desire to make them equal with one share four
hundred and fifty dollars.

I will and desire that the above heirs be made
equal out of my estate at my death if not paid of
and made equal by myself during my life time and
made equal by my will take unto showing value.

I will and desire that my grand children, namely,
Davis have and one cow and tract of land

brothers and sisters in way of property provided she
lives with me until she becomes twenty one years of age
and conducts herself properly and if she fails so to
live as above stated then said cow and land be sold
and equally divided equal among my heirs as heret-
fore mentioned, I hear state that I have given to my
deaf children that is my present wife children an
equal share of personal property as my own when she
become of age.

I will and desire after my heirs are made equal
as above stated and their should be any property
or debts in my possession or due me from others that
then the same be divided between my children and
grand children as above named

And lastly having confidence in the integrity
and ability of my friend and neighbor Dr. David M.
Sudger of Buncombe County, I do hereby appoint
Dr. David M. Sudger my lawful executor to carry
out this my last will and Testament and further
I appoint H. Schuler as attorney or advisor of my executor
Signed and sealed this March 5th 1884 in the presence
of H. Schuler
O. B. Gaudler
O. B. Gaudler

Asbury Davis (seal)

Codiced of Asbury Davis to the last will
of Asbury Davis made April 16th 1886 A.D.

I Asbury Davis will and make the following
change in my will of March 5th 1884 My grand daughter
May Davis having died since my last will of March 5th 1884
I now will unto my four grand children by Jasper
Davis namely George Davis, Leander Davis, Eugene
Davis and Louisa Davis the sum of five hundred dollars
in place of the amount as stated in the will of
March 5th 1884 that is one hundred and twenty five
dollars to each one to be paid as follows
First I will unto George Davis and Leander Davis one
third of the same as the Daniel Davis tract
part of the same tract of land one

in all one hundred acres valued at three hundred dollars and that said George Davis and Leander Davis on to pay Reuben Davis and Laurence Davis their Brother Peter twenty five dollars a piece out of the three hundred dollar worth of land and that Reuben Davis and Laurence Davis to be paid one hundred dollars a piece out of my estate to make them equal with their Brother George Davis and Leander Davis and further that the close or closes in my will of March 3rd 1884 willing property to my Grand daughter Mary Davis is hereby revoked and now I will feel that I have made all of my Children and Grand Children all as equal as I can Signed, sealed in the presence of witness this April the 10th A.D. 1886

Attest

O. B. Candler
E. W. Candler

Asbury Davis

State of North Carolina }
Buncombe County }
In the Supr. Court,

I D. M. Gudgeon do solemnly swear (or affirm) that I believe this writing to be and contain the Last Will and Testament of Asbury Davis decd: and that I will well and truly execute the same by first paying his debts and then his legacies as far as the said estate shall extend, or the law will charge me, and that I will well and faithfully execute the office of an executor agreeable to the trust and confidence reposed in me, and according to law: so help me God.

D. M. Gudgeon

Sworn and subscribed before me, this 14 day of Feb'y, 1889
Attest
By B. J. Malone D.C.

State of North Carolina }
Buncombe County }
In the Supr. Court.

A paper purporting to be the Last Will and Testament of Asbury Davis decd: is exhibited before me, the undersigned Clerk of Court for said County by D. M. Gudgeon the executor therein mentioned, and the due reading thereof by the said Asbury Davis by the oath and examination of E. W. Candler and O. B. Candler the subscribing witnesses thereto: who being duly sworn doth depose and say, and each of us make self doth depose and say, that he is subscribing witness to the paper writing now shown him purporting to be the last will and Testament of Asbury Davis that the said Asbury Davis, in the presence of this deponent subscribed his name at the end of said paper writing which now shown to as aforesaid and which bears date of the 5th day March 1884 and Codicil dated April 6th 1886. And the deponent further saith, that the said Asbury Davis 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 as an attesting witness thereto, as aforesaid, the said Asbury 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

Solemnly sworn and subscribed this 31st

E. W. Candler
O. B. Candler

Attest
Attest