

Will of B. F. Spivey.

State of North Carolina
Buncombe County
In the Superior Court.

A paper purporting to be the last will and testament of B. F. Spivey, deceased, is exhibited before me, the undersigned, Clerk of Court for said County, by W. B. Spivey the executor thereof mentioned, and the due execution thereof by the said B. F. Spivey by the oath and examination of James Lenthorn and Rhoda Lenthorn the subscribing witnesses thereto, who being duly sworn, doth depose and say, and each of them himself doth so swear and say, that he is subscribing witness to the paper writing now shown herein, purporting to be the last will and testament of B. F. Spivey; that the said B. F. Spivey 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 3rd day of April, 1891.

And the deponent further saith, that the said B. F. Spivey the testator aforesaid, did at the time of subscribing his name as aforesaid, declare the said paper writing 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 B. F. Spivey 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
James Lenthorn ^{his} mark

Witness: Rhoda Lenthorn
H. B. Stevens.

Severally sworn and subscribed
This 4th day of June, 1891. before me.
J. F. Cathey
C. S. C.

April the 3, 1891

North Carolina Buncombe County
as I B. F. Spivey and Elizabeth Spivey do
will and decree to W. B. Spivey all of our
house hold and kitchen furniture and
all personal estate left after our husband
and fifty dollars come out of it we
give the said W. B. Spivey the advan-
tages in the building and also what little
is left of the personal estate for securing
to and taking care of us for he has been
a attentive boy in so doing this fund we
have no fears of continuing so long there
being our last wills and testimonys we
witness our hands and seals we affirm
W. B. Spivey our executor to see to the wind-
ing up of all our business also to sepa-
rate the estate of all the married heirs.

B. F. Spivey ^{his} mark
Elizabeth Spivey ^{her} mark
W. B. Spivey Executor
Attest James Lenthorn ^{his} mark
Rhoda Lenthorn.

April the 3, 1891.

North Carolina Buncombe County
as I B. F. Spivey and Elizabeth Spivey
has little our real estate to secure of
our children there being the eight child
no provisions made for it in real estate
from the facts we could not make further
provisions in it being so small it would

not do them any good we do there fore
 wish to give and devise to Boley Spivey
 and Fredy Spivey our grand children
 the dearest Marcella B. Spivey a child less one
 hundred and fifty dollars to be paid
 out of the personal property the house-
 hold and kitchen furniture excepted
 this being our last will and testimony
 we witness our hands and seals.

B. T. ^{hus} Spivey

Eliza ^{wife} B. T. Spivey

W. B. Spivey Executor

Attest James ^{his} Smith

Road Tentharn.

Upon taking the testimony of the witnesses
 whose names are subscribed to the forego-
 ing paper writing, said paper writing
 and every part thereof is adjudged to be
 the last will and testament of B. T. Spivey,
 and ordered to be recorded as such, and
 the Executor, W. B. Spivey, mentioned in
 said will, having qualified as executor
 of the said last will and testament of
 B. T. Spivey deceased, Letter testamentary
 is sued to him, the said W. B. Spivey,
 on this the 4th day of June, A.D. 1891.

J. L. Cathey C. C.