

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 depose 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 now shown as aforesaid, and which bears date of the 3<sup>rd</sup> 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

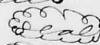
These deponents say not  
James Lenthorn  
mark  
Witness: Rhoda Lenthorn  
H. B. Stevens.

Personally sworn and subscribed  
This 4<sup>th</sup> day of June, 1891. before me.  
J. F. Oatley  
C. S. C.

April the 3, 1891  
North Carolina Buncombe County  
as J. 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-  
ate the estate of all the married heirs.  
B. F. Spivey  
Elizabeth Spivey  
W. B. Spivey Executor  
Attest James Lenthorn  
Rhoda Lenthorn.

April the 3, 1891.  
North Carolina Buncombe County  
as J. B. F. Spivey and Elizabeth Spivey  
has little doubt real estate to seven of  
our children there being the eight child  
no provisions made for it in real estate  
from the facts we could not make further  
divisions in it being so small a ward

not do them any good we do there fore  
 wish to give and devise to Boley Spivey  
 and F. eddy Spivey and grand children  
 the cleave Marcus F. 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. F. <sup>his</sup> Spivey   
 Elizabeth Spivey   
 W. B. Spivey Executor

Attest James <sup>his</sup> Smith <sub>mark</sub>  
 Rhoad Trentham.

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. F. 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. F. Spivey deceased, Letters testamentary  
 is sued to him, the said W. B. Spivey,  
 on this the 4th day of June, A. D. 1891.  
 J. L. Cathey C. J.