

State of North Carolina } ss In the Probate Court
Buncombe County

A paper purporting to be the Last Will & Testament of Charles B Richards deceased, is exhibited before me, the undersigned judge of Probate for said County by Lucinda Jane Richards therein mentioned and the due execution thereof by the said

by the oath and examination of M I Neilson & S S Lynch the subscribing witnesses thereto, who being duly sworn doth depose and say, and each for himself depose and saith that he is a subscribing witness to the paper writing now shown him, purporting to be the last Will & Testament of Charles B Richards that the said C B Richards 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 15th day of August 1871.

And the deponent further saith that the said C B Richards the testator aforesaid, did at the time of subscribing his name as aforesaid declare the said paper writing to be his last Will & 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 time when the said testator subscribed his name to the said Last Will as aforesaid and at the time of the deponent's subscribing his name as an attesting witness thereto, as aforesaid the said Charles B Richards was of sound mind and memory, of full age to execute a Will and was not under any restraint to the knowledge or belief of this deponent.

And further these deponents say not.

M I Neilson Esq

S S Lynch Esq

Severally sworn and subscribed

this 23rd day of May 1881

before me

W B Bernard

Probate Judge

Will

I Charles B Richards of the County of Buncombe and State of North Carolina being sick and weak of body, but of sound and disposing mind memory and understanding do make publish and declare this to be my last Will and Testament.

I Item I give and devise to my beloved wife Lucinda Jane the southern half of the lot on which we now reside at the corner of Woodfin and Spruce streets in Asheville North Carolina, together with all and singular the privileges and appurtenances thereto belonging & in any wise pertaining, to have and to hold to her the said Lucinda Jane Richards and her heirs in fee simple forever.

II Item The Northern half of the said lot the same being the half on which stands the mansion house now occupied by us, I give and devise to my said wife for and during the term of her natural life, and upon her decease to the children of my sister Elizabeth Owens of Charleston South Carolina, and their heirs in fee simple forever.

III Item I give and bequeath all my household and kitchen furniture to my beloved wife for and during the term of her natural life, and upon her decease to Maggie Shaft of Asheville, North Carolina a granddaughter of my said wife.

IV Item I give, devise, and bequeath all the rest and residue of my estate to my said beloved wife to have and to hold the same to her and her heirs Executors administrators and assigns to her and their use and behoof forever.

In testimony whereof I the said Charles B Richards have hereunto set my hand and seal this fifteenth day of August, in the year of our Lord eighteen hundred and seventy nine

C B Richards (seal)

signed sealed published and declared by the said Charles B Richards to be his last will and testament in the presence of us, who at his request and in his presence and in the presence of each other do subscribe our names as witnesses thereto.

M I Neilson

S S Lynch

State of North Carolina } In the Probate Court,
Buncombe County

In the matter of the Probate of the Will of
James M Burnett deceased of Cooke County
Tennessee

It appearing to the satisfaction of the Court
from the exemplification of the record herein
after mentioned that the last will and testament
of James M Burnett deceased a citizen of Cooke
County and the state of Tennessee has been duly
proved by the oath of two subscribing witnesses
thereof and allowed in the County Court of Cooke
County being a court of Probate in said State
of Tennessee, according to the laws of said State
and that said Will was executed according to
the laws of this State and it further appearing
that the said James M Burnett deceased left
property in the County of Buncombe and State
of North Carolina. It is therefore ordered and
adjudged that the exemplification of said Will
and of its Probate in the Probate Court of the
said County of Cooke and State of Tennessee
which has been produced and exhibited here
duly certified and authenticated be allowed
filed and recorded in this Court.

Witness my hand and official seal this given
the 7th 1864

Wm H Herndon
Clerk & Judge of
Probate of said County

Then comes a copy of the Original Will

I James M Burnett a farmer residing near
Big Creek Cooke County Tennessee do make and
publish this my last Will and Testament

I Give devise and bequeath my property and
estate real personal and mixed as follows to wit

1st I Give to my wife Caroline for her natural
life my home farm including all my lands
lying on the south side of French Broad River
and bounded on the north by said River
on the East by Andrew Swartzgels lands on

the South Wm R Bryan Wm Jones and Lewis High
lands on the West by Jefferson Burnetts lands
This boundary is intended to include the Isaac Sexton
farm and the Wm Wheeler Rock Creek farm as a
part of the home place and it is my wish that
my said wife Caroline shall support and maintain
my children who are under the age of twenty one
years until they attain said age and to give each
a good English education and I further give
and bequeath unto my wife Caroline all my
household and kitchen furniture milk cows and
calves six head of young cattle one yoke of oxen
twenty head of stock hogs and two wagons said
stock and wagons shall be of her own choice and
all my farming implements and tools also
a liberal years support of the grain and other
supplies then on hand for herself and the children
then under age and remaining with her and
for the stock kept by her on the said farm

2^d I direct that all my personal property not
otherwise disposed of shall be converted into money
by my Executors also that they shall collect
the notes accounts judgments and all other choses
in action due me also to sell in the manner
hereinafter mentioned my Adam Beck tract of
land lying on Brushy Mountain in Cooke County
Tennessee containing about two hundred and
sixty eight acres also that they sell as herein
after directed my tract of land containing
about 1300 acres lying near my home tract
adjoining it near Rocks creek and known
as the Heall and Gillett and Allen Entry
it being a part of a five thousand acre
entry made by James C Heall Wm B Gillett and
James R Allen and it is my will that the
proceeds realized from said personal property
real Estate choses in action and to be divided
among my ten children in the manner herein
after indicated

3^d It is my will that my Executors shall after
duly advertising said land in the second clause of
this will mentioned sell the same and a credit of
one and two years time taking notes with good