

clerk of the Superior Court in open court, and considering the same together with the foregoing certificate or affidavit of J. H. Chapman and Frank Carter.

It is therefore considered and adjudged that the said paper writing and every part thereof is the last will and testament of the said Florence McNeal and the same is admitted to probate and ordered to be recorded and filed since that letter testamentary issue to the said Benjamin J. Jackson.

J. L. Cather
Clerk Superior Court of Buncombe County.

North Carolina
Buncombe County?

In the name of God - Amen,
I David Garren, of the said County, and State, being of Sound and disposing Mind Memory and understanding, Praise be to God, for the same, deem it prudent to make a general disposition of all my property, both real and personal and to this end I make and publish my last Will and Testament as follows, viz:

First, I direct that my Executor hereinafter named, shall provide for my body a decent burial suitable to the wishes of my Family.

Second I direct my said Executor to pay all my funeral expenses, and all my just debts owing from me, out of the first money that shall pass into his hands by virtue of the provisions of this will.

Item - I give to my beloved wife Margaret, the Tract of land on which I now live, to gether with the tract I bought of John E. Young, and also the tract I bought of Joseph E. Henry, except that portion of the said Henry adjoining lands of Joseph which excepted part is bounded as follows: Beginning in a Buckeye, a corner between my self and John E. Young running East (20) poles with the line between the land that

bought of John E. Young, and Joseph E. Henry, to a stake; thence North to a line between my self and Joseph Garren. Thence South west with said line to a Buckeye, the corner between my self and Joseph Garren. Thence South with the dividing line between my self and said Joseph Garren to John E. Young's line - then East with said Young's line to the beginning for the term of her natural life, and this I intend to be in lieu of Dower and I intend her to enjoy it, as though it had been allotted to her in Pursuance of Law.

Item - I give to my said wife Margaret Five Hundred Dollars in cash; One Horse or Mule; Two Cows and Calves; and all the Sheep, and Hogs, I may own at my death - The said property to be of her own selection, and also all the domestic fowls and poultry I may have; One Buggy and Harness, all the Grain and Crops, and Provisions of every kind that may be on hand at my death, all the Household and Kitchen furniture (including beds and bed furniture and Sewing Machine) one Wagon and Harness, and all my Farming tools and implements that may be on hand at my death. Except a Set of blacksmith Tools, the several matters and things thus given in, this I give to my said wife absolutely.

Item - I direct my Executor, hereinafter named, to sell all the residue of my Personal estate first giving (20) days notice, on a credit of (12) months taking bond and approved Security for the Purchase Money with interest from date. I wish this residue of my Personal estate thus turned in to a cash fund - after paying off the foregoing legacies &c. I direct my said Executor, to give the residue of said fund as follows, viz: One Sixth to be given to my said wife Margaret. One Sixth to my daughter Rozella Patton, one Sixth to my son Joseph B. Garren. One Sixth to the Children of my deceased son Joshua Garren to be equally divided between them; One Sixth to the Children of my deceased son John Garren to be equally divided between them; One Sixth to the Children of my deceased daughter Hannah Young to be equally divided between them.

I do hereby direct my said Executor to sell all the residue of my real estate not theretofore disposed of first giving (40) days notice on a credit of one and two years taking bond bearing interest from date with good and sufficient security, for the purchase money, reserving the title till the purchase money is paid. My purpose is to ~~turn~~ this part of my Estate in to a cash fund, which fund I direct to be disposed of and divided as follows. That is to say; one fifth to Rozilla Patton. One fifth to Joseph R. Garren. One fifth to the children of my deceased son Joshua Garren. to be equally divided between them. one fifth to my deceased son John Garren's children to be equally divided between them. One fifth to the children of my deceased daughter Hannah Young to be equally divided between them. I do hereby constitute my son Joseph R. Garren the Executor of this my last Will and Testament to execute the same according to the provisions thereof. In witness whereof I have hereunto set my hand and affixed my seal this the 12th day of May Anno. Domini. 1884.

David Garren Seal

The undersigned saw said David Garren execute the foregoing Will heard the same read over to him and at his request and in his presence, and in the presence of each other, witnessed his signature to the same this 12th day of May 1884.

M. C. Jones.
J. N. Morgan
W. A. Smith

North Carolina } In Superior Court.
Buncombe County }

It is there ordered and adjudged by the Court that the said paper writing, and every part thereof is the last Will and Testament of David Garren, and the same with the foregoing examination and this Certificate as ordered to be recorded and filed this Oct 27th A.D. 1894.

J. L. Cather, Clerk

State of North Carolina } S. In the Superior Court.
Buncombe County }

A paper purporting to be the Last Will and Testament of David Garren deceased is exhibited before me, the undersigned Clerk of Court for said County, by J. R. Garren the Executor therein mentioned, and the due execution thereof by the said David Garren, by the oath and examination of W. A. Smith and J. N. Morgan, the subscribing witnesses thereto, who being duly sworn, doth depose and say, and each for himself, Joseph and Smith, that he is subscribing witness to the paper-writing now shown him, purporting to be the last will and Testament of David Garren, that the said David Garren, 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 12th day of May 1884.

And the Deponent further saith, that the said David Garren, the testator aforesaid, did at the time of subscribing his name as aforesaid, declare the said paper-writing so subscribed by him and attested, 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 David Garren, was of sound mind and memory, of full age to execute will, and was not under any restraint to the knowledge, information or belief of this deponent. And further this deponent, signed

W. A. Smith Seal
J. N. Morgan Seal

Solemnly Sworn and Subscribed
this 16th day of October 1894
before me.

J. L. Cather, C. C.
Per J. M. D. Whelan, S. J.