

✓ The last will and testament of David
Murdoch.

Know all men by these presents that
I David Murdoch, at present a resident
of Barnum County and State of North
Carolina, but a native of Ayrshire Scot-
land do make, publish and declare this
as my last will and testament.

I first direct that all my just debts be paid
by my executors hereinafter named out of
my personal effects, and by my debts I
mean to include the mortgage debt of
seven or eight hundred dollars due J. W.
Ledford.

Second, I devise and bequeath ~~and demand~~
to my beloved Lillie B. Murdoch the place which
I lately purchased from J. W. Ledford and
wife, known as the Jarrell place.

The above mentioned land to belong to my
said wife for her use and assigns forever.

Third, I will, devise and bequeath to my two
children Andrew Murdoch and Elija
W. Murdoch, residents of Ayrshire Scot-
land the sum of one thousand dollars
each, to be paid them by my executors out
of my personal effects as soon as con-
venient for him or her to do.

4th, All the residue of my property, which
consists principally in notes due for the
purchase money of land by W. W. Giv-
wood and J. D. Kerr I direct by executors
to keep loaned out at interest for the
benefit of my dear wife and her child
and that he pay my said wife interest on
said money semi-annually by investing
and collecting the interest in that manner
if possible and if he finds it impossible
to collect the interest to pay her as directed
then he is to pay her what would be equivalent
to eight per cent interest, out of the princi-
pal or said sum. The rate of interest always
to be eight per cent.

The above provision is made to enable
my wife to properly maintain herself

and child and to educate and shield.
If our child David S. Murdoch should
die before he attains his majority then
I direct my executor to collect all the money
due my estate and pay one half of the
same to my said wife to be hers abso-
lutely, and the other half he will di-
vide between my said child and Andrew
Murdoch and Elija W. Murdoch, If
my said wife should die before my
son David S. Murdoch obtains his
majority, it is my will that all the
property in which I have willed her
an interest, not absolutely, shall be
collected together by my executors at
once and divided as follows: one half
to be given to my son David S. Murdoch
and the other half to be divided equally
between my child and Andrew and
Elija.

If then my son David S. attains his
majority I direct my executors to collect
together all that may belong to my estate
as to divide the same as follows:
To my children Andrew and Elija W.
he will pay the sum of five hundred
dollars each (this in addition to the
\$1000, already mentioned) and the bal-
anced that may be on hand he will divide
between my son David S. and my
beloved wife to be theirs absolutely.
Any household effects that my
wife and I may have on hand at the
time of my death I of course will to her
and I direct that my executor turn all
such property over to her and so.
If any contingency not provided for
by this will should happen then in my
desire that it be supplied by the law of
the land with regard to inheritances and
distributions.

To execute this will I hereby nominate to
serve title and appoint as my
executor my brother John A. Mur-

docks, I witnessed whereof I have here
to set my hand and seal this 2nd day
1891. David Murdock, Jr. (Seal)

Ogged, sealed, published and declared
by David S. Murdock to be his last
will & testament, a few hours request
and in whose presence and in the
presence of each of them here to sub-
scribe our names as attesting wit-
nesses thereto. This Jan- 2nd, 1891.

Andrew Murdock
A. W. Ballard.
M. H. Murdock.

(State of North Carolina) In the
Buncombe County, Superior Court.

A paper purporting to be the last will
and testament of David S. Murdock
was read, exhibited before me, the
undersigned, Clerk of said County, by John A. Murdock the executor of
the will mentioned, and the will execution there-
of by the said David S. Murdock by the oath and
examination of W. A. W. Ballard and M. H.
Murdock two of the subscribing witnesses there-
to, who being duly sworn, doth depose and
say, and each of them depose and
swear, that he is subscribing witness to
the paper writing now shown him, pur-
porting to be the last will and testament
of David Murdock, that the said

David Murdock, 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 2nd day of January, 1891.

And the Deponent further swears, that the
said David Murdock 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

these Deponents did thereupon subscribe
their names at the end of said will as
attesting witnesses thereto, and at the
request and in the presence of the said
testator. And these Deponents further
swear, that at the said time when
the said testator subscribed his name
to the said last will as aforesaid, and
at the time of Deponents subscribing
their names as attesting wit-
nesses thereto, as aforesaid, the said
David Murdock 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.

A. W. Ballard (Seal)
M. H. Murdock (Seal)

Overseer sworn and subscribed
this 6th day of April, 1891. before me
J. H. Cathey
Clerk

(State of North Carolina)
Buncombe County,

Upon the foregoing proof made
and filed and proof of such
other circumstances as satisfy
me of the genuineness and
due execution of said will, of
which the foregoing proof alone
is sufficient to satisfy me, I have
considered and adjudged that the
said paper writing, and every part
thereof, is the last will and testament
of David Murdock, deceased, and
the said will with the foregoing exam-
inations and this certificate are
ordered to be recorded, and thereupon
the said John A. Murdock, executor
as aforesaid, duly qualified as such by
taking the oath required by law, this

4th day of April, 1891.
J. P. Cathey, c.s.c.

State of North Carolina.
Burrhead County

In the will of
David Murdock, Deceased.

I, John A. Murdock, do swear that I believe
this paper writing to be and contain
the last will and testament of David
Murdock, Deceased, and that I will
well and truly execute the same by
first paying his debts and then his lega-
cies as far as the said estate shall ex-
tend and the law well charge me and
that I will well and faithfully execute
the office of executor agreeable to the
trust and confidence reposed in me
and according to law. So help me God
John A. Murdock.

Witness my hand and seal, and
this 6th day of April, 1891.
J. P. Cathey, c.s.c.