

State of North Carolina
Buncombe County

In The Name of God, Amen

I, Edwin Hayden Herrick, residing in the County of Buncombe and State of North Carolina.

being of sound mind and memory, and considering the uncertainty of this frail and transitory life, do therefore, make, ordain, publish and declare, this to be my last Will and Testament:

That is to say, First, after all my lawful debts are paid and discharged, I give and bequeath all of my property, both real and personal ~~per the~~ following manner, provided however, that I die without issue by:

First. To the Porcellian Club, Harvard University, Cambridge Mass, I leave my edition "de Luxe" of Dickens, in thirty six volumes.

Second. To my Cousin Howard Eaton Hayden, I give my monogram watch and chain.

Third. To my Mother, Jeanette H. Martin, I give a choice of any five of my pictures, and any fifty books she may prefer.

Fourth. All the rest, residue and remainder of my estate both real and personal, of what ever kind or description soever, and wherever situated, I give and bequeath to my wife, Emeline Forbes Herrick should she survive me: but should she die before I do, then I give and bequeath all the property mentioned in this, the fourth section of my will, to my mother, Jeanette H. Martin. And in the event that both my wife and my mother die, leaving me surviving, I desire that my Cousin, Howard Eaton Hayden, shall be the residuary legatee of this my last will and testament.

Likewise, I make, constitute and appoint my wife Emeline Forbes, and my mother, Jeanette H. Martin to be Executors, and Jas. C. Sims, of Philadelphia, Penn. to be executor of this my last Will and Testament, hereby revoking all former Wills by me made.

In Witness whereof, I have hereunto subscribed my ^{hand} and affixed my seal, the Twenty ninth day of June, 1888, in the year of our Lord one thousand eight hundred and

eighty seven

Edwin Hayden Herrick ~~deed~~

The above written instrument was subscribed by the said Edwin Hayden Herrick in our presence, and acknowledged by him to each of us; and he at the same time declared the above instrument so subscribed to be his last will and testament: and we, at his request, in his presence, and in the presence of each other, have signed our names as witnesses hereto, and written opposite our names our respective places of residence.

J. Martin Asheville N. C.
W. C. Patterson Asheville N. C.
Thos. A. Jones Asheville N. C.

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

A paper purporting to be the last will and Testament of Edwin Hayden Herrick, deceased, is exhibited before me the undersigned Clerk of said Court for said County, by Emeline Forbes Herrick one of the executors therein mentioned, and the due execution thereof by the said Edwin Hayden Herrick by the oath and examination of James G. Martin and Thomas A. Jones two of 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 of and Testament of Edwin Hayden Herrick; that the said Edwin Hayden Herrick 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 the 29th day of April, 1887. And deponents further say that the said Edwin Hayden Herrick, 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 each for himself did thereupon subscribe his name to the end of said will as an attesting witness thereto and at the request and in the presence of the said deponent further saith, that at the said time where 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 Edwin Hayden Harrick, 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. Sworn and subscribed this 8th day of March A.D. 1889 before me

H. T. Reynolds
Clerk Superior Court of Buncombe County N.C.

North Carolina } In Superior Court
Buncombe County }

It is therefore considered, moved and adjudged by the Court that the said paper writing and every part thereof is the last will and testament of Edwin Hayden Harrick deceased, and the same unto the foregoing examination and this certificate, are ordered to be

H. T. Reynolds
Clerk Superior Court of
Buncombe County N.C.

This 8th day of March 1889

State of North Carolina } In Supr Court
Buncombe County }

In the matter of
The Will

Edwin Hayden Harrick } Application for
Letters Testamentary

Emeline Forbes Harrick being duly sworn doth say that Edwin Hayden Harrick, late of said county is dead having first made and published his last will and testament, dated the 29th day of April 1887, and that Emeline Forbes Harrick, widow of the

deceased, and Jeannette H. Martin mother of the deceased, and John C. Sims Esq. of Philadelphia Pa. are the executors named in the said last will and testament. Further that the property of the said Edwin Hayden Harrick, consisting of ~~not~~ and personal property is worth about twenty five thousand dollars, so far as can be ascertained at the date of this application, and that the Porellian Club, Harvard University, Cambridge Mass, Howard Eaton Hayden and Jeannette H. Martin and Emeline Forbes Harrick are the parties entitled under the said will to the said property.

That Mrs Jeannette H. Martin, resides at New York City N. Y. and is now at Asheville N. C. and that John C. Sims resides at and is now at Philadelphia Pa.

Emeline Forbes Harrick
Sworn to and subscribed before me
this 8th day of March, 1889

H. T. Reynolds
Clerk Superior Court of Buncombe Co
N.C.

State of North Carolina } In Superior Court
Buncombe County }

I Emeline Forbes Harrick, swear that I believe that this writing to be and do contain the last will and testament of Edwin Hayden Harrick deceased, and that you will well and truly execute the same, by first paying his debts and then his legacies, so far as the said estate shall extend, or the law shall charge you, and that you will faithfully and honestly execute the office of executrix, agreeably to the trust and confidence reposed in you, according to law, so help me God Emeline Forbes Harrick
This 8th day of March 1889

Sworn to and subscribed before me this 8th day of March 1889
H. T. Reynolds C.S.
of Buncombe County

North Carolina } In Super. Court
Buncombe County }

I Jeanette H. Martin, do swear or affirm
that I believe this writing to be and contain
the last Will & Testament of Edwin Henry
Berrick deceased; and that I will well
and truly execute the same by first paying
his debt and then his legacies, as far as the
estate shall extend, or the law will charge
me, and that I will well and faithfully execute
the office of an executor agreeable to the trust
and confidence reposed in me, and according
to law; so help me God

Jeanette H. Martin
I wrote and subscribed before
me this 8th day of March 1889
W. L. Ray notary
B. S. C.

North Carolina } In Super. Court
Buncombe County }

In the name of God Amen --

It is known that J. P. C. Shackelford,
being of sound mind, and therefore convinced
of the uncertainty of this life, and warned by my
present sickness, do make, publish and declare, this
to be my last Will and Testament - in words following:
First, I appoint, Thos. H. Patton my sole executor,
& do give him full and unrestricted authority and
control of my property, with power to sell either pub-
licly or privately, such parts or all of same, as he
may deem best to carry out my wishes according
to their true intent and meaning, according to his
understanding of them as herein expressed.
Second, I wish my said executor to pay all of my
just and honest debts.

Third, I wish him to provide so far as my estate
will enable him to do, for the comfortable support
and maintenance of my dear devoted wife Pauline
and in any sales that my said executor may
contemplate making of my property, I wish him
to consult my said wife and to be guided by
her wishes unless they are directly opposed
to his judgment of what is best for her.
In which event he is to have the right to decide.

Fourth, Should any portion of my property
remain, after the death of my wife, I
wish the same to be divided by sale or
otherwise, as my executor may deem best, in
equal parts and given to Pauline Neil and to Belle
Neale, or to their children surviving in case of
death of either of them before the death of my
wife.

Fifth, Should my wife survive my said executor, I
do in that event appoint her my sole executrix with
same authority and power, and responsibility as attaches to my
said executor, J. W. Patton. In testimony hereof I do hereby

signed, do and attest my last will and Testament, this 25th day of January
A. D. 1889. J. P. C. Shackelford