

her name to the said last will as aforesaid
and at the time of deponents subscribing
his name as an attesting witness thereto as
aforesaid the said Eliza M. Patton was
of sound mind and memory of full age
to execute a will and not under any restraint
to the knowledge information or belief of this
deponent; and further these deponents say
not.

W. L. M. Dome
J. F. Affr.

Sincerely yours &
subscribed before me

E. W. Herndon
Probate Judge

It is therefore adjudged that the said
paper writing contains the last will &
testament of Eliza M. Patton, and that
the same has been duly proved by the oath
and examination of the witnesses as aforesaid.
Thereupon the said will is admitted
to Probate recorded & filed.

E. W. Herndon
Probate Judge

North Carolina
Buncombe County

SS. In the Probate Court
I, John C. Patton do solemnly swear that I believe this writing
to contain the last will and testament of
Eliza M. Patton deceased and that I will well
and truly execute the same by first paying
his debts and then his legacies as far as the
said estate shall extend or the said will
charge me, and that I will well and faith-
fully execute the office of an executor ac-
cording to the trust & confidence reposed
in me & according to law so help me
God!

John C. Patton

subscribed and sworn to before me
this 31st day of September 1878.

E. W. Herndon

Probate Judge

North Carolina } April the 19th 1880.
Buncombe County

To the Probate Judge of said County.

The undersigned respectfully shew
that Eldrige Burnett late of said County
deceased this life on or about the day of
1880 leaving a Last Will & Testament
by which the undersigned is appointed ex-
ecutor that said testator property consist-
ed mostly of real estate, a few hog-cattle
& other small articles of personal property
all worth according to your judgments
best improved about three hundred dollars,
that Alfred Burnett, Anna Burnett, Alex-
ander Burnett, Eldrige Burnett, Elizabeth
Burnett, Rebecca M. Gorman, Jane Cragg
adults & Isabella Burnett & Susan Burnett
minors are the persons named in the will
as devisees; the said minors being without
guardians.

The undersigned offers said will for
probate and asks to be qualified as
executor.

E. B. Keller

sworn and subscribed this 19th
1880 before me.

E. W. Herndon
Probate Judge

State of North Carolina

Buncombe County In Probate Court

A paper purporting to be the last will
& Testament of Eldrige Burnett deceased, is
exhibited before me the undersigned Judge
of Probate for said County by E. B.
Keller the executor therein named, and the
due execution thereof by the said Eldrige
Burnett is duly proved by the oath and
examination of J. K. Brown and William
M. Porter the subscribing witnesses thereto;
who being duly sworn both before & say

and each for himself deponeth and saith that he is a subscribing witness to the paper writing now shown him purporting to be the last will and Testament of Eldrige Burnett that the said Eldrige Burnett in the presence of this deponent subscribed his name at the end of said ~~last~~ ~~will~~ ~~and~~ ~~Testament~~ paper writing which is now shown as aforesaid and which bears date of the 13th of December 1875.

And the deponent further saith, that the said Eldrige Burnett 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 the 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 aforesaid as an attesting witness thereto as aforesaid

the said Eldrige Burnett 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 deponent say not

J. K. Brown
Wm M. Porter

Servants sworn and
subscribed this 19th day of April 1880
before me.

E. W. Herndon

Judge of Probate

And thereupon it is adjudged that the following paper writing is the last will and Testament of the said Eldrige Burnett, its due execution having been proven to the witness aforesaid. Let the same be read with the officiators of said court.

and this certificate be recorded.

E. W. Herndon
Judge of Probate
for Buncombe County

Will

✓ Ol. Eldrige Burnett of the County of Buncombe State of North Carolina being of sound mind and memory but considering the uncertainty of my earthly existence, do make and declare this my will & Testament, in manner & form following, that is to say
1st That my Executor, hereinafter named shall provide for my body a decent burial suitable to the wishes of my relations & friends and pay all funeral expenses, together with all my just debts burgoens and to whomsoever owing out of the monies that may first come into his hands as a part or parcel of my estate -

Next. I give and devise to my beloved wife one hundred & twenty acres of land more or less to be set out by metes and bounds including the tract whereon I now live, so as to include my manor house, all out houses and other improvements.

Beginning on the old beach corner where road stands a locust post running 55 poles East, thence South 100 poles more or less to the old Harris line, thence West 80 poles more or less with said line to a stake on a tank in the field, thence South West running with the bank and crop fence 25 poles more or less to a stake, thence West with the rock fence to the river, crossing the river on the West side with the meanders of the river to the mill dam ford thence 15 poles more or less North of East to the beginning -

To have and to hold to her the said Anna Burnett in satisfaction for and in lieu of her dower and thirds of and in all my real estate in fee simple forever. I also give and devise to my son

Alfred Burnett that tract of land whereon he now lives beginning on a chestnut sprout corner one, the West side of and near the river at the mouth of a small branch running up the branch West to the crop fence - thence North 40 poles more or less to my outside line, thence West 80 poles more or less to a stake, thence South with the various lines to Browns line, thence East with Browns line and Tortures to the Spanish oak corner on the ridge 125 poles more or less thence North East with the top of the ridge with Gragg's line to my outside line to a stake, thence West one hundred poles more or less to a stake on the bank, thence South 25 poles more or less to a stake, thence West with the rock fence to the river crossing the river, thence North 60 poles more or less to the beginning -

I also give and bequeath to my grandson Oranney Burnett youngest son of Alfred Burnett a certain piece of land, to wit: as follows. Beginning on a chestnut sprout corner, on the West side of the river near the river at the mouth of a small branch, thence running up the branch West to a crop-fence to a stake, thence North 40 poles more or less to the outside line, thence East with the outside line 30 poles more or less, thence North with my outside line 100 poles more or less, thence down the Laurel branch to the mouth, thence South with the meanders of the river to the beginning -

I also give and bequeath to my six grandchildren hereinafter mentioned all the lands I now own known as the "Long Branch Lands", "Boley Lands" & "Big Cove tract", to be equally divided between them - Rebecca M. Creamer wife of John M. Creamer, Nancy Jane Gragg wife of Shelby Gragg, Elizabeth Burnett daughter of Alfred Burnett, Alfred Alexander Burnett son of Alfred Burnett, John Buncombe Co. NO Wills, Bk B, 1868-1899 daughter of Alfred Burnett, Elizabeth Burnett

son of Alfred Burnett, to have and to hold to them and their heirs in fee simple forever -

I also give and bequeath to my said beloved wife Anna Burnett one bay mare now 9 years old 4 head of cattle including 2 milch cows, 5 head of hogs her choice, all the crop of my plantation that may be upon the plantation whereon I now live, including all rents that may be coming from the lands, and all the provisions on hand at my death.

My will and desire is that all the residue of my estate (if any) after taking out the debts above mentioned, my debts being paid, that any and all personal property or household furniture remaining on hand to be collected and divided between my beloved wife Anna Burnett and my son Alfred Burnett, my wife to have one third, my son Alfred Burnett two thirds -

And lastly I do hereby constitute and appoint my trusty friend Eliza B. Keller my lawful Executor to all intents and purposes to execute this my last will and testament according to the true intent & meaning of the same and every part & clause thereof, hereby revoking and declaring utterly void all other wills and testaments by me heretofore made.

In Witness whereof I the said Eldrige Burnett do hereto set my hand and seal this the 18th day of December in the year of our Lord 1875

E Burnett D.

Signed sealed published and declared by the said Eldrige Burnett to be his last will and testament, in the presence of us who at his request and in his presence do subscribe our names as witnesses thereto.

J. K. Brown.
Opp M. Porter.

One

of 1880
Bancroft County } Probate Court
I E. B. Keele do solemnly
swear that I believe this writing to be and
contain the last will and testament of
Eldridge Burnett dead, and that I will well
and truly execute the same by first paying
his debts and then his legacies as far as
the said estate shall extend or the law
will charge me, and that I will well &
faithfully execute the office of an Executor
agreeable to the trust and confidence re-
posed in me and according to law, to
help me God.

E. B. Keele
Sworn and subscribed before
me this 19th day of April 1880.

E. H. Hemston
Probate Judge

I - H. D. Rankin being of uncertain
health and knowing that I may be taken
at any time to make this my last will
and testament, viz:

First, I give and bequeath to my beloved
wife Elizabeth the house and grounds on
which we live in Asheville during her
natural lifetime and all the personal
property on and used in connection with
said house to be hers absolutely.

The remaining real estate including my
interest in the Jan-yard property and ad-
joining land purchased of W. H. Woodfin, the
old store and new store and the remaining
interest in the home place I will and devise
to all of my children equally - The personal
I will to my children equally except Daniel
he has had his share thereof.

My son E. J. must first have of the personal
one thousand dollars to assist him in building
his house, this is not a part of his
share of the personalty. He must have
out of the sum of \$10,000

copartnership, this is due for his faithful &
unceasing attention -

My youngest son Alonzo Rankin & Denise
shall receive a liberal salary as he has been
faithful & diligent this is in payment
of a debt due and not to be deducted
from his share in the personalty -

The two small tracts of land ~~the~~ one
contracted to and the one ad-
joining Clayton & others were purchased by the
firm of Rankin & Williams through the deeds are
in my name, I must be charged accordingly
for the last tract.

The thousand dollars herein bequeathed to
J. E. Rankin is not a bequest strictly, but
should be credited to him on the books of the
present firm of Rankin & Williams as so much
due him on the old firm account and
must be charged to W. D. Rankin's debt.

Wm D Rankin

Published & declared as
his last will and Testament
before signed the same in our
presence & was signed in
his presence at his request May 10th 1870
at W. Woodfin.
G. W. Sahagan.

North Carolina } For the Probate Court.
Bancroft County }

The foregoing proper writ-
ting purporting to be the last will and
testament of William D Rankin deceased is
exhibited before me the undersigned Judge of
Probate in and for the county & state aforesaid
by J. E. Rankin one of the devisees named therein &
it is thereupon proved by the oath and exami-
nation of G. W. Sahagan one of the subscribing
witnesses thereto, that W. H. Woodfin the other
subscribing witness is dead, and it is fur-
ther proved by the oath and examination of
G. W. Sahagan that he saw the said W. H.