

A paper purporting to be the last will and testament of Thomas Bell deceased is exhibited before me the undersigned Clerk of the Court for said County by James Frost the Executor therein mentioned and the due execution thereof by the said Thomas Bell was duly proven before me by the oath and examination of A J Summey and M A West the subscribing witnesses thereto who being duly sworn doth depose and say and each for himself depose and say that he is a subscribing witness to the paper writing now shown him purporting to be the last will and testament of Thomas Bell, that the said Thomas Bell in the presence of their deponents subscribed his name at the end of said paper writing which now shown as aforesaid and which bears date of the 16th day of November 1895-

And the deponents further saith that the said Thomas Bell 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 saith that at the same time when the said testator subscribed his name to the said last Will as aforesaid and at the of deponents subscribing their names as attesting witnesses thereto as aforesaid the said Thomas Bell 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 these deponents And further these deponents say not

A J Summey
Sincerely sworn and subscribed
this 25th day of February 1896

M J Remond

Clerk Superior Court

I know all men by these presents that I E. W. Herndon of the County of Buncombe and State of North Carolina recognizing the uncertainty of life and wishing to make while living and in my right mind what I deem to be a righteous disposition of my worldly effects do make publish and declare this as my last Will and Testament

First
I will and bequeath to my nephew Robert Herndon my gold watch and chain

Second
I give to my niece Alice Herndon one hundred (\$100) dollars to be paid by my executors as soon after my death as possible.

Third
I will to my brother Wm H. Herndon of Mercer County West Virginia my gold headed cane

Fourth
As a reward for faithful services I direct my executors hereinafter named as soon as convenient to pay Henry Kemp colored the sum of fifty (\$50.00) dollars.

Fifth
All the residue of my estate of whatever kind may be left after paying the above legacies and my debts I will and bequeath unto my beloved wife Hannah M. Herndon said property to be hers absolutely to manage and dispose of as she may deem best for herself and heirs

To execute this will I nominate constitute and appoint Hannah M. Herndon and Wm R. Whitson my true and lawful executors and executor and I give to my said executor and executrix full control over my estate with power to sell any and all such property as they may deem necessary or best with power to make title and I further direct with regard to the execution of this will that my executor and executrix be exempted from the requirements of the law which directs them to make reports and statements with the court but placing full

confidence in my said executor and executrix
it is my desire that they manage my estate
without being under the supervision of the
courts
Witness my hand and seal this July 7th 1885
E. W. Herndon (seal)

Legally sealed and declared by the maker
E. W. Herndon to be his last will and
testament who in the presence of us signed
and acknowledged his name and seal in
the presence of each other and at his
request sign our names as attesting
witnesses hereto
Witness this July 7th 1885

J. M. Miller
J. N. Spain
W. R. Whitson
A. H. Baird

A paper purporting to be the last will and
testament of E. W. Herndon deceased is ex-
hibited before me the undersigned Clerk of
Court for said County by Wm R Whitson one
of the executors therein mentioned said Whitson
at same time renouncing his right to act as
executor under said will and the due
execution thereof by the said E. W. Herndon
by the oath and examination of Wm R Whitson
and J. M. Miller two of the subscribing witnesses
thereto who being duly sworn doth depose and
say, and each for himself deposes and
swear that he is a subscribing witness to the
paper writing now shown him, purporting to
be the last will and testament of E. W. Herndon
that the said E. W. Herndon 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 7th day of July 1885
And the Deponent further saith that the said
E. W. Herndon, the testator of Buncombe Co. NC

time of subscribing his name as aforesaid de-
clared the said paper writing so subscribed by
him and exhibited 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 subscribing his name as an
attesting witness thereto as aforesaid the said E.
W. Herndon was of sound mind and memory
of full age to execute a will and was not
under any restraint to the knowledge or
information or belief of this Deponent.
And further these Deponents say not
Wm R Whitson
J. M. Miller

Generally sworn and
subscribed this 24th day of
Feb'y 1886.
H. J. Reynolds
C S C

North Carolina }
Buncombe County }

In the matter of the administration of the estate of E. W. Herndon
Elish Baird being duly sworn doth say that E. W. Herndon
late of said County is dead leaving a last will and
testament and W. R. Whitson & Hannah M. Herndon
the executors therein named having renounced their
office as executor and executrix in writing, the said
E. Baird therefore applies for letters of Administration
with the will annexed on the estate of the said E. W. Her-
ndon Further that the value of said estate so far
as can be ascertained at the date of this application is
about and that Hannah M. Herndon, Robert
Herndon, Alice Herndon & Henry Kemp are
entitled as distributees thereof E. Baird
doth depose and say and to before me
this the 24th day of Feb'y 1886 H. J. Reynolds
C S C

Upon exhibition of paper writing purporting to be
the last will and testament of E W Herndon and
said paper writing being duly proved as said last
will and testament by W R Whitson and F M
Miller two of the subscribing witnesses thereto
It is therefore considered by the court that the
said paper writing and every part thereof
is the last will and testament of the said
E W Herndon and the same is ordered to be
recorded & filed and the executors therein named
having renounced and requested the court to
appoint E Baird as administrator and said
E Baird having filed bond and qualified as
such Administrator it is ordered that letters
of Administration with the will annexed be
issued

W. T. Reynolds,
Clerk Superior Court

North Carolina }
Buncombe County }

In the matter of the last will
and testament of E W Herndon }

Know all men by these presents that I, Hannah M
Herndon one of the legacies named in the last will
and testament of said E W Herndon admitted to probate
this day as well also as widow of said deceased
do hereby enter my dissent to said will and asks
to be relieved from the operation of said will

In witness whereof I hereto set my hand and
seal Attest-
H. M. Herndon
W. R. Whitson

On this the 24th day of February 1886 personally appeared
before me the above named Hannah M Herndon
widow of E W Herndon to me well known and
acknowledged the due execution by her of the
foregoing dissent to the last will and testament
of said E W Herndon, therefore it is ordered
that said dissent and this certificate be re-
corded and said applicant be relieved from the
operation of said will as to her, and that she be enti-
tled to the same rights and estate in the real and
personal property of her husband as if he had died
intestate

This February 24th 1886
W. T. Reynolds, Clerk
Superior Court

We the undersigned executor and executrix named in the last
will and testament of E W Herndon deceased filed for
probate this day do hereby renounce all right to act
under said will and beg the court to appoint E
Baird as administrator with the will annexed

This February 24th 1886
W. R. Whitson
H. M. Herndon