

I, Henry J. Johnson of the City of Cumberland
in the State of Maryland, declare this to be my last
will and testament

I own in said City, a newspaper publishing and
job printing office and book binding and
manufactory, of publish and issue from the office
two newspapers, the Daily News and the Sunday
Citizian. This property embraces, in addition to
the good will pertaining to it, a number of printing
presses, an engine, type, galleys, cases, ruling machine
and other fixtures and things usually belonging to
a business like it I own, besides the foregoing some
personal property, not necessary to be particularly
described, and there are due to me a number of
debts, accounts, and sums from various persons
as will appear from my books and papers

I hold a lease on a lot of land on Baltimore Street
in said City, on which is situate my brick building
numbers 109 and 111, now used by me in connection
with my said business, and also partly occupied
by others, said lease is for a term of ten years
from February 1884, and I may convert it into
a fee simple estate upon the payment to the lessor
of the sum of five thousand dollars; all of which
will more fully appear on reference to my papers

This property is further encumbered to the extent
of about twelve hundred dollars to Mrs Anne
Morris. I also own an unimproved lot on the
corner of Maryland Avenue and Harrison
Street in said City; it is not encumbered, I owe
a few debts in addition to those standing against
my real estate - I desire that my Executors hereinafter
named, shall collect as soon as practicable, all the debts
and accounts due me, and also convert into money all
my personal property, not embraced in my said business

I desire also that the said newspaper publishing and
other business aforesaid, including the good will
pertaining to it, be sold, whenever, in the opinion
of said Executors, it shall be deemed best for my estate
and they are authorized to sell, either privately or
publicly on such terms as they may think best

and to convey the same to the purchaser, they are authorized
to continue the business, in all its branches until a
sale shall be made; or until, in their opinion it shall be
unwise to continue it longer, they are authorized to
lease and collect the rents from the said brick house
property until they shall effect a sale of the said newspaper
publishing and other business, But they shall pay
all taxes, insurance and expenses for necessary
repairs while they continue in the receipt of the said
rents, I further direct that my said Executors shall
sell and convey the unimproved lot of land aforesaid
and any other real estate not mentioned in this my
Will of which I may die seized on such terms, and
at such time, either privately, or at public auction
as they may think best for my estate

As far as money shall be realized from the several
or either of the sources hereinbefore named, I desire
that my Executors shall apply the same as follows

I desire that, after the payment of my funeral ex-
penses and the charges and expenses attending the probate
and execution of this my Will, the balance, or so
much thereof as may be necessary, shall be applied
to the payment of all my just debts, but the amount
required to convert the lease hold aforesaid into
a fee simple estate, shall not be reckoned as one of
my said debts. If however, there shall remain in the
hands of my said Executors, after all my debts
and expenses aforesaid are paid, a sum suffi-
cient to pay the said five thousand dollars requi-
red to secure the fee in said lease hold property,
I direct that it be applied to that purpose, If such
sum shall not be in hands, I authorize and emp-
ower my said Executors to borrow a sum of
money sufficient for the purpose named, and
to secure the same, I authorize and empower
them to execute a proper mortgage or deed of trust
on said brick house property, with power of sale

I desire and bequeath to my brother Mr. Robert
Marshall Johnson of Allegheny City Pa, my
sister Mrs Clara J Marrow, wife of James J
Marrow of said City, my brother Isaac H Johnson
of West Va, as tenants in common

all my right, title, interest and estate in and to my said brick building property, to have and to hold the same with all the privileges and appertinances thereto belonging, to them and their heirs for ever subject, nevertheless to all encumbrances that may be upon it at my death or that may afterwards be put on it by my Executors by virtue of this my Will, including the right of my Executors to lease the same and receive the rents as provided elsewhere in this will

If either one of the devisees named above shall not survive me, it is my Will that the share in both my said real estate and any balance of personal property, intended for him or her shall go to his or her heirs, In case there shall be any money left in the hands of my said Executors, after paying all the sums required by this Will to be paid, I direct that it shall go to my said Mother, Sister and two brothers in equal proportions

I hereby appoint Robert Sherover and William C. Griffith of Cumberland Md, and my brother Wm C. Johnson of Piedmont Md Executors of this my will and I constitute them Trustees for all the purposes mentioned in this Will I desire that they shall not be required to file any bond or bonds, either as Executors or as Trustees, Should one or more of them not qualify or serve, the other or others shall have and exercise all the powers and perform all the duties required of them all,

In witness whereof, I, the said Henry J. Johnson have hereunto set my hand and seal this the 2nd day of February A.D. 1886

Henry J. Johnson (Real)
Codicil

Codicil to the last will and testament of me Henry J. Johnson of Cumberland Maryland which bears date the 2nd day of February 1886 and is concluded on the page above, Whereas in my said I authorize my Executors therein named to continue the newspaper publishing and other business and

they shall make sale of the same, or until, in their opinion it shall be unwise to continue it longer; and whereas, it may be doubted whether any provision is made therein to cover losses that may occur in the business on to keep it properly going on when the income from it shall be insufficient for purpose; Now, in order to remove all doubts as to the proper construction of my said Will in respect to the matter referred to, I hereby authorize and empower my said Executors to borrow such sums of money from time to time, as they may think proper for the purposes aforesaid and I authorize them to mortgage the whole or any part of the property belonging to said business, including the good will, to secure the payment of such sums as may be borrowed by virtue hereof. I furthermore empower my said Executors to borrow money on my said brick house real estate and mortgage the same, with power of sale, to pay off the amount that shall be due Mrs. Morris and if they shall not have the money in hands from other sources; and if the said newspaper publishing and other business shall not be sold at the end of the term of my leasehold referred to in my said Will, I authorize my said Executors to borrow the amount required to pay the five thousand dollars then due on my said brick house property and to secure the payment of the same, I authorize them to give a lien in such shape as may be required on said brick house property, My Mother Mrs. Robert Marshall Johnson prior to the 22nd day of July 1880 advanced to me various sums of money, amounting in the aggregate to one thousand and thirty one 78/100 dollars and to secure the same, I assigned to her, on the 22nd day of July 1880, my Life Policy No 113512 in the Mutual Life Insurance Company of New York for one thousand dollars, I have paid to my Mother, up to this date, the sum of Three hundred & eighty 74/100 dollars, the same having been paid at various times, as well shown in my small book of accounts, It is my wish, that my Mother shall be allowed interest on the money advanced me as aforesaid to be computed on the several sums when they were respectively advanced at the rate of six per cent per annum, and when the amount due on my said Life Policy shall be collected, I desire that my said Mother shall

retain the full amount of principal and interest due her, after deducting the amounts received by her from me as aforesaid; and if the said amount to be received on said Life Policy shall not be sufficient to pay her in full, I desire that the balance due her shall be paid out of any other fund that shall come into the hands of my said Executors. In all other particulars, I hereby ratify and confirm my said Will, In witness whereof I have hereunto set my hand and seal this the 6th day of February 1886

Henry J. Johnson (Seal)

Signed & declared by the said Henry J. Johnson as and for Codicil to his last will & testament in presence of each of us, who, at his request in his presence, and in the presence of each other, have hereunto subscribed our names as witnesses, this February 6th 1886 at Asheville N.C.

Melvin, E. Carter
R. R. Rawls
C. J. Rawls

North Carolina } In the Superior Court
Buncombe County }

A paper purporting to be the Last Will and Testament of Henry J. Johnson deceased is exhibited before me, the undersigned, Clerk of Superior Court for said County by Wm C. Johnson one of the Executors therein mentioned and the due execution thereof by the said Henry J. Johnson by the oath and examination of Melvin E. Carter, R. R. Rawls and C. J. Rawls 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 and Testament of Henry J. Johnson, that the said Henry J. Johnson in the presence of this deponent did subscribe his name at the end of said paper writing, which is now shown as aforesaid and which bears date

of the 6th day of February 1886

And the deponent further saith that the said Henry J. Johnson 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 the 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 Henry J. Johnson 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

Melvin, E. Carter (Seal)
R. R. Rawls (Seal)
C. J. Rawls (Seal)

Severally Sworn and Subscribed
this 23rd day of March 1886
before me W. J. Reynolds
cfe }

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

I, William C. Johnson, do swear (or affirm) that I believe this writing to be and contain the last Will and Testament of Henry J. Johnson deceased and that I, in connection with the Co Executors will well and truly execute the same by first paying his debts and then his legacies, as far as the said estate shall extend on 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

Sworn and Subscribed William C. Johnson
before me this 23rd day of March 1886
W. J. Reynolds
Clerk Superior Court

Buncombe County; in the Superior Court
The State of North Carolina

In all whom these presents
shall come Greeting

It being satisfactorily
proved to the undersigned Clerk of the
Superior Court for Buncombe County
that Henry J. Johnson a citizen of
Maryland but temporarily of said County
is dead having made and published his last
Will and Testament, which has been admitted to
Probate, (a true copy whereof is hereunto annexed)
and William C. Johnson, one of the Executors
therein named, having qualified as such according
to law

Now these are therefore, to empower the said
Executor in connection with the other Executors
therein named, to enter in and upon all and
singular the goods and chattels, rights and
credits of the said deceased, and the same
to take into possession wheresoever to be
found, and all the just debts of the said
deceased to pay and to satisfy, and the
residue of said Estate to distribute ac-
cording to the directions of said Will

Witness my hand, and the seal
of said Court this 23rd day of March A.D. 1886
W. R. Reynolds
Clerk Superior Court

Nathan Brown Will
Know all men by these presents, that I Nathan Brown
of the County of Buncombe State of North Carolina
do hereby make and publish this my last Will
and testament in manner and form following
to-wit

First after the payment of all my just debts by my
Executor herein after named, I will and bequea-
th unto Susan Harris the tract of Land on which
I now live forever together with rents money and
profits arising out of the same or any lands that
I may die seized of. For it is not my Will that
Barton Brown shall ever share any more of
my property, also all the cattle, Horses, or other
stock that may be on hand at the day of my
Death with all my Household Kitchen furniture
Except the new Bureau, that I will to May
Brown, John H. Collier, daughter to be to her use
and the other property above mentioned to be for
the use and benefit of Susan Harris, and
it is my will and hereby constitute and
appoint Francis M. Stevens my true and
lawful Executor of this my last will and
testament in witness whereof I have
hereunto set my hand and seal this 13th
day of March 1886

Attest
A. A. Pauland }
M. F. Stevens }
J. A. Foxdy }
Nathan Brown
Mar 1886

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

A paper purporting to be the last Will and Testament
of Nathan Brown deceased is exhibited before the
undersigned, Clerk of Court of said County by Francis
M. Stevens, the Executor therein named, and the due
execution thereof by the said Nathan Brown by
the oath and examination of M. F. Stevens and
two of the subscribing witnesses
thereto: who, being duly sworn, doth depose