

In the matter of the { Buncombe County
Will of Henry Whittaker In the S.C.
Before Eldredson
C.R.

Jesse Garmon being duly sworn and for
that Henry Whittaker, late of said County
is dead having first made and published
his last will and Testament and that said
Garmon is the executor named therein
Further that the property of the said Henry Whittaker
consisting of Real estate & personal property
is worth about \$7200 or as can be
ascertained at the date of this Application
and that Solomon Whittaker, Harmon
Garmon Henry Lytle Margarette Whittaker
are the parties entitled under said will to
the said property
known to and subscribed before me this 15
day of Oct 1892 Eldredson P. Judge

In the name of God Amen
I Henry Whittaker of the State of North Carolina
and County of Buncombe being in a sound
State of health, but in sound mind and memory
and feeling to mind that it is appointed for
all men once to die do this the 18th day
of June in the year of our Lord one thousand
eight hundred and eighty three make this my
last will and Testament. (c)
I do hereby authorize my Executor to sell
at private sale so much of my personal
property as may be necessary to pay all
my just debts and all necessary expenses
there may accrue.

1st I will and bequeath to my beloved wife
Jannah the Proceeds of all my real estate
or so much thereof as may be necessary
to her support during her life.

2nd I shall leave to my oldest son Jesse
nothing as he has received considerable
in advance and for other reason I
shall not tell.

3rd I will and bequeath to my youngest son

Solomon one fourth part in all my lands which
I own to have and to hold to him
and his heirs in fee simple forever -
4th I will and bequeath to my oldest
daughter Mariann Garmon one fourth
part of all my lands which I own to
have and to hold to her and her heirs in
fee simple forever -

5th I will and bequeath to my second daughter
Mary Lytle one fourth part of my lands
which I own to have and to hold to her
and her heirs in fee simple forever -
6th I will and bequeath to my
youngest daughter Margaret Whittaker one
fourth part of all my lands to have
and to hold to her and her heirs in
fee simple forever -

7th I will and bequeath to my wife
Jannah so much of my house hold
and kitchen furniture as she may see
proper to keep -

8th I will all the remainder of my personal
property to be divided equally between
my four children the same as my
lands

9th Perhaps the land would be more
conveniently divided into six eight or
more separate lots after drawn any
two may exchange by the consent of
both It is your duty and privilege to
provide all the property yourself
but if you will not I hereby authorize
my Executor to choose two disinterested
men to act with him to make the
division for you.

10th I hereby appoint my Executor as agent
for my wife Jannah to see that she
gets this support according to this
my will

And lastly I do hereby constitute and
appoint my truly friend Jesse Garmon
my Executor to see that he
executes this my last will

and testament according to the true intent and meaning of the paper and every part and clause thereof, truly reading and declaring utterly void all other wills and testaments by me made -

Witness my hand & the said Henry Whittaker do hereby set my hand and seal this 18 day of June 1883 Henry Whittaker Seal
Signed & delivered in the presence of A.H. Pinkerton
Henry Jenkins

State of North Carolina } ss. In Probate Court
Brunswick County }
A Paper purporting to be the last will and testament of Henry Whittaker deceased is exhibited before me the undersigned Judge of Probate for said County by Jesse Garrison the execution thereof mentioned and the due execution thereof by the said Jesse Garrison by the oath and examination of A.H. Pinkerton & Henry Jenkins the subscribing witnesses thereto who being duly sworn, both before and say, and each for himself deponent and swear that he is a subscribing witness to the paper writing now shown him purporting to be the last will and testament of Henry Whittaker the said Henry Whittaker in the presence of this deponent subscribed his name at the end of said paper writing which is now shown as aforesaid and has date of the 18 day of June 1883
And the deponent further saith that the said Henry Whittaker the testator aforesaid did at the time of subscribing his name as aforesaid before the said paper writing for subscribed by him and exhibited to be his last will and testament and this deponent did Thompson subscribe his name at the end of said will as a witness thereto and at its report 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 will will as aforesaid and at the time of deponent's subscribing his name as aforesaid the said Henry Whittaker was of sound mind and memory of full age to execute a will and was not under any restraint to the knowledge of information or belief of this deponent And further this deponent say not

Sworn to & subscribed } A.H. Pinkerton Seal
Before me this 13 day of } Henry Jenkins Seal
1883 }
C. W. Hayden
Probate Judge

State of North Carolina } ss. In Probate Court
Brunswick County }
I Jesse Garrison do solemnly swear for affirm, that I believe this writing to be and contain the last will and testament of Henry Whittaker deceased and that it 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 said will I charge me and that I will well and faithfully execute the office of an executor appropos to the trust and confidence reposed in me and according to law so help me God.

Sworn and Subscribed } Jesse Garrison
Before me this 15 day of }
October 1883 }
C. W. Hayden
Probate Judge.