

North Carolina, Buncombe County:

H. H. Banks

I, H. H. Banks of Ashfield, State and County aforesaid being feeble & of body but of sound mind, and desiring to make known what I wish done with my property I now read at my decess as makes and publish this my last will and Testament

First -

I give and bequeath to my son Howard Banks my gold watch which I desire to be left with my wife Annelle Banks until she is satisfied he is competent to take proper care of it and properly to appreciate its value

Second -

I give and bequeath my library of books to whichever of my sons it may please the Lord to call to the Gospel Ministry, if both are thus called, then I desire it shall be divided between them; provided it should not previously become necessary in the exigencies of poverty to sell it for the means of living

Third -

All the property (except what is mentioned in items first and second) that I may leave at my decess, of whatever character, either real, personal or mixed, I give to executors hereinafter named to be used and appropriated as hereinafter directed, viz:

I wish all of said estate to be kept in tact and the income at once used for the support of my family, consisting of my wife and three children in common, until the youngest of my children shall have reached its majority, after which it shall rest in the wife Annelle Banks, and fourth daughter Mary Estlin Banks -

I desire my executors as soon as possible as it may be practical to and so much of the effects of my estate as may be necessary to invest in a house for my wife

and children to be used in common by them, the locality, cost and manner of which shall be determined by my said executor after consultation with my wife.

Fifth -

To execute and carry out the provisions of this will, I do hereby nominate and appoint my friends J. P. Gammon and A. T. Sumner of Ashfield N.C. and do earnestly request them to become joint executors of this my last will and Testament praying that they may have divine wisdom and guidance in the management of the affairs committed to their trust

This 25th July 1878

Witness

John Mitchell
James P. Gammon

North Carolina, Buncombe County -

In the Probate Court -

A Paper writing purporting to be the last will and Testament of Henry Howard Banks decess and is exhibited for Probate in open Court by James P. Gammon and A. T. Sumner the executors therein named and the due execution thereof by the said Henry Howard Banks is proved by the oath and examination of John Mitchell & James P. Gammon 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 Henry Howard Banks, and the same is ordered to be recorded and filed, and thereupon the said James P. Gammon & A. T. Sumner executors as aforesaid duly qualified as such by taking the oath required by law

Witness E. W. Heardon Judge of Probate of said County this 15th day of August 1878

E. W. Heardon
Judge of Probate
Buncombe County

Buncombe County, Probate Court.

This petition of J. P. Gammorn and
A. T. Sumner, respectfully shews

That they are the executors of the last
will and testament of Henry Howard Banks
deceased and have the said will in their
possession, That as near as they can
ascertain the value of his property is
about Twenty One hundred Dollars, and consists
of Buncombe County Bonds and personal
notes, That the parties entitled to be taken
of the property are as follows, ^{Asheville N.C.}
1st Annella Banks his widow, 2nd Howard
Banks, 3rd William Banks, ^{4th Mary Evelyn Banks},
the three children being infants under
twenty one years (and all now living)
these being the only living children of
the testator. This is no guardian
appointed in the will.

J. P. Gammorn
A. T. Sumner

Signed and subscribed before me
this 16th of August 1878.

E. W. Herndon

Judge of Probate

North Carolina Buncombe County

In the Probate Court
The J. P. Gammorn & A. T. Sumner do
each solemnly swear that no belief the
writing produced by us as the last
will and testament of H. H. Banks
deceased, and that no will will 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 shall charge us, and that
no will will and faithfully execute
the office of an executor agreeably to the
trust and confidence reposed in us
according to law. So help me God

Buncombe Co. NC Wills, Bk B, 1868-1899

www.northcarolinapioneers.com

Subscribed and sworn to before me this
16th day of August A.D. 1878

Probated August 16th 1878

E. W. Herndon
Judge of Probate

Will !!

In the name of God, Amen!

Henry Miller

I Henry Miller of the County of
Buncombe and State of North Carolina
being of sound mind and memory but
considering the uncertainty of my earthly
existence do hereby make and declare this my
last will and testament in manner
and form following, that is to say:

First, that my executor (hereinafter
named) shall provide for my body a decent
burial suitable to the wishes of my relations
and friends, and pay all funeral expenses
together with my just debts, household
of whomsoever owing out of the money that
first came into his hands as a part or parcel
of my estate.

I then 2nd I give and devise to my eldest
daughter Julia S. Mathews all that real
estate hereunto devised to her and other
sundry gifts of personal property making
her proportional part of my estate, all of
which I confirm unto her,

I then 3rd I give and devise to my
eldest son Joseph M. Miller that parcel
of land (now sold by him to J. D. Miller)
formerly devised to him with other
sundry gifts of personal property making
his proportional part of my estate, and I
hereby confirm the above gifts unto him
and will him no more.

I then 4th I give and devise to my
deceased daughter Marguerite M. Morgan
wife of Webb Morgan all that tract of
land on which he formerly lived, and
together with other sundry
gifts of personal property making her pro-