

him and exhibited to be his last will and testament and the deponent did then upon 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 deponent, further faith that at the time when the said testator subscribed his name to the said last will as aforesaid and at the time of the deponent, subscribed their names as attesting witnesses thereto as aforesaid the said Rufus M Johnston was of sound mind and memory, of full age to execute a will and was not under any restraint to the knowledge or belief of these deponents and further these deponents say not

J L Brown (Seal)
W J Hayes (Seal)

Severally sworn to and subscribed this 10th day of May 1869

E A Osborne
Judge of Probate

Whereupon the said Cecilia L Johnston the executing herein named was duly qualified in conformity to Law and Letters Testamentary issued to her

E A Osborne
Judge Probate

State of North Carolina
Mecklenburg County

J. J. M. Morrow
Clerk of the Superior Court in and for the County and State aforesaid do hereby certify that the foregoing is a full true and perfect copy of the last Will and testament of Rufus M Johnston deceased now on file in my office
In testimony whereof

have hereunto set my hand and seal of said Court at office in Charlotte N.C. this 26th day of January 1887

(Seal)

J M Morrow
Clerk Superior Court

Last Will and Testament of Hiram B Burnham

In the name of God Amen

I, Hiram B. Burnham

of the Town of Bangor, County of Franklin and State of New York, being of sound mind and memory and considering the uncertainty of this life do therefore make, ordain, publish, and declare this to be my last Will and Testament, That is to say, First after all my lawful debts are paid and discharged, I give and bequeath to my wife Emma Maria Burnham (\$2000,) two thousand dollars out of amount now in the Peoples National Bank, Malone New York. To my youngest son Louis Hiram Burnham (\$1000,) one thousand dollars out of same Bank. To my eldest son Walter A. Burnham, my interest in my life policy off \$1000, one thousand dollars Republic Ins. Co. of Pittsfield Mass. And I do further bequeath to my son Louis Hiram (\$2000) Two thousand dollars out of my interest in House property in Asheville N.C. To my eldest son Walter A. Burnham the remainder of my interest in Asheville House property, N.C. which is (\$425,) four hundred and twenty five dollars, also to Walter A. my building lot property at Asheville N.C. which is (\$450) Four hundred and fifty dollars. The remainder of which is a lot, on Mill property off (\$4000,) in Asheville N.C. \$200, in savings Bank in Ansonia Connecticut and my interest in a Chas. Mtg against E R Bapts off \$195.00 and all other undisposed of property, to be divided equally between the two sons and my wife Emma

Maria, In case of the death of either of the two children above mentioned before they arrive at the age of 21 years, their share shall be divided equally between the two surviving members above mentioned

I do hereby appoint Oliver W Smith and Emma Maria Burnham to be Executors of this my last will and testament hereby revoking all former wills by me made

In witness whereof I have hereunto subscribed my name and affixed my Seal the tenth day of January in the year of our Lord one thousand eight hundred and eighty seven

H B Burnham [L.S.]

The above instrument consisting of one sheet was at the date thereof subscribed by Hiram B Burnham, the testator named in the foregoing will, in the presence of us and each of us and at the time of making such subscription the above instrument was declared by the said testator to be his last will and testament and each of us at the request of said testator and in his presence and in the presence of each other signed our names as witnesses thereto at the end of the will

J H Moore residing at Bangor
Franklin Co N Y

C E Adams Residing at Bangor
Franklin Co N Y

In the Matter of the last Will and testament of Hiram B Burnham Deceased

I, Oliver W Smith of Bangor Franklin Co, N.Y. one of the Executors named in the last will and testament of said dec'd do hereby renounce the said appointment and all right and claim to letters testamentary on said will, or to act as executor thereof

March 3rd 1887

Oliver W Smith [L.S.]

State of New York, Franklin County, on this 3rd day of March 1887 before me appeared Oliver W Smith to me known to be the person who executed the above instrument and acknowledged that he executed the same

J H Moore
Justice of the Peace

State of New York }
Franklin County, } ss. J. H. Moore
Surrogate Court

In the Matter of Proving the last Will and testament of Hiram B Burnham Deceased

The People of the State of New York

To all to whom the present shall come or may in any wise concern, send Greeting

Know ye that at the town of Malone in the County of Franklin on the 28th day of February one thousand eight hundred and eighty seven before Horace B Day for Surrogate of said County of Franklin, the last will and testament of Hiram B Burnham deceased, was proved and is now affirmed and allowed by us and the said Hiram B Burnham having been at or immediately previous to his death an inhabitant of the County of Franklin by reason whereof the proving and registering of said Will and the granting of Administration of all and singular the goods, Chattels and credits of the said testator, and also the auditing, allowing and final discharging the account thereof doth belong to us, the administration of all and singular the goods, Chattels and credits of the said deceased and any way concerning his Will, and the same we have committed unto Emma M Burnham Exec

attest in the said Will named, she being first
duly sworn, faithfully and honestly to discharge
the duties of such executrix according to law

In testimony whereof, we have caused
the seal of office of our said Surrogate to be
hereunto affixed, Witness Hiram A. Taylor
Esq. Surrogate of our said County of Franklin
at the town of Malone the 2nd day of March
one thousand eight hundred and eighty
seven

E. A. Pratt Clerk of the Surrogate
Court.

County of Franklin }
Surrogate Court }

Recorded the preceding letters in Liber No 3
of Letters Testamentary, Page 154 the
2nd day of March, one thousand eight
hundred and eighty seven

E. A. Pratt Clerk of the
Surrogate Court

State of New York }
Franklin County }

I, do hereby certify that the
foregoing are true copies of the last Will and
Testament of Hiram B. Burncomb, decd.,
and letters testamentary thereon and also
the renunciation of Oliver W. Smith
of right and claim to letters testamentary
under said Will. That I have compared the
same with the originals in my office and
that the same are correct transcripts
therefrom and of the whole thereof

Witness my hand and the
Seal of the Surrogate Court
this 12th day of March 1887

E. A. Pratt Clerk of
the Surrogate Court

State of North Carolina
County of Buncombe

I, Charles B. Duffield, do make, ~~and~~ publish and
declare this instrument of writing as and for my
last will and testament, hereby revoking all
former wills by me at any time heretofore made,
1st I give my whole estate to my wife Sarah C.
Duffield, during her life, with full power and
authority to change investments, to convert real
into personal estate and personal into real
estate and otherwise to manage and control
the said whole estate according to her discre-
tion without accountability for any thing that
may be done by her in the premises,

2^d. After the death of my said wife, I give my
whole estate to my daughter Mary, now the
wife of Doctor William D. Hilliard, of Asheville
in the State of North Carolina for her sole
and separate estate and use, as a separate
and distinct estate from the estate of her
said husband or of any future husband
that she may have, so that the same,
with the issues, interest, income and profits,
thereof shall be in no wise liable or sub-
ject to the control or to the payment of
the debts of her said, or any future, husband,
but shall be and remain for her sole and
separate use ~~and~~ may be ordered and
disposed of by her to such person and
persons and to and for such use and uses,
intents and purposes as she may at any
time during her life, limit direct and appoint
either by her last will and testament, or by
deed, or by any other ^{writing} ~~instrument~~ whatsoever or in
any other manner or by any other means ^{whichever} ~~whichever~~
which would be valid if done by an un-
married woman. In the event that my
said daughter shall die intestate or with-
out having made any such disposal or
appointment of the estate hereinbefore given
to her then the said estate with the in-
come and profits thereof shall after