

State of North Carolina
Buncombe County } In the Probate Court,
A Paper purporting to be the last will and
testament of John S. Warner deceased, is
exhibited before me the undersigned Judge
of Probate for said County, C. P. Warner the
Executor therein named, and the due execution
thereof by the said John S. Warner, by the
oath and Examination of W. E. Warner
and of J. A. Reagan, two of the subscribing
witnesses thereto, who being duly sworn
doath depose and say, and each for him-
self depose and sayeth, that this is a
subscribing witness to the paper writing
now shown him, purporting to be the
last will and testament of John S. Warner
that the said John S. Warner in the
presence of these co-pendants, subscribed
his name at the end of said paper writing
which is now shown him as aforesaid
and which bears date the 14th day of October
1875, and the co-pendants further sayeth
that the said J. S. Warner the testator afo-
said did at the time of subscribing his
name as aforesaid declare the said paper
writing to be his last will and testament, and
this co-tenant 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 co-tenant further sayeth that
at the said time when the said testator
subscribed his name to the said last
will as aforesaid, and at the time when
co-tenant subscribed his name as
a testifying witness as aforesaid the said
J. S. Warner was of sound mind and
memory of full age to execute a
will and was not under any restraint
to the knowledge in form of law
of these co-pendants.

These co-pendants say not,
(Signed) W. E. Warner
J. A. Reagan
Subscribed and sworn to before me this the
2^d day of November 1875.
J. E. Rice
Judge of Probate

This is the last will and testament, Jacob Rude,
of the County of Buncombe, in the State of
North Carolina that is to say:

I direct my Executor hereinafter named to
promptly pay all my just debts after my death.
Item: I devise to my beloved wife Mary Rude a
life estate for her natural life in all my lands
situated in the County of Buncombe aforesaid.
Item: I bequeath to my said wife a life estate for
her own life in my negro slaves, to wit: "Silda", "Henry",
"Davi" and "Joe" and any slave I may own at my
death, and a like estate in the increase of slave
"Silda" after the date of this will, and the increase
of any slave or slaves that I may hereafter
acquire by purchase or otherwise.
Item: I bequeath to my said wife the use of all
my other personal property of any kind what-
soever, including monies, rights, credits, stocks
&c. &c. for her comfort and support during her
natural life, it being my intention that my said
wife shall have the use of my property of every
kind while she lives.

For satisfactory reasons to myself and which I
do not choose to set down here, it is not my
purpose to give any of my sons any portion of
my property. If this seems strange, I have good
reasons for such action, which for prudent
reasons I do not choose to make public.

My friend Johnston Sheworth has obliged
himself to me by covenant, to manage my
business and that of my wife, if she survives
me, for my mutual benefit, comfort and
support, and in the contingency of court, &c.

or other evil happening to us, or either of us, to provide for us a comfortable home, maintenance and support for our natural lives and for the life of the survivor of us, and I deem it just to benefit him, after providing for my said wife, and indeed I have obliged myself by covenant to do so; and in discharge of said duty and my said covenant, I devise to said Johnston Ashworth and his heirs, the remainder after the life estate of my said wife is over, in all my lands situate in said County of Buncombe. (I have executed to said Ashworth a deed of bargain and sale for said land and this provision is in confirmation of my said deed) I also give to said Johnston Ashworth the remainder interest in said slaves, to wit: "Fida", "Henry", "Sam", & "Joe" and the increase of the same after the date of this will, after the life estate limited to my said wife is over and also the remainder in any slave or slaves and their increase which I may hereafter purchase or acquire by any means. I also give to said Johnston Ashworth after my said wife has enjoyed the use of the same while she lives, all my other personal property of any kind whatever, including money, rights, credits, stock of cattle, sheep, farming tools, property &c. &c. &c. This I do as a matter of duty and in discharge of my said covenant executed the 1st day of June A. D. 1864.

I hereby appoint said Johnston Ashworth to be the Executor of this my last will and testament.

In witness of all which, I have hereunto set my hand and seal the 10th day of June A. D. 1864.

(Signed) Jacob Reed (Seal)

At the request of Jacob Reed we have witnessed the execution of the foregoing will by him, in his presence and in the presence of each other this 10th day of June A. D. 1864.

(Signed) A. S. Merriam

State of North Carolina } In the Probate Court
Buncombe County

A. S. Merriam purporting to be the last will and testament of Jacob Reed, deceased, is exhibited before me, the undersigned, Judge of Probate for said county by Johnston Ashworth the Executor therein named, and the due execution thereof by the said Jacob Reed, by the oath and examination of said A. S. Merriam (A. S. Merriam the other subscribing witness residing at the present out of the State) one of the subscribing witnesses thereto, who being duly sworn doth 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 Jacob Reed. That the said Jacob Reed in the presence of this deponent subscribed his name to the end of said paper writing which is now shown as aforesaid and which bears date the 10th day of June A. D. 1864.

And the deponent further saith, that the said Jacob Reed, 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 this deponent did thereupon subscribe his name at the end of said will as attesting witness thereto, and at the request and in the presence of said testator. And this deponent further saith, that at the time when the said testator subscribed his name, to the said last will as aforesaid and at the time the deponent subscribed his name as attesting witness thereto as aforesaid, the said Jacob Reed was of sound mind and memory, of full age to execute a will, and was not under any restraint, to the knowledge, information and belief of this deponent, and further this deponent saith not.

(Signed) A. S. Merriam

At the request of said Jacob Reed we have witnessed the execution of the foregoing will by him, in his presence and in the presence of each other this 10th day of February 1876

State of North Carolina } In the Probate Court
Buncombe County

A paper writing purport-
ing to be the last will and testament of Jacob
Reed having been exhibited before the undersigned
Judge of Probate for said County, dated the 10th
day of June A.D. 1844; and it is proved by
the oath and examination of Geo. H. Merriam
and J. M. Fung, that G. H. Merriam one of
the subscribing witnesses thereto, is for the
present residing at Washington City in public
duty as United States Senator; and it is
further proved by the oath and examination
of the said Geo. H. Merriam & J. M. Fung
that they are well acquainted with the hand
writing of the said G. H. Merriam, having
often seen him write; and that the name of
the said G. H. Merriam, subscribed as a
witness to said last will, is in the proper
handwriting of the said G. H. Merriam.

(Signed) Geo. H. Merriam

J. M. Fung

Sworn to and subscribed before
me this 8th day of February 1876

(Signed) J. E. Ruel

Judge of Probate

Buncombe County: In the Probate Court

It appearing to the satisfaction of the Court
after reading the two foregoing affidavits of
Geo. H. Merriam and Geo. H. Merriam and
J. M. Fung, that the said will referred to
and prefixed to this order is the last will and
testament of Jacob Reed, deceased:

Whereupon it is ordered, adjudged and
decreed that the said last will and testament
of the said Jacob Reed deceased with the
Probate thereof and this order be enrolled and
that a true copy of the said will and probate
thereof with this order, be furnished to
Johnston Ashworth, the Executor therein
named, after he shall have been qualified

according to law as said Executor

J. E. Ruel
Judge of Probate for Buncombe
County N. C.

And the said Johnston Ashworth comes into
Court and takes and subscribes the oath of
Executor of said last will and testament of Jacob
Reed as required by law, this 8th day of Febru-
ary 1876

J. E. Ruel
Judge of Probate

In the name of the Father and of
the Son and of the Holy Ghost. Amen.

I, Belle M. Kimberley of
Glen Brook Farm, Buncombe County, North
Carolina, wife of Professor John Kimberley
of the University of North Carolina, being
of sound and disposing mind and mem-
ory, but of uncertain and weak bodily
health, and being desirous to settle my
worldly affairs whilst I still have strength
and capacity so to do, do make and pub-
lish this my last Will and Testament.

I hereby constitute and ap-
point my friend General J. G. Martin,
son of Asheville, North Carolina, Execu-
tor of this my last Will and Testament.
And as far as I have authority so to do,
hereby nominate and appoint him
Guardian of each and all my children
herein after named.

After the payment of my
debts and charges, I give, devise and
bequeath to my Executors, the said J. G.