

White, executed as aforesaid, duly qualified as
such, by taking the oath required by law

E. W. Wainwright

Probate Judge

I, Johanna White do solemnly swear upon
the Holy Evangelist of Almighty God that I
will support the Constitution and laws of
the United States, and of the State of North
Carolina not inconsistent therewith, and that
I will discharge the duties of executor of the
will of Daniel White according to law, to the best
of my knowledge & ability.

To help me God

Johanna White

State of Alabama

County of Dallas

Before me Jos. D. Johnston
a Commissioner of Deeds

for the State of North Carolina

residing at the City of Selma in the State of
Alabama, personally appeared Johanna White, who
is known to me, and who being by me first duly
sworn, made and executed the foregoing oath in
my presence, and on this 21st day of March A.D. 1879

And the said Johanna thereupon subscribed
her name to said oath in my presence and on
the day aforesaid

In witness whereof I have hereunto set
my hand and affixed my seal as Commissioner
as aforesaid on the day aforesaid, and at
my office in said City of Selma

Jos. D. Johnston
Commissioner of Deeds for the
State of North Carolina

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J. R. Roberts

Be it remembered that on the twelfth day of Nov-  
in the year of our Lord one thousand eight hun-  
dred & seventy four James Rely Roberts of the  
County of Buncombe and State of North Carolina  
being of sound and disposing mind, but bodily  
afflicted and knowing the uncertainty of life and  
the certainty of death do make forthwith and declare  
the following to be my last will and testament in  
the following order and figures, (to wit)

I bequeath my body to the ground to be interred  
in a plain & decent manner, and my soul  
to God. Amen!

I bequeath to my beloved wife Rachael Roberts  
all my personal property of every description  
during her lifetime, and then to my son James  
Harry Roberts and his heirs forever, after paying  
all my just debts -

I further will & bequeath all my real estate  
containing about five hundred acres more or less to  
my three sons James Harry, Jacob Rely, & Elbert  
Franklin and their heirs forever to be equally &  
to be divided in value, and if they cannot agree there-  
selves, that it shall be divided by three judicious  
men chosen by themselves for that purpose and their  
award to be final, and it is my desire that they  
make the division as they may choose, so that they  
may make such improvements as they may fancy  
according to their own taste & means.

I have therefore conveyed and given to my son  
Daniel Roberts his full and equal share of my  
real and personal estate, which is all that he is to  
inherit of my estate, and further it is my will  
that James Harry have his share of the land to  
include my present dwelling & household, so as to  
borrow the support and maintenance of myself &  
wife during our lifetimes out of the proceeds of my  
estate -

I hereby constitute and appoint my sons  
James Harry and Elbert Franklin Roberts my  
executors to this my last will and testament  
believing that they or either of them will fully  
carry out my will and desire according to the

above, and I therefore ratify all their legal acts as though I had done the same myself.

I hereby revoke and annul all other wills purporting to be made by me, either written or verbal and void - And I hereby declare the foregoing instrument to be my last will and Testament to all intents and purposes as mentioned therein.

In Testimony whereof I have hereunto set my hand and seal the day and date first written in presence of H. Blackstock & R. V. Blackstock witnesses hereunto subscribed  
H. Blackstock  
R. V. Blackstock

James R. Roberts (decd)

State of North Carolina } S.S.  
Buncombe County } In the Probate Court

A papered writing purporting to be the last will & Testament of J. R. Roberts deceased is exhibited before me the undersigned Judge of Probate for said County, by James Harry Roberts & Estate Franklin Roberts the executors therein named, and the due execution thereof by the said J. R. Roberts by the oath & examination of H. Blackstock & R. V. Blackstock the subscribing witnesses thereto, who being duly sworn, doth depose & say & each for himself depose & saith that he is a subscribing witness thereto; to the papered writing now shewn him purporting to be the last will & Testament of J. R. Roberts deceased, that the said J. R. Roberts in the presence of this deponent subscribed his name at the end of said papered writing, which is now shewn as aforesaid & which bears date of the 12<sup>th</sup> day of November 1874.

And the deponent further saith that the said J. R. Roberts the testator aforesaid died at the time of subscribing his name as aforesaid declared the said papered writing to be subscribed by him & exhibited to be his last will & Testament, & this deponent further saith that he subscribed his name at the end of said writing.

as an attesting witness thereto, & at the request & in the presence of the said testator subscribed his name to the said last will as aforesaid, & at the time of the deponent subscribing his name as an attesting witness thereto, as aforesaid the said J. R. Roberts was of sound mind & memory, of full age & without a will, & was not under any restraint to the knowledge, information or belief of this deponent, & further these deponents say not.

H. Blackstock (decd)  
R. V. Blackstock (decd)

Sworn to and  
subscribed this 5<sup>th</sup> day of  
May 1879 before me  
C. W. Henderson

Probate Judge

State of North Carolina } S.S.  
Buncombe County } In the Probate Court