

that he is a subscribing witness to the paper bearing
his name as being purporting to be the last Will and
Testament of William R Reed that the said William R
Reed in the presence of this deponent subscribed his
name at the end of said paper writing which is
now shown as aforesaid and which bears date on
the 31st day of August 1868, (or said in the presence
of this deponent acknowledged the signing the said
paper writing

Since the deponent further saith that the said William
R. Reed the Testator aforesaid died at the time of subscribing
his name as aforesaid declare the said paper writing so
subscribed by him and intended to be his last Will and
Testament, and this deponent did thereupon sub-
scribe his name at the end of said Will, as an attesting
witness thereto, and at the request and in the presence
of said Testator, and this deponent further saith
that at the said time of the deponent's subscribing
name as an attesting witness thereto, and the
said William R Reed was of sound mind and
memory of full age to execute a will, and
was not under any restraint to the knowledge
information or belief of this deponent and
further these deponents say not.

Servantly sworn and
subscribed this 25th day of
June 1869. before me

J. C. Reed
Jus. of Probate

D. C. Stephenson
H. J. Stephens

In the Name of God Amen.

I Jesse R. Weaver, of the State of
the State of North Carolina, and County
of Buncombe in view of the uncertainty
of life, and the certainty of death,
and my present legal surrounding
fell it my duty to make some distri-
bution of my estate, both personal & real,
with which a gracious God has surrounded
me, and being of sound & disposing
mind & memory. I do ordain publish
and declare this the following, my last
Will, and Testament

Item 1st I commit my soul to a kind and
gracious God, who gave it, and my body
to the Lord, to mingle with the dust
untill the great resurrection day.

Item 2nd It is my will and desire, that my
body have a plain and decent burial,
with a plain marble slab, at the head,
with the date of birth and death on it.

Item 3rd It is my will and desire, that my
Executors, (hereinafter named) proceed
immediately after my death, to pay
all my just debts, and to enable them
so to do. I want them first to collect
what they can, of my friends and
debtors, and then sell my Tennessee
Land, and my farm at the fork of
Flat Creek, in this County.

Item 4th It is my will and desire, that the two
divisions of my Old Farm, which are
not divided by deed to the next two of my
sons, who may live to arrive to the
age of twenty one years, the one who first
attains that age, to have choice of tracts.

Item 5th It is my will and desire, that my wife
Julia Ann remain in possession
and contrall of the farm we now
live on as her dower, during her
natural life, or widowhood, And enable
her to live bountiful and comfortable
and be able to raise and educate the

minor children, I want kept all the stock, tools, and vehicles, which she and my Executors may think necessary for her comfort and the profitable cultivation of the farm. And should there be any surplus stock, vehicles, or tools of any description, I want it sold by my executors and the proceeds applied to the payment of my debts, or to the common fund for the support, of and the educating of my children.

It is my will and desire, that the farm I now live on, at the death of my wife or her second marriage, be divided between the remaining surviving children (to wit) Susan E. Thomas L. and Sally Kate. And should disinterested men value it higher than those tracts of my old farm, after allowing Thomas L. a liberal allowance for his care and support of his mother and sisters, that in that case he may pay over to the others whose share shall be considered of less value enough to make them equal.

It is my will and desire, that after the death of my wife, that all the property remaining of whatever description personal or real, except the land herein divided, be equally divided between my children, who may be then living or their legal heirs, and the legal heirs of such as may have died. Should they have left any such heirs, should my wife see proper to marry again, then in that case I will and desire, that the property be divided as above stated — allowing her a child's part.

It is my will that upon sale of my Tennessee Lands by my Executors as directed. That one third of the purchase money be paid over to my Mother-in-law Susan Coulter if she is

Item 9th

Item 10th

living at the time of said sale. It is my will and desire, that my esteemed friend and Brother-in-law R. V. Blackstocks, and my eldest son James L. Weaver, he and I do hereby nominate, constitute and appoint them my Executors of this my last will and Testament.

It is my will and desire, that when my Executors shall make a final settlement with the heirs that the said children all owe them a liberal allowance for their trouble in attending to the estate. In Testimony whereof. I have herein to set my hand and seal this the 26th day of January 1869.

J. R. Weaver (Seal)
Witness J. L. Weaver
.. W. M. Weaver

State of North Carolina }
Barncombe County }
In the Probate Court }
A paper purporting to be the last Will and Testament of Jesse R. Weaver Dec, is exhibited before me the undersigned Judge of Probate for said County by Robert V. Blackstocks the executor therein named and the deed executed thereupon by the said Jesse R. Weaver, by the oath and examination of J. L. Weaver and of W. M. Weaver the subscribing Witnesses thereto who being duly sworn, doth depose and say, and each for himself deposes and sayeth that he is a subscribing witness to the paper writing now shown him purporting to be the last will and Testament

of Jesse R. Weaver, that the said Jesse R. Weaver did acknowledge this signature to the said paper writing and did declare it to be his last will and Testament, and did request these defendants to subscribe their names to said paper writing, which is now shown as aforesaid, and which bears date the 26th day of January 1869.

And the deponents further, that the said Jesse R. Weaver the testator aforesaid did at the time, he requested them deponents to subscribe as witnesses thereto did declare said paper avowing to be his last will and testament and these deponents thereupon did subscribe their name at the end of said will as attesting witnesses thereto at the request, and in the presence of the said testator and these deponents not further sayeth that at the said time when the said, testator acknowledged his signature to the said last will and as aforesaid and at the time of the deponents subscribing their names as attesting witnesses thereto, as aforesaid. The said Jesse R. Weaver, was of sound mind and memory, of full age and to execute a will, and was not under any restraint to the knowledge, information or belief of these deponents, and further the deponents sayeth not

W. M. Weavers.

Solemnly Sworn and
Subscribed this day
of before me

Probate Judge,

In the Name of God Amen.

⑦ John Frank of the County of Antioch, and State of Alabama, being of sound mind, and disposing memory, but being in feeble bodily health. Calling to mind the uncertainty of humane life, and being desirous of settling, and arranging all of my worldly affairs, whilst I have strength, and capacity, so to do, and disposing of all the effects with which

God has blessed me, do make and publish this my last will and testament, in manner and form following hereby revoking, and making null and void, all other last wills and testaments heretofore made by me.

Ana,

It is my will wish and desire that all my just debts, and funeral expences be paid as soon as practicable decase, by my Executor hereinafter named

2^{and} I will and desire and byneath unto
Adeline Franks, Dorothy Franks,
and Henry Franks, Children of my
wife Catherine Franks of the State of
South Carolina, the sum of fifty
Dollars which, to have and to hold the
same to their and their heirs and assigns
forever.

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I give, desire and bequeath, all the
rest and residue of my estate both
real and personal, and mixed to my beloved
children John Frank, and Catherine
Frank. And Charles Frank son of my
wife Catherine Frank in the state of
South Carolina to be equally divided
between them, share and share alike,
have and to hold to hold the same
to them the said John Frank, Catherine
Frank, and Charles Frank their heirs
and assigns, to their own proper
use to have forever.