

on the matter of the will of } before } a deponent
J.L. Murray deceased } Superior Court Clerk.

W. S. Harkins, and Alonzo Rankin, being duly sworn
both say: That J.L. Murray, late of said County is dead.
Having first made and published his last will and testament
and that they are the executors named therein

Further, that the Property of said J.L. Murray, consisting of
Real and Personal Property, is worth about \$14,000.
So far as can be ascertained at the date of this application;
and, that Mahala B. Murray, his widow, and Alonzo Rankin
Clarence Sawyer, D. T. Millard, W. S. Harkins, and Julius
B. Martin, Trustees, are the parties entitled under said
will to the said Property.

sworn to and subscribed before me } W. S. Harkins
this 2nd day of September 1894. } Alonzo Rankin
J.L. Coates, C. C.

North Carolina } In the Superior Court
Buncombe County. } Before the Clerk

In the will of } S. S.
J.L. Murray deceased }

A Paper-writing thereto attached marked "A" purporting
to be the last will and testament of J.L. Murray,
deceased, is exhibited before me, the undersigned,
Clerk of the Superior Court, of Buncombe County,
by W. S. Harkins, and Alonzo Rankin, the executors
therein mentioned, and the due execution thereof by the
said J.L. Murray, is proved by the oath and examination
of Sam. L. Rogers, F. A. Burgin, and E. C. Sawyer, the
subscribing witnesses thereto, who being duly sworn by
me, do depose and say, one each for himself, deponent
and saith, that he is a subscribing witness to the
Paper writing now shown first, purporting to be
the last will and testament of J.L. Murray that the
said J.L. Murray, in the presence of this deponent
subscribed his name at the end of said Paper-
writing now shown as aforesaid and which
bears date the 10th day of June 1894.

And the deponent further saith, that the said J.L.
Murray the testator aforesaid, did at the time
of subscribing his name aforesaid, declare the

last will and testament, and this deponent 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 J.L. Murray, and of
the other subscribing witnesses, thereto, And this deponent
further saith that at the said time when the said testator sub-
scribed his name to the said last will and testament as
aforesaid, and at the time of deponent's subscribing his name
as an attesting witness thereto, as aforesaid, the said J.L.
Murray, 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 nat.

Sam. L. Rogers, (Seal)
E. C. Sawyer, (Seal)
F. A. Burgin (Seal)

Separately sworn to and subscribed
before me, this the 2nd day of September 1894.

J.L. Coates
Clerk Superior Court,
Buncombe County,
North Carolina.

North Carolina
Buncombe County

It is therefore Considered and adjudged
by the Court, that the said Paper-writing, and every part
thereof, is the last will and testament of J.L. Murray, deceased,
and that the same with the foregoing examinations and this
Certificate are ordered to be recorded and filed, and
Testamentary will issue this September 2nd, 1894.

J.L. Coates
Clerk Superior Court,
Buncombe County,
North Carolina.

A.

Last will and testament of J.L. Murray.
J. L. Murray, of the City of Asheville in the County
of Buncombe, and State of North Carolina, declare this
to be my last will and testament:

First I direct that my executors hereinafter named, after
paying my funeral expenses, pay all my just debts to
whomsoever owing

Second I give and bequeath unto my beloved wife, Mahala
B. Murray, all my household and kitchen furniture,
Beds, Pictures, Provisions, and Householding stores,
which shall at my decease be in and about my

of debt and of title, accounts, and vouchers.

I give and devise unto my beloved wife, Mahala C. Murray, for the term of her natural life, all of my real estate or land, wheresoever situated, and I hereby direct that my said wife, out of the income derived from said real estate, or lands; pay all taxes, and assessments, that may be, or may become, due on said real estate or lands, that she keep the buildings and improvements on said real estate or land insured in some reliable insurance company or companies, in an amount not less than the insurance now on said buildings and improvements, and that she keep the building and improvements on said real estate or land in their present condition, making all necessary repairs on the same as they may be needed. I direct my Executors hereinafter named, to collect all money that may be due to me at the time of my decease, as quickly as may be convenient and to convert all other Personal Property which may belong to me at the time of my decease, except that herein bequeathed to my beloved wife, Mahala C. Murray, into cash by the sale of the same at Public or Private sale, as they may deem best, and, after paying my funeral expenses, and all my just debts, to pay all the money collected from those indebted to me and realized from the sale of my Personal Property, and all money that I may have on hand at the time of my decease, to the Trustees hereinafter named, taking their receipt or receipts therefor.

I direct that the Trustees hereinafter named, and their successors in office forever, hold and possess the money above directed to be paid to them by my Executors upon the trust, and for the uses and purposes hereinafter mentioned and no other.

I give, will, and devise, unto George Rankin, Clarence Sawyer, D. J. Millard, H. S. Perkins, and Julius C. Martin, Trustees, and their successors in office forever, subject to the life estate hereinbefore given to my beloved wife Mahala C. Murray, all my real estate, or land, wheresoever situated, and all the appurtenances thereto belonging or in any wise appertaining in fee-simple, subject to the trusts and and for the purposes hereinafter declared, and no other.

I direct the above named Trustees, George Rankin, Clarence Sawyer, D. J. Millard, H. S. Perkins, and Julius C. Martin, as soon as the money aforesaid described to be paid to them, is paid to them, to lend or invest such money in such a way as to obtain the

that all of said money be loaned or invested in the State of North Carolina, and I prefer that said money be invested in Bonds of the State of North Carolina, if that be practicable, but if such bonds of the State of North Carolina, cannot be obtained at a satisfactory price, and if those which can be obtained do not yield the highest rate of interest allowed by the laws of the State of North Carolina, then I direct said Trustees and their successors in office, to lend said money to such Persons or Corporations upon such terms and secured in such a way as they may deem best, always requiring the highest legal rate of interest to be paid for the use of the same. I direct that the income derived from said money, invested or loaned as aforesaid, be paid by said Trustees to my beloved wife, Mahala C. Murray, annually or semi-annually as she may prefer, during the term of her natural life, and that after her death said Trustees and their successors in office forever, employ and use said income in the manner and for the purposes hereinafter named.

It is my will and desire that my said wife have and enjoy every convenience that she may desire and if the income derived from the real estate or land which I have given to her for the term of her natural life, and the money which I have directed my Executors to pay to the Trustees above named, the income from which I have directed said Trustees to pay to my said wife during the term of her natural life, be not sufficient to support and maintain her in still and manner in which she may desire to live, then I direct said Trustees to pay to her such sums out of the principal of said money as she may desire and as may be necessary to support and maintain her in such a style and manner as she may desire, but it is my will and desire that the principal of said money be kept intact by said Trustees and their successors in office and that no part of said principal be paid to my said wife unless she needs the same to support and maintain her, and I hereby direct that after her death said Trustees and their successors in office forever keep and preserve all of said fund then on hand intact and that they use and employ only the income derived therefrom for the purposes hereinafter named. I direct that said Trustees and their successors in office immediately after the death of my said wife take possession of all the real estate herein devised to them and visit the same, except that part thereof which may be used for the school hereinafter directed to be established, to such Persons and upon such terms as they may deem best, and that they use and employ the rents and income derived from said real estate

English

I direct that said Trustees and their successors in office forever after the death of my said wife, use and employ the income derived from all the real Property herein and hereby devised to them, and all the Money herein devoted to be paid to them by my executors, in paying all taxes and assessments which may here or hereafter be due on said real estate and money in keeping the buildings and improvements on said real estate insured in some reliable insurance Company or Companies to be selected by them, in an amount not less than the amount of the insurance now on said buildings and improvements, and that they shall, after paying all taxes and insurance and other necessary expenses out of the income derived from said real estate and from said money invested or loaned as hereinbefore directed, use and employ the remainder of said income, except that part thereof which may be necessary to keep the buildings and improvements on said real estate in good condition, and repair, in establishing and forever maintaining and conducting a Permanent Common School for the education of the poor white children of Buncombe County, North Carolina, likewise incorporated within said County. Said School shall be conducted in a building in the City of Asheville, to be selected by the above named Trustee or their successors in office, and said buildings may one of the buildings on the real estate lying in the City of Asheville, herein devised or any other building in said City, which may be selected by said Trustee, or their successors in office, and the location of said School may be changed as often as may in the judgment of said Trustee and their successors in office, be necessary, but said School shall always be kept within the corporate limits of the City of Asheville, said School shall be conducted by one or more teachers as the conditions of the fund and needs of the School shall render practicable and necessary. Said teacher or teachers shall be selected by said Trustee and their successors in office, but no teacher shall be employed who is not qualified to receive, and who has not received from the proper official or officials of Buncombe County, a first grade certificate for teaching in the Public Common Schools in Buncombe County. Only the Common School branches of an English education shall be taught in said School, and there shall be no distinction made in the admission of Pupils to said School on account of sex or religion or political

opinions of any applicant for admission to said School, or his Parents. No Child shall be admitted to said School whose Parent or Parents are financially able to give such Child an education in the branches intended to be taught in the School therein directed to be established. Before admitting any Pupil to said School said Trustee and their successors in office shall make an inquiry concerning the financial condition of the applicant, his Parent or Parents, and if they find that such applicant or any one for him or his Parent or Parents, have property sufficient to enable him to secure the kind of an education intended to be given in the School therein directed to be established, they shall refuse to admit such applicant to said School. No Child under the age of eight years shall be admitted to said School. Subject to the restrictions above mentioned all poor white children over the age of eight years who may apply to said Trustee for admission to said School, shall be admitted, until the number of Pupils in said School shall be as great as the teacher or teachers there employed can successfully instruct and manage and as the building then used can accommodate. There shall be no charge whatever for tuition in said School, and all necessary expenses of said School, including the compensation of the teacher or teacher, or teachers employed therein shall be paid out of the income above mentioned. Said School shall be kept open for as many months in each year as the funds available for that purpose will allow. I hereby direct that if any of the building and improvements on the real estate herein devised shall be injured or destroyed by fire the amount of money received from the insurance thereon devoted to be kept on said buildings and improvements shall be used for repairing or rebuilding such buildings and improvements, and it is my will and desire that such buildings and improvements be kept at all times in their present condition as nearly as practicable. I direct the above named Trustee of the real and personal property above devised and bequeathed to wit: George Napkin, Clarence Sawyer, J. T. Millard, R. S. Perkins, and Julius B. Martin and their successors in office forever to hold, possess, use, occupy and employ the real and personal property herein devised and bequeathed for the use and purposes above mentioned and no other. I direct that if any of said Trustee shall fail to accept the appointment herein made, those of said Trustee who do accept said appointments, as soon after my death as may be convenient, shall meet in some convenient place to be selected by them and proceed the manner

Trustee

Executor

upon which may agree to serve trustees to fill the places of those who fail to accept the appointment herein made. The trustees so selected shall have all of the rights and powers and shall be subject to the same duties and liabilities after accepting the appointment herein made as those who may accept the appointment herein made. There shall always be five trustees of the real and personal property above named, and whenever for any cause there shall be less than five of such trustees, there shall be deemed to be as many vacancies in the number of said trustees as there number is less than five, and the trustees then in office whether appointed by this will or selected and appointed in the manner above mentioned, shall as soon as may be convenient meet in some convenient place to be selected by them, and proceed in the manner upon which they may agree, to fill all vacancy or vacancies then existing and the trustees thus selected to fill such vacancies shall have all the rights and powers and be subject to all the duties and liabilities of the trustees appointed by this will in exercising the power to fill vacancies in their number as the same may occur.

A majority of said trustees shall constitute a quorum for the transactions of any business pertaining to their office as trustees under and by virtue of this will, and a majority of those actually present at any meeting of said trustees, a quorum being present and those who may be absent having been notified of such meeting, shall govern the actions of said trustees. The trustees appointed by this will shall continue in office for the term of their natural life unless they or any of them shall become incompetent to discharge the duties of said office, and if any of their number shall become incompetent to discharge the duties of his office, as trustee the remaining trustees then in office whether appointed by this will or otherwise, shall immediately select his successor, who shall hold his office during the term of his natural life, unless he shall become incompetent to discharge the duties of said office. All trustees selected to fill vacancies in the number of trustees herein provided for, whether selected by trustees appointed by this will or by trustees who have been selected in the manner above provided, shall hold their offices during the terms of their natural lives unless they become incompetent to discharge the duties of their office.

Twelfth:

I Memorial, Constable and official Henry Rankins, as executors of this my last will and testament, in witness whereof J. L. Murray, have to this my last will and testament, consisting of seven and one third pages subscribed my name and date my seal on this the 10th day of June 1875.

Subscribed by the testator.

J. L. Murray, in the presence of each of us and at the same time declared by him to us to be his last will and testament, and thereupon we at the request of the said J. L. Murray, and in his presence and in the presence of each other, sign our names hereto as witnesses, on this the 10th day of June, 1875, at the residence of J. L. Murray in Asheville, North Carolina.

J. L. Murray (deceased)
J. S. Rogers.
F. A. Gurgin.
E. C. Sawyer.

We, H. S. Rankins, and Henry Rankins, do hereby declare that we believe this writing to be and contain the last will and testament of J. L. Murray, deceased, and that we will, will and truly execute the same, by first paying his debts and then his legacies, and then his legacies, as far as the said estate shall extend, or the law shall charge us; and that we will well and faithfully execute the office as executors, agreeably to the trust and confidence reposed in us, and according to law.

H. S. Rankins.
Henry Rankins.

Subscribed and sworn to before me, this September 2nd 1875

J. L. Gentry, C. S. C.

Remains vacant in the Superior Court, The State of North Carolina.

To all whom these presents shall come greeting:

It being satisfactorily proven to the undersigned Clerk of the Superior Court for Buncombe County, that J. L. Murray, late of said County, is deceased having made a last will and testament, which has been admitted to Probate (a true copy whereof is hereto annexed) and H. S. Rankins and Henry Rankins, the Executors named therein, having qualified as such according to Law:

Now These are therefore, to Empower the said Executors to enter in and upon all and singular the Goods and chattels, the rights and Credits of the said deceased, to pay and satisfy, and the residue of said estate to distribute according to the directions of said Will.

Witness my hand and the Seal of said Court this the 2nd day of September 1895.

J. L. Cady C. S. C.

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Last will and Testament of Baron Eugene d'Altinger:
I, Eugene d'Altinger, of Baltimore, Prince Georges County, State of Maryland, formerly known as Eugene, d'Altinger, do hereby make, Publish and declare this my last will and Testament, as follows:
First: I give, devise and bequeath to my son Leance all of my estate, real and personal or mixed, whatsoever and wheresoever situated of which I am now seized and possessed, or of which I am seized and possessed at the time of my death;
Second: I nominate, constitute and appoint my friend, George H. Victor, of Prince Georges County aforesaid, Executor of this my last will and Testament, hereby revoking all other or former wills by me at any time made.
In Witness Whereof I have hereunto set my hand and Seal this eighth day of July 1895.

The foregoing will was on the day of its date signed and sealed by the testator in Our Presence, and we thereupon in His Presence, and in the Presence of each other, have subscribed our names as witnesses thereto.

Baron Eugene d'Altinger
Eugene d'Altinger

Wm. H. Hendrickson
D. J. Copeland
R. E. Brown.

State of North Carolina 3.88.
County of Brunswick 3.88.

To Philip H. Hoffman, Esq. 220 & 222, Equitable Building
Baltimore Maryland. -

Know all men, by these presents, that We reposing special trust and confidence, in your integrity do hereby authorize you, to cause C. H. A. Hendrickson, J. D. Copeland, and R. E. Brown, of the City of Baltimore and State of Maryland, to appear before you at his office in the City of Baltimore State of Maryland, and you take the examination of such witnesses, on oath touching the due execution of Baron Eugene d'Altinger, of his last will and Testament, and return this commission with such examination of said witnesses in writing to the Clerk of the Superior Court at his office in the City of Asheville,