

affixed thereto, is his official seal, and his name thereunto subscribed is in his own proper hand writing, and that said attestation is in due form of law.

In testimony whereof I have hereunto set my hand at the City of Newark in said County of Essex, the fifteenth day of October, A.D. Eighteen hundred and seventy two.

Charles L. C. Gifford
Presd. Judge.

State of New Jersey,
Essex County, ss } J. George D. G. Moore, Surrogate of the
County of Essex and Clerk of the Orphans Court of said
County, do certify, that Charles L. C. Gifford Esquire, by
whom the foregoing attestation was made, and whose
name is thereunto subscribed, was at the time of
making thereof and still is President Judge of the
Orphans Court for the County of Essex, duly commis-
sioned and sworn, and that full faith and credit
are due to all his official acts as such.

(L.S.) In testimony whereof I have hereunto set my hand
and affixed my seal of office, this fifteenth day
of October, Eighteen hundred and seventy two,

J. G. D. G. Moore, Surrogate and
Clerk of the Orphans' Court.

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

It appearing to the satisfaction of the Court from the exam-
plication of the record hereinafter mentioned, that the last
will and testament of William G. Plummer deceased, a
citizen of the City of Orange in the County of Essex and
late the State of New Jersey, has been duly proved and
allowed in the proper Court of Probate, of said County and
State according to the laws of said State and it furth-
er appearing that the said William G. Plummer left
property in the town of Asheville, County of Bun-
combe and State of North Carolina, it is therefore
ordered and adjudget, that the exemplification
of said Will, and of its probate in the proper
Court of the said County of Buncombe Co. NC Wills, Bk B, 1868-1899
New Jersey which has been produced and exhibited

is here, duly certified and authenticated, be allowed
filed and recorded in this Court. Asheville N.C. the
second day of April A.D. 1874.

(Signed)
J. C. Nease,
Judge of Probate.

I Joseph R Brank of Rums Creek Buncombe County, State
of North Carolina, do this 3^d day of June in the year
of our Lord Eighteen hundred and Seventy Two make
and publish this my last will and Testament.
I give devise and bequeath my Estate and prop-
erty Real and personal as follows, that is to say
1st I give devise and bequeath unto my beloved
wife Cytha Brank one hundred acres of Land
which is the tract of Land on which I now
live to have and to keep during her natural
Life or widowhood, then to be equally divided
between my two sons and daughter Robert
J Brank and Mitchel J Brank and Flora
Hamilton so that they share and share alike
in point of value.
2nd I also give and bequeath unto my beloved
wife Cytha Brank all my personal
property and household and kitchen furna-
ture to wit: One dark bay mule one wa-
gon and harness, one saddle and eight
head of cattle and eight head of hogs and
three head of sheep and farming tools and
household and kitchen furniture to have
and hold during her natural life and then
to be equally divided between my two above
named sons and daughters and
Robert J Brank and Mitchel J Brank and
Flora Hamilton so that they share and share
alike so far as valuation ~~was~~ is concerned.
3rd I give devise and bequeath fifty acres of Land
to my grand son Joseph Brank to have and
to hold forever, this Land is known as my
entry lying on the north side of my home
4th I give and bequeath unto my grand son

Joseph Brank one bay horse Coult. to have and to hold forever

I hereby make and ordain my worthy friend W^m Penland and my son R^f Brank of Buncombe County State of North Carolina Executors of this my last will and Testament

In witness whereof I have signed and sealed and published and declared this instrument as my last will and Testament at my Residence this the 3rd day of June 1872

(Signed) J. R. Brank.

The said Joseph R. Brank at his Residence and on said day and date aforesaid signed and sealed this instrument and published and declared the same as for his last will and Testament

And we at his request and in his presence and in the presence of each other have herunto written our names as subscribing witnesses

(Signed) J. R. Penland,
Sarah A. Kener
J. M. Kener

State of North Carolina
Buncombe County } In the Probate Court

A paper purporting to be the last will and Testament of J. R. Brank deceased, is exhibited before me the undersigned Judge of Probate for said County W^m Penland and R^f Brank the Executors therein named, and the due Execution thereof by the said R^f Brank by the oath and Examination of J. R. Penland and J. M. Kener the subscribing witnesses thereto, who being duly sworn, Oath before and say, and each for himself before and sayeth that he is a subscribing witness to the paper writing now shown him purporting to be the last will and Testament of J. R. Brank

That the said J. R. Brank at the time he made this will was of sound mind and memory and was not under any restraint to the knowledge information or belief of these deponents and further these deponents say not

End of said Paper writing which is now shown as aforesaid and which bears date the 3rd day of June 1872. And these deponents further say that the said J. R. Brank the Testator aforesaid did at the time of subscribing his name as aforesaid, declare the said Paper writing to be his last will and Testament and these deponents did thereupon subscribe their names at the end of said last will as attesting witnesses thereto and at the request and in the presence of said Testator. And these deponents further say that at the said time when the said Testator subscribed his name to the said last will as aforesaid, and at the time the deponents subscribed their names as attesting witnesses thereto as aforesaid the said J. R. Brank 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 these deponents and further these deponents say not

(Signed) J. R. Penland,
Sarah A. Kener
J. M. Kener

Sworn to & subscribed before me this the 22nd day of February A.D. 1875

J. E. Reed,
Judge of Probate

Whereupon it is ordered and adjudged and decreed by the Court that the said Will and the Probate of the will be reversed and that the said W^m Penland and Robert J. Brank be qualified as Executors of the said last will and Testament of the said J. R. Brank according to Law. This the 22nd day of February 1875

J. E. Reed Judge of Probate

And the said W^m Penland and R^f Brank came into Court and took and subscribed the necessary oath and is duly qualified the Executors of the said last will and Testament of the said J. R. Brank and this the 22nd day of February 1875