

Known all men by these presence that
J. L. Henderson of the County of Buncombe
and state of North Carolina: and being
of sound mind at the time of making and
publishing this last will and testament
do appoint Erwin West and Benjamin H.
Henderson: both of the County of Buncombe
and state aforesaid my special trustees
I hereby convey all my property both real &
personal to the said Erwin West and
Benj. Henderson for the purpose herein
after stated
I will my funeral expenses, doctor bills,
and all my just debts 1st for my support
during my sickness and my life.
I herein empower my trustees to sell any
piece, part or parcels of my property at any
time that they in their judgment think
best for my support either at public or
private sale: either at public or private
sale. And should there be a sufficiency
for my supports then for one mile
that I have to be given to my three youngest
daughters to wit: Emily M. Margaret C. and
Addie V. jointly. I also have the following
property to wit: one tract of land in the
mountains of Transylvania on soil &
six figs and all my wheat at E. Werts & Bandlin
and little John Brown's also one small
horse at Wm. R. Hendersons which I want
B. H. Henderson to have in consideration of
services rendered me at Asheville during
my former sickness and paying doctor bills
and one stone account at M. L. Reed
It this day convey and deliver and order
to be delivered to my lawful trustees all
my property heretofore mentioned for the
purpose herein stated

This the 25 day of Sept. A. D. 1876
(Signed) L. L. Henderson

Attest

(Signed) Joseph P. Cox

" Martha West

Buncombe Co. NC Wills, Bk B, 1868-1899

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Buncombe County

In the Presence of

A Paper Writing purporting to be the
last will and testament of L. L. Henderson
deceased, is exhibited before me the
undersigned Judge of Probate for
said County by Erwin West and Benjamin H.
Henderson the trustees therein mentioned
And the due execution thereof by the
said L. L. Henderson by the oath and affirmation
of Joseph P. Cox and Martha West the sub-
scribing witnesses thereto: who being duly
sworn doth depose and say, that they are
subscribing witnesses to the paper writing now
shown them purporting to be the last will &
testament of L. L. Henderson.
That the said L. L. Henderson in the pres-
ence of these ~~subscribers~~ deponents subscribed
his name at the end of said paper writing which
is now shown as aforesaid, and which bears
date on the 25th day of Sept. A. D. 1876.
And the deponents further saith that the
said L. L. Henderson 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 the
deponents did there upon subscribe their names
at the end of said 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 of deponents
subscribing their names as attesting witnesses thereto
as aforesaid the said L. L. Henderson was of sound
and memory of full age to execute a will and was
not under any restraint to the knowledge and information
and belief of these deponents and further these
deponents say not
(Signed) Joseph P. Cox
" Martha West
I have seen and subscribed this 14th day
of November 1876 before me (Signed) J. H. Reed

State of North Carolina, Buncombe County, November 14th 1876
Erwin West and B.F. Henderson named in the will of L.O. Henderson's trustees therein named apply to the judge of probate for the County and state aforesaid to have the said will admitted to probate
And the said Erwin West and B.F. Henderson being duly sworn say that they are the trustees named in the will of said L.O. Henderson

II. That the value and nature of the property named in the will of the testator have not been able to ascertain nearer than as named in the will

III. The three children named in the will are minors and reside in Buncombe and without Guardian (Signed) Erwin West
" B.F. Henderson

Subscribed and sworn to
Before me this 14th day of
November 1876

Signed J. E. Reed
Judge of Probate

In the name of God Amen, I John Merrill one of the County of Buncombe and State of North Carolina being of perfect mind and memory thanks be to God but calling to mind the mortality of my body and knowing that it is appointed for all men once to die do hereby make and ordain this and no other as my last will and Testament in manner and form following that is to say: first of all I desire that my soul pass into the peaceful presence of all might God, who gave it and my body to be buried in a decent Christian like manner burial at the discretion of my surviving friends and as touching the worldly estate where with it hath pleased God to bless me in this life I give and bequeath in the following manner and form: First I give and bequeath unto son, Spencer (After paying all my just debts) the sum of five hundred dollars, including the four hundred and twelve dollars I heretofore advanced to him, secondly I give and devise to my daughter Mary Ashworth the like sum of five hundred dollars including the two hundred and thirty eight dollars advanced to him or her June the 12th 1856 3rd I give and devise unto my daughter Susanah all my lands where I now live including the lands conveyed to me by Robert Pinkerton and Dampier Sumner and her to board clothe and in every support her mother Elizabeth Merrill in a decent and comfortable manner for and during the term of her natural life, said land hereby conveyed to my daughter Susanah to be to her during the term of her natural life then to her heirs, my wife to have one good good bedstead and all necessary bed clothing, board for winter and summer and shortly after my death I desire that all my remaining property then on hand be sold by my Executors and as much of the proceeds paid over to my son Spencer ~~and~~ and daughter Mary as will make up the remaining part of the five hundred