

presence of each of us, and
 at the same time declared to
 him to be his last will
 and testament, and thereupon
 we, at his request in his presence
 and in the presence of each other,
 have hereunto subscribed our
 names as witnesses this 30
 day of November 1888,
 Melvin E. Carter
 C. T. Rawell,

Upon taking the testimony of the
 witnesses whose names appear
 to the foregoing paper purport-
 ing to be the last will and testament of
 Edward S. White, it is considered,
 and judged and decreed that said said
 writing and every part thereof is the last
 will and testament of said Edward
 S. White, deceased, and thereupon
 letters testamentary issued to Frances
 White, the executrix therein named,
 on the 8th day of December 1891.
 J. L. Cathey C.C.

North Carolina }
 Buncombe County }

J. O. J. Summey, hereby declared to
 act as executor of the last will and
 testament of W. L. Whitaker, this day filed
 for probate.
 Attest December 18th, 1891
 A. H. Summey.

Buncombe County, in the Superior Court
 in the matter of the will of
 W. L. Whitaker,

Before J. L. Cathey, Clerk Superior Court.
 J. V. Justice, being duly sworn, deposes and says:
 That W. L. Whitaker late of said County
 is dead, having first made and published
 his last will and testament, and that he is
 the executor named therein.
 Further, that the property of the said
 W. L. Whitaker, consisting of his town
 lots & houses, & horses, household and
 kitchen furniture &c. is worth about
 \$5000⁰⁰ so far as can be ascertained at
 the date of this application, and that
 Mary W. Whitaker, Susan W. Whitaker, &
 heirs of that name and Susan Weaver are
 the parties entitled under said will to
 the said property.

J. V. Justice
 Sworn to and subscribed before me.
 This 18th day of December, 1891.
 J. L. Cathey
 C. C.

State of North Carolina
 Buncombe County

In the Superior Court.
 A paper purporting to be the last will and
 testament of W. L. Whitaker, deceased, is
 exhibited before me, the undersigned
 Clerk of Court for said County, by J. Justice
 The executor therein mentioned, and the execu-
 tion thereof by the said W. L. Whitaker
 by the oath and examination of W. L. Rind

and S. J. Freeman the subscribing witnesses
therein, who being duly sworn, doth depose and
say, and each for himself depose and
say, that he is subscribing witness to the
paper writing now shown him, purporting to be
the last will and testament of W. L. Whittaker,
that the said W. L. Whittaker, 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 of the
31st day of August, 1891.

And the deponent further saith, that the said
W. L. Whittaker the testator aforesaid, did at the
time of subscribing his name as aforesaid,
declare the said paper writing so subscribed
by him and exhibited, to be his 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 testator, and this deponent
further saith, that at the said time when the
said testator subscribed his name to the said last
will as aforesaid, and at the time of deponent's
subscribing his name as an attesting witness
thereto, as aforesaid, the said W. L. Whittaker
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.

W. F. Reed *Seal*
S. J. Freeman *Seal*

Solemnly sworn and subscribed this
18th day of December, 1891, before me.

J. L. Cathey c. c.

North Carolina }
Duncowbe County }

In the name of God amen.

I W. L. Whittaker of the town of Asheville
County & State of North Carolina being of body
sane but of mind sound and of disposing memory
do make public and declare this as my
last will and testament

First, I desire my executor hereinafter

mentioned to procure a decent burial
for my body such as my family and
friends may desire and suitable to my con-
ditions & circumstances in life
I then I give and bequeath to my beloved
wife W. M. Whittaker all of my estate both
real and personal that I may own at
the time of my death to have hold and
enjoy the same during her natural
life and at her death to go to our daugh-
ter Susan Maggie Whittaker but the
event she survives my said wife and to be
used for her comfort during her natural
life and should she have no heirs of her
body then the same to go to the heirs of
her husband Susan hears.

This property at I remain in the hands
of the said Susan Maggie Whittaker & Susan
hears and to be used for the comfort and
maintenance of our said daughter during
her childhood or life.

And I here by nominate constitute and
appoint O. J. Summey & J. T. Justice the ex-
ecutors of this my last will and testament.
This I sign my hand this 31 Aug 1891.

Signed sealed and put lashed
by the above W. L. Whittaker as and
for his last will and testament in
the presence of us who at his request
and in his presence have sub-
scribed our names as witnesses
thereto

Witnesses W. L. Whittaker,

W. F. Reed
S. J. Freeman
J. J. Davis

Upon taking the testimony of two of the witnesses
whose names appear to the foregoing paper
writing, purporting to be the last will and
testament of W. L. Whittaker, deceased. It
is considered, adjudged and decreed that
the said paper writing and every part thereof
is the last will and testament of said
W. L. Whittaker, and thereupon O. J.
Summey, one of the executors named

and said will, comes into court, and declares in writing to qualify as such executor, and the other named appointed in said will, to wit J. T. Justice, qualifies as executor, and having this day taken the oath prescribed by law and made the necessary application, Let this Testamentary issued to him on this 1st the 18th day of December, 1891.

J. L. Cathey c.c.

North Carolina }
Buncombe County, }

X
Know all men by these presents that, I, Wm. M. Kempfhill of Coopers in the County of Buncombe and State of North Carolina, knowing the uncertainty of life and recognizing my feeble bodily condition and believing it to be my duty to make a disposition of my property to take effect after my death, (revoking all former wills by me made) do hereby make publish and declare this paper writing as my last will and Testament.

First, I direct that my Executor herein after named shall pay all my just debts and to this end I give him full power to sell all such real and personal property, at either public or private sale, as may be necessary for said purposes making sales in the following order.

First he shall sell all the personal property not included in the term Household and Kitchen furniture and.

Second he shall sell the place known as the M. C. Daniel place, situate just west of my House place and which was willed to me by my Uncle Wm. M. Daniel.

Second. After the payments of all my debts my Will is that all my remaining real estate shall go to my two Sons W. M. Kempfhill and A. J. Kempfhill (Share and Share alike) to them their heirs and assigns forever.

Third, all my Household and Kitchen furniture I direct my Executor to divide between my two Sons a bare named in equal portions.

To execute this will according to its intent and meaning, I hereby nominate constitute and appoint my friend, W. M. Whitson of Asheville North Carolina Signed, Sealed and declared by the said Wm. M. Kempfhill to be his last will and Testament this January 6th 1892.

and the undersigned witnesses at the request of the testator and in his presence and in the presence of each other hereby sign their names as Attesters