

I herewith set my hand and seal the
16th day of July 1882.
Patience Marcella Murray (Seal)

Signed Seal and published
and declared by the said
Patience Marcella Murray
to be a codicil or part of
her last will & testament
in presence of us, who at
her request and in her
presence and the presence
of a witness do subscribe our
names as witnesses thereto.

J. B. Bunker
J. B. Bunker
C. H. Bunker
J. B. Bunker
Geo. A. Shuford

I, David M. Ludger having been appointed by the said
Patience Marcella Murray as one of the executor of her last
will and testament, hereby renounce my office as
executor of said. This 2nd day of August 1882.
Jimmie Allen David M. Ludger

I, Geo. A. Shuford, having been appointed by the said
Patience Marcella Murray as one of the executor of her last
will & testament, hereby renounce my office as executor
of said. This 1st day of August 1882.
William E. Henson Geo. A. Shuford

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

In the Matter of the Estate of
Patience Marcella Murray.

J. B. Bunker, making application
for the probate of the last will & testament of the said
Patience Marcella Murray & for letters testamentary
after being duly sworn, deposes & says:

I that he is named in the last will & testament of the
said Patience Marcella Murray as one of the execu-
tors & is interested in her said estate as follows:
In page 297

I, M. M. Weaver, living of sound mind & good
memory, and knowing the uncertainty of human
life, do by these presents make & publish
this my last will and testament, viz; I will
bequeath unto my wife Jane E. Weaver, during her
natural life, all of my real estate known as, and in-
cluded in, the home tract where I now live, — except
all the land conveyed by deed unto my children, Mary
A. Reagan, Martha E. Vandiver, Margaret M.
Parker, and Eliza J. Myers, — also a tract of land lying
on the mountain, known as the Hanby Mountain tract,
which was conveyed to me H. Blackstock in the divide
of the Grey Blunt Speculation land. All of the above
mentioned land I have hereby willed and bequeathed
unto my wife Jane Weaver. I will and bequeath unto
my son, H. B. Weaver, to have and to hold in fee simple
after the death of my said wife Jane E. Weaver.

I further desire that H. B. Weaver and his mother
have all the proceeds, rents and profits of said lands
they making their own arrangements during her
life.

2d I will and bequeath unto my daughter, Mary
E. Reagan, the place known as the Bassett
place, containing one hundred and twenty
five acres more or less, with all the appurtenances
thereunto belonging. 3d. I will and bequeath unto
my daughter, Martha E. Vandiver, all that tract
of land known as the Chestnut Shrub place,
which was improved by Hask Jenkins, with
all things thereunto belonging.

4th. I will and bequeath unto my sons, John
B. and H. B. Weaver all of my interest in the
Mountain lands lying on the waters of Ransom's
Creek above the Penland's, extending to
head of said creek.

5th, I desire the mill tract sold to the
highest bidder, and the proceeds thereof given to
my wife Jane E. Weaver, for her own use & dispo-

6th, I will and bequeath all the Hanby
mountain tract that has before been conveyed
unto my two daughters Mary A. E. Reagan
& Vandiver to be equally divided or owned
thru.

7th, I will and bequeath unto my wife Jane E. Weaver, all of my household and kitchen furniture to dispose of as she desires.

8th, I desire all the stock sold except two head of horses, two head of cattle, twenty head of hogs, twenty head of sheep, and one yoke of oxen, to be selected and owned by my wife Jane E. Weaver, and out of the proceeds of such sales or sales, my just debts paid, except what can be paid out of the debts which are due me, and the remainder, including the family utensils, to be equally divided between all of my children, Mary A. E. Reagan, Martha J. Vandiver, M. M. Parker, John B. Weaver, W. E. Weaver, Kittie E. Harris, Eliza J. Myers, and W. B. Weaver.

9th, All grain and provision on hand at my death I desire to give to my wife Jane E. Weaver, to be here and for her own disposition.

10th, I hereby appoint my son W. E. Weaver, and my son in law James A. Reagan, my executors - to execute this my last will and testament.

In witness whereof I have this day set my and seal This 17th day of Jan A. D., 1872

M. M. Weaver

Wm. R. Chambers
Julia A. Weaver

Codicil

My daughter Eliza J. Reagan, and my son W. B. Weaver, by and with my consent have changed places or farms, and my son W. B. Weaver has deeded from Eliza J. Reagan and myself for all the lands he is to have according to the change.

I therefore desire, will, and bequeath to my daughter Eliza J. Reagan, all lands here before given to my son W. B. Weaver, and I desire that the said W. B. Weaver is not to interfere with that part of the will.

in regard to my wife Jane E. Weaver, but she and Eliza J. Reagan are to make their own arrangements in regard to rents &c, as is named in the preceding will of my son W. B. Weaver - she is simply to take his place in the will, and she here.

In witness whereof I have hereunto set my hand and seal. This Dec. 28 1878

M. M. Weaver.

Signed in the presence
of W. L. Reagan,
T. P. Morgan.

Codicil No. 2.

I desire to my sons John B. & W. B., and my daughter Eliza J., to all share equally in the Mountain lands at the head of Reems Creek; and my daughters Mary A. E. and Martha E., to share equally in the north and south side of Hamburg Mountain, not deeded away. Signed March 31, 1881, and sealed date above written.

M. M. Weaver.

James J. Reagan

State of North Carolina } ss In the Probate
Burcombe County } Court.

A paper purporting to be the last will and testament of M. M. Weaver deceased, is exhibited before me, the undersigned, Judge of Probate for said County, by W. E. Weaver and J. A. Reagan, the Executors therein mentioned, and the due execution thereof by the said M. M. Weaver by the oath and examination of Wm. R. Chambers, and Julia A. Weaver. To codicils No. 1 & 2 W. F. Reagan, T. P. Morgan, and James J. Reagan, the subscribing witnesses therein who being duly sworn, doth depose and each for himself depose and swear that he is a subscribing witness to the paper now shown him, purporting to be the last will and testament of M. M. Weaver, and that the said M. M. Weaver 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 17th day of Jan., 1872, Feb. 25, 1878, and March 31, 1881, and the deponent further saith, That the said M. M. Weaver 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 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 the deponent's subscribing his name as an attesting witness thereto, as aforesaid, the said M. M. Weaver 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. M. K. Chambers
Julia Weaver
J. A. Reagan
N. L. Lathin Reagan.

Severally sworn and subscribed this day of _____ 1882, before me,

E. W. Herndon,
Probate Judge.
J. A. Reagan
N. L. Lathin Reagan

State of North Carolina } In the Probate Court
Buncombe County

I, E. W. Herndon, Judge of Probate for Buncombe County, do hereby certify that the execution of T. B. Morgan's signature to the attached will, was duly proved by the oath and examination of W. M. K. Chambers, Julia Weaver, J. A. Reagan, and N. L. Lathin Reagan.

and that he had often seen his writing, and knows the signature to be the said T. B. Morgan's own signature.

E. W. Herndon,
Probate Judge.

State of North Carolina } In the Probate Court
Buncombe County

We, W. E. Weaver & J. A. Reagan, do solemnly swear (or affirm) that we believe this writing to be the last Will and Testament of M. M. Weaver deceased; and that we will well and truly execute the same by first paying his debts and then his legacies as far as the said estate shall extend, or the law will charge us; and that we will well and faithfully execute the office of an executor agreeable to the trust and confidence reposed in us, and according to law, so help us God.

Sworn and subscribed before me, this 11th day of Nov., 1882.
W. E. Weaver
J. A. Reagan.
E. W. Herndon,
Probate Judge.

Oct 17-1870

See will

See Will Book "C" page 44.