

subscribed his name to the said last Will as aforesaid
and at the time of the deponent subscribing his
name as an attesting witness thereto as aforesaid the
said Owen Smith was of sound mind and memory
of full age to execute a Will and was not under any
constraint to the knowledge, information or belief of
this Deponent. And further these deponents do not

Chas E Lee
H H Webb

severally sworn and subscribed this
5th day of July 1881 before me

E W Herndon

Notary Judge

This is the last Will and Testament of the Owen Smith
of Asheville in the State of North Carolina

I bequeath to my dear wife Fannie A Smith all my
household furniture plate linen glass china books pictures
books full household stores and provisions and other effects
of the like nature and the sum of Two thousand
(insurance from Knights & Thorns) Dollars out of the first
money which shall come into her hands as my executor
I give and devise to my said wife for life the house
and lot where I now reside in said town of Asheville
a gain and devise and bequeath unto my said wife all
the real and personal of my estate real personal &
mixed wherever situated in trust for my four
children, and I hereby authorize and empower her to
sell and dispose of any or all of said property
either at private or Public sale and to invest the
proceeds in such other property as she may deem
advisable and to change said investments when
and as often as in her opinion it may be best
for the interests of my said children, And I further
empower my said executrix to make settlement
with my partners in business in the firm of Smith
Chetron & Co and to make such contract or contracts
with them or either of them as she may think best
for the interests of my estate And I further empower
my said executrix to make all settlements necessary
to a complete winding up of all my business and
to make all such sales and contracts as may be

necessary to this end; I authorize my said executrix to expend
such sums of money in the maintenance and education of my
said children as in her judgment may be necessary and I
herby constitute her guardian of my said children.
I appoint my said wife Fannie A Smith executrix of this my last
will and Testament; In witness whereof I have hereunto
set my hand this 16th day of June A D 1881

Owen Smith

Signed by said Testator Owen Smith as and for his last
Will and Testament in the presence of us who at his request
and in his sight and presence and in the presence of each
other have subscribed our names as attesting witnesses

Chas E Lee

H H Webb

State of North Carolina } In the Probate Court
Buncombe County

I Fannie A Smith do solemnly swear that
I believe this writing to be and contain the last Will
& Testament of Owen Smith decedent, and that I 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 me; and that I will well and faithfully execute the
office of an executrix agreeable to the trust reposed in me and
according to law so help me God -

Fannie A Smith

sworn and subscribed before me

this 5th day of July 1881

E W Herndon

Notary Judge