

which now shown as forsaid and which bears date the 1st day of April 1898, and the deponent further saith that F. M. Thompson the testator forsaid did at the time of subscribing his name, as forsaid, 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 and testament as forsaid and at the time of the deponent subscribing his name, as an attesting witness thereto, as forsaid, the said F. M. Thompson 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 there deponent says that

F. M. Thompson (Seal)
E. S. Garner (Seal)

Solemnly sworn & subscribed this the 9th day
of May 1898.

J. L. Cating C. S. C.

State of North Carolina
Burrcomb County
I Richard Summer of the forsaid State County
being of sound mind and memory, and
considering the uncertainty of my earthly
existence I do make and publish this my
last will and testament in manner and
form following that is to say first after the
payment of all my just debts, by my
Executor hereafter named, I will give
bequeath to my beloved wife Malinda Summer
the tract of land on which I now live,
to have and to hold for and during her
natural life, together with all the rents
issues and profits arising out of the same
together with all the personal property
and effects, that I may be possessed of
and which shall remain after the payment
of all just debts, by my Executor,
and to my two sons, J. L. & R. S. Summer.
I will and bequeath the tract of land
on which I now live, which land they
are to take possession of from and
after the death of their mother, Malinda
Summer, which shall remain in them
and their heirs forever, after they shall
pay to their sister Harriet West, or her
heirs the sum of twenty five dollars,
in order that her advancement may be
equal with them, and to Amanda
Davis children, which are Ransom Davis,
Hall Davis, Marcus Davis, Carrell Davis,
and Elmer Davis, the sum of twenty dollars,
each as they become twenty one years
of age, and to their sister Louisa Johnson
one hundred dollars.
And lastly I do constitute and appoint, my
son J. L. Summer, my true and lawful
Executor of this my last will and testament
In witness whereof I have hereunto set my
hand and seal, this the 19th day of
April 1898.
Richard Summer
attest J. H. Summer
Witness Robt. Clayton.

town of North Carolina,
Buncombe County.

I S. L. Sumner do swear that I believe the
writing to be and contain the last will
and testament of Richard Sumner deceased, and
that I will well and truly execute the
same by just paying his debts and then
his legacies, as far as the said will shall
extend or the law will charge me, and
that I will well and faithfully execute
the office of an executor according to the
trust and confidence reposed in me
and according to law, so help me
God.

S. L. Sumner
Sworn to and Subscribed before me this 5th
day of August 1893.

J. L. Cothran, Clerk.
Buncombe County.

Buncombe County.

I John F. Cothran to be the last will
and testament of Richard Sumner deceased
is exhibited before me the undersigned
Clerk of Court for said county by S. L.
Sumner the executor therein mentioned
and the said executor there by the
said Richard Sumner, by the oath &
examination of J. H. Sumner & Robert Clayton
the Subscribing Witnesses thereto, who being
duly sworn doth before and say, and each
for himself, jointly and together, that he
is the Subscribing Witness to the paper writing
now shown him as aforesaid and which
bears date the 12th day of April 1889
and the deponents further say that the
said Richard Sumner, 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 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 the
deponent Subscribing his name as an
attesting Witness thereto as aforesaid, the
said Richard Sumner was of sound
mind and memory, and of full age
to execute a will, and was not under
any restraint to the knowledge
information or belief of this deponent,
and further the deponents say next.

J. H. Sumner, Clerk.
Robert Clayton, Clerk.

Sincerely Sworn to and Subscribed this 5th
day of August A.D. 1893, before me
J. L. Cothran, Clerk.

North Carolina,
Buncombe Co.

before reading and filing the foregoing
papers and affidavits. It is considered proper
and adequate that the foregoing paper
writing and every part thereof is the last will
and testament of Richard Sumner, deceased
and the same is ordered to be recorded
and filed. This 6th 30th 1897.

J. L. Cothran,
Clerk of Court
Buncombe County N.C.