

That Thos J Polk, late of said County, is dead, having first made and published his last will and Testament; and that the son of Mr Mitchel is the executor named therein.

Further, that the property of the said Thos J Polk consisting of lands in Buncombe and Anson Counties is worth about \$5000.00 so far as can be ascertained at the date of this application; and that John J Polk and Sallie J McLaundon Wadesboro N.C. L L Polk Polkton N.C. Mr Horton Eagle Rock N.C. Colon Mitchel, and E J Polk Cooper N.C. Manerva Patterson Cary N.C. are the parties entitled under said will to the said property.

L N Mitchel

Sworn to and subscribed before me, this 25th day of March 1885

E H Hendon
S.C.C

State of North Carolina

Buncombe County. In the Superior Court.
A paper purporting to be the last will and Testament of Thos J Polk deceased is exhibited before the undersigned Clerk of the Superior Court for said County by L N Mitchel the executor thereof in and to the due execution thereof is proved by the oath and examination of Mr Mitchel A D Blackwood and Charles C Lee who depose and say that the last will and Testament was found among the valuable papers and effects of Thos J Polk deceased.

L N Mitchel do solemnly swear and depose that the paper purporting to be the last will and Testament of Thos J Polk was found among his valuable papers and that the same is in his hand writing of Thos J Polk deceased and his name is subscribed to the paper.

Mr A D Blackwood Chas C Lee and Mr Mitchel being duly sworn say that they verily believe such will and every part thereof is the hand writing of the person whose will it appears to be, and that we have each of us often seen him write and are familiar with his hand writing.

L N Mitchel
A D Blackwood
Chas C Lee.

It is adjudged that the foregoing is the last will and Testament of Thos J Polk deceased and same with this Certificate be held as such.

Sworn to and subscribed before me this the 26th day of March 1885

E H Hendon
Clerk Superior Court

State of North Carolina } ss.
Buncombe County

In the name of God Amen.
I Thomas J. Dula of said State and County being of sound Mind and Memory and knowing the uncertainty of life and the certainty of death.
Do hereby declare and establish this my last Will and Testament.
first It is my will that at my death my body be decently buried where my family may decide.
second. That my wife Amanda after my death shall use and control all my property both real and personal, during her natural life and at her death, I will and bequeath to my daughter Clarissa A Dula a part of my land described as follows to wit, to begin at a stake & point in my own line, between Myra and Gobitha Roberts land and run East with Myra Roberts

land to N A Gentry's land then to come
with his lines to H C Blackstock's
land then with his and R V Black
stock's line, to L H Sams, land then
with his lines to a Rock Stake in an
old field at or near a Rock quarry,
then to the Beginning Containing fifty
acres more or less, and the balance
of my land together with my personal
property I want equally divided be
tween the balance of my children
either by sale or otherwise
Third, Any money or notes that I
may have on hand at my death,
I want used by my wife for her
comfort, but before any of my personal
property is used I want all my just
debts paid out of the same.

In testimony whereof I hereunto set
my hand and seal Nov 15th 1880
witness
R V Blackstock
H C Blackstock

"Codicil"

In addition to the above,
It is my desire and will that the land
above described, and bequeathed to my
daughter Clarissa Dula, at her death
be equally divided among my surviving
heirs, either by sale or otherwise
Witness my hand and seal July 4th 1884
witness

R V Blackstock
L M Blackstock

State of North Carolina, In the Superi-
or Court of Blount County, Minor Court
A paper purporting to be the Last
will and Testament of Thomas B.
Dula deceased, is exhibited before
me, the undersigned Clerk of said

Minor Court for said County, by R V Blackstock
and the due execution thereof by the said Thomas
B Dula, by the oath and examination of R V
Blackstock, H C Blackstock, and J W Blackstock
The Subscribing witnesses is then to, who, being
duly sworn, depone and say, and each for him-
self depone and saith, that he is a subscribing
witness to the paper writing now shown him, pur-
porting to be the last will and Testament of Thomas
B. Dula; that the said Thomas B Dula, in the
presence of the deponent, subscribed his name
at the end of said paper writing, which is now
shown as aforesaid, and which bears date
of the 15th day of November 1880 Codicil July 4th
1884,

and the Deponent further saith, that the said
Thomas B Dula, 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 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 at-
testing witness thereto, as aforesaid, the said
Thomas B Dula, was of sound mind
and memory, of full age to execute a will, and
was not under any restraint to the furnishing
information or belief of this deponent;
And further these deponents say not

R V Blackstock
H C Blackstock
J W Blackstock

Solemnly sworn and subscribed this 5th
day of January 1885 before me
E. M. Helms, Clerk
Superior Court

It is my desire that my wife Margaret should have the control and use of all my real and personal property during her life, or her death if all my children survive her that Sophia M. should have two-thirds of all the said property; and Hugh Portland one third. I do not leave my son William any part of the same for the reason that he is so much better off in pecuniary point of view than his sister & brother. But should Sophia die before her mother then William is to have one third of the said property & Hugh two thirds; should Hugh die before his mother Sophia is to have all the ~~property~~ ^{and} ~~the~~ ^{the} said property for her use and support. Should she marry then the property is to be divided equally among my children one third to each.

W. H. Russell
Decr 31st / 1880.

State of North Carolina, In the Superior Court
County of Buncombe 3 October 1885.

A paper writing, without subscribing witnesses purporting to be the last will and Testament of W. H. Russell, deceased, is exhibited for probate in open Court by the parties in interest therein named; and it is thereupon proved by the oath and examination of W. S. Russell, that the said Will was found among the valuable papers and effects of the said W. H. Russell after his death; and it is further proved by the oath and examination of three competent and credible witnesses, viz; A. S. Sumner, J. H. Patton and W. S. Russell

that they are acquainted with the hand writing of the said W. H. Russell, having seen him write, and verily believe that the name of the said W. H. Russell subscribed to the said Will, and the said Will

itself, and every part thereof is in the handwriting of the said W. H. Russell.

It is therefore considered by the Court that the said paper writing is the last will and Testament of the said W. H. Russell, and the same is ordered to be recorded and filed.

A. S. Sumner
J. H. Patton
W. S. Russell

Sworn to and subscribed before me, this 1st day of October 1885.

E. W. Hendon
Clerk of the Superior Court