

in belief of this deponent
And further the deponents say not

John Brookshire
Sacramento

Personally sworn to this the 20th day of
January 1889 before me

W. H. Pace
Probate Judge

Whereupon it is ordered that the said
last will and testament of M. Freeman
as is propounded be admitted to
Probate, and that the same be Recor-
ded and filed according to Law

Of the said Julia Anna Freeman was
duly sworn as executrix & letters testamentary
issued

W. H. Pace

Judge of Probate

In the name of God Amen I Joseph Evans of the County
of Henderson & State of North Carolina being of sound mind and
Memory (Signed to God) do this 27th day of January in the year
of our Lord Eighteen Hundred and Eighty eight do make and
Publish this my last Will and Testament in manner
and form as follows, that is to say
First I will my soul to God who gave it and
my body to God Mother earth
Second I will that my body be buried in a decent
Christian like manner and that my funeral expenses be
paid out of my effects by my Executor who
may hereafter be appointed
Third I will and bequeath that all my just debt
be paid
Fourth I will and bequeath that all my effect both
real & personal as might be sold by my Executor and the
proceeds of the estate be equally divided between
my lawful heirs to wit - Samuel Evans
John Estlin Elijah M. Evans David Evans Catherine
Florence Robert Evans Joseph M. Evans Sarah S. Hamilton

Fifth I will bequeath that all the above named
 Legatee shall first be made equal taking the account
 of what I have given them in my life time as is
 recorded in a book which I have in my possession
 and if the book should be lost or mislaid, then
 they shall file an inventory of what they have received
 in my life time, after making them equal
 the remainder shall be equally divided taking out all
 expenses

Sixth I will and bequeath that my worthy friend
 Daniel Stine be appointed my Executor to carry out
 the above Will and Testament and he shall have for
 his trouble five percent for collecting & five percent
 for disbursements he will keep whereof I the said Joseph
 Evans have to this my last Will and Testament set
 my hand and seal the day and date above written
 Jo Evans

Signed sealed published and
 delivered by the said Joseph Evans the
 Testator as his last Will and Testament
 in the presence of us who were were
 present at the time of signing and
 making thereof

W. H. Whitehead Test
 A. S. Puckett Secy
 S. H.

March 6th 1869

I Joseph Evans under a full consideration of duty, and
 without being under any of my body heirs to this day
 make the following appendage to my last Will and Testament
 bearing date February 27th 1868 as follows

I bequeath to my present wife Elizabeth Evans all
 the property that she brought with her after our
 marriage (see book of record against my children)
 and also one hundred dollars out of my estate after
 my decease

Signed Joseph Evans

Now, in the presence of
 Geo M Bryon
 J B Suttle

In the Probate Court December 16th 1869

A paper writing purporting to be the
 last will and Testament of Joseph Evans ^{deceased} is exhibited

before me the undersigned Judge of Probate in and for said County by Samuel String and it is therefore proven by the oath and affirmation of Samuel String, that W. D. Whittet and A. B. Tucker the subscribing witnesses thereto approved the aforesaid will, that he is well acquainted with the hand writing of the said W. D. Whittet and A. B. Tucker having often seen them write, and the names of the said W. D. Whittet and A. B. Tucker is in the proper hand writing of the said W. D. Whittet and A. B. Tucker and it is also proven by the oath and affirmation of the said Samuel String that he is well acquainted with the hand writing of the said W. D. Whittet and A. B. Tucker having often seen them write and that the name of the said W. D. Whittet and A. B. Tucker is subscribed as witnesses to said will is the hand writing of the said W. D. Whittet and A. B. Tucker and it is further proven by the oath and affirmation of the said Samuel String, that he saw the said Joseph Crane signed the said will and a Codicil to said will having been offered for Probate by the said Samuel String & the same having been duly proven according to law by the oath and affirmation of James M. Bryan and Joseph B. Suttle the subscribing witnesses thereto, the said James M. Bryan testifying that he saw the said testator sign the said Codicil, by his own hand, and the said Joseph B. Suttle testifying that the testator acknowledged to him the signature of the same. It is therefore considered that the said paper writing and ever said parchment is the last will and testament of the said Joseph Crane, and the same as such is Recorded. And the said Samuel String the Executor named in said will and renounces his trust as Executor of said estate and asks to be discharged from any further liability as such, it is therefore considered by the Court that he be discharged. Witness My Hand & Seal of Office this 10th day of June 1866. Probate Judge.