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State of North Carolina
Henderson County

In the name of God - Amen -

I Robert Russell Townsend being of sound and disposing memory and understanding; Concerning the certainty of Death, and the uncertainty of the time thereof, to the end that I may be better prepared to leave this world when it shall please my God to call me hence have now determined to direct what disposition shall be made of my property both real and personal after my decease: And after maturely considering the circumstances of all those whom as my heirs at Law, the objects of my gratitude or affection in my judgment my estate shall be distributed. I do make publick and declare this to be my last will and Testament, hereby revoking any will that I may have heretofore made. And my will is first, that after my decease, my body shall be decently buried without ostentation or unnecessary expense, and that my funeral expenses and all my just debts shall be paid by my executor hereinafter named: And as to the remainder of my Estate and property with which God has blessed me: and shall not be required for the payment of my debts, (if any) and funeral expenses and the expenses in and about the execution of this my last will and Testament, and administration of my Estate I give demise & dispose thereof as follows: First To my son Joseph H. Townsend three tracts of Land as follows - First Tract containing about 34 acres joining Lands of Wm Garner & my home place which I bought of William Lanning, for further description of the same reference is made to Deed made by Wm Lanning to me Dated 26th day March 1845 - Second Tract on Hyles Creek joining the above and known as the Home Place where I now live containing one hundred & twenty five acres more or less and for more particular description reference is made to deed presented to me

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by Thos Murray dated Feby 11th 1824 and registered in the Register's office in Buncombe in Book No 14 on Page 204 on the 16th day June 1827. - Third Tract containing 120 acres more or less joining the above lands described, and granted to me by State Grant dated 22^d Sept. 1841 and numbered 52 for further description reference is made to said Grant registered in the Register's office of said County in Book No 14 Record of Deeds on pages 210 &c - Second Item I will and be-

queth to each one of my children to wit, to the heirs of my son Lewis Greene Townsend and my daughter Isabella Jane Townsend & William S. Townsend E. W. Townsend Robert P. Townsend and Martha A. Lanning & the heirs of Margaret C. Jackson one dollar each to be paid by my Executor hereafter to be named out of my personal property and the remainder of my personal effects of any shall remain, I will and bequeath to my son Joseph H. Townsend - And lastly I do hereby constitute and appoint my son Joseph H. Townsend my lawful Executor to all intents and purposes to execute this my last will and Testament according to the true intent and meaning of the same & every part & clause thereof, hereby revoking & declaring utterly void all other wills & Testaments by me hereto made - In witness whereof I the said Robt R. Townsend do hereunto set my hand & seal this the 23^d day of August A.D. 1881 -

Robert R. ^{by} ~~x~~ _{mk} Townsend.

Signed sealed published
and declared by the said
Robt Russell Townsend to be
his last will and
Testament in
the presence of us
who at his request and
in his presence do
subscribe our names as
witnesses thereto -

A. H. Patton
& L. Patterson

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North Carolina } In the Superior Court
Henderson County } February 16. 1886.

A paper writing purporting to be the last will and testament of Robt R. Townsend deceased, is exhibited before me by Joseph H. Townsend the Executor therein named, and the due execution thereof by the said Robt R. Townsend is proven by the oath and affirmation of A. L. Patterson one of the subscribing witnesses thereto, and David Shadley -

The said A. L. Patterson says, that he as one of the subscribing witnesses to said paper writing, purporting to be the last will and testament, and which bears date of the 23^d day of August 1881 - of the said Robt R. Townsend: That Robt R. Townsend in the presence of the said A. L. Patterson subscribed his name at the end of the said paper writing. That the said Robt R. Townsend the Testator aforesaid did at the time of signing his name as aforesaid declare the paper writing so subscribed by him, to be his last will and testament, and he 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 that M. M. Patton a subscribing witness to said will is dead.

That the said M. M. Patton at the same time of Deposition subscribed his name as an attesting witness to said will, he the said M. M. Patton, subscribed his name thereto as an attesting witness at the request and in the presence of the said Testator Robt R. Townsend.

And this Deponent further saith: That at the time when the said Testator subscribed his name to said last will and testament as aforesaid

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and at the time of the deponent A. L. Paterson and M. M. Patton Subscribing their names as attesting witness thereto, as aforesaid, The said Robt R. Townsend was of sound mind and memory, was of full age to execute a will, and was not under any restraint to the knowledge or belief of the said deponent.

And the said David Stradley ^{says}: That the paper writing purporting to be the last will and testament of the said Robert R. Townsend died, dated the 23^d day of August 1881, was written by him the said David Stradley, at the request of the said Testator Robt R. Townsend and that he the said Testator, signed the same in the presence of the said David Stradley and declared the same to be his last will and testament -

Deponent further saith - That M. M. Patton one of the Subscribing witnesses is dead - That at the time when the Testator Robt R. Townsend Subscribed his name to said paper writing as aforesaid he saw the said M. M. Patton Subscribe his name as an attesting witness thereto, at the request and in the presence of the said Testator -

It therefore appears that said paper writing and every part thereof is the last will and testament of the said Robt R. Townsend deceased - That the same is duly proven according to Law - It is therefore ordered that the said will and this Certificate be filed and the said Joseph H. Townsend is duly qualified as Executor by taking the oath of office prescribed by Law.

C. H. Poe
Clerk Supreme Court
Henderson County