

North Carolina }
Macon County }

I J.B. Lakey of the County of Macon and State of North Carolina, knowing the uncertainty of life and being desirous of adjusting all my property among my Children & wife during my life time, do make and declare this my last Will & testament in manner and form as follows to wit:

- 1 It is my will that after my death that my body be given a decent burial according to the wishes of my family.
- 2 That after my burial expenses are paid, it is my will that Executor hereinafter named pay out of the first money that may come into his hands out of my estate all my just debts.
- 3 I give and bequeath unto my son W.J. Lakey my black filly
- 4 I give and bequeath unto my son H.W. Lakey my mule Colt one year old past.
- 5 I give and bequeath unto my dear wife Elizabeth Lakey all the rest and residue of my personal property, that I may own at the time of my death.
- 6 I give and devise unto my son W.J. Lakey in Trust for my son H.W. Lakey, all the following lands in Macon County N.C.
Beginning at the mouth of Pole Cat branch; Runs down said branch with its meanderings to J.C. Lakey's line; Then with J.C. Lakey's line to Mary James Lakey's line; Then with her line to the Pole Cat Branch; Then with the meanderings

and farm as follows to wit:

- 1 It is my will that after my death that my body be given a decent burial according to the wishes of my family.
- 2 That after my burial expenses are paid, it is my will that Executor hereinafter named pay out of the first money that may come into his hands out of my estate all my just debts.
- 3 I give and bequeath unto my son W.J. Lakey my black filly
- 4 I give and bequeath unto my son H.W. Lakey my mule Colt one year old past.
- 5 I give and bequeath unto my dear wife Elizabeth Lakey all the rest and residue of my personal property that I may own at the time of my death.
- 6 I give and devise unto my son W.J. Lakey in Trust for my son H.W. Lakey, all the following lands in Macam County N.C. Beginning at the mouth of Pole Cat branch; Runs down said branch with its meandering to J.C. Lakey's line; Then with J.C. Lakey's line to Mary James Lakey's line; Then with her line to the Pole Cat Branch; Then with the meanderings of said Branch to the beginning.
It is further my Will, that the said W.J. Lakey Cultivate or have Cultivated said lands and use the proceeds of said lands in support of my said son H.W. Lakey after paying the expenses of keeping up said farm.
- 7 I give and devise unto my beloved wife Elizabeth Lakey during her natural life the following lands and known as my home

place and bounded as follows: on the west
 running with the line of Mary James Lakey's
 lands to Jacob Rhinehart's line; then with said
 Rhinehart's line to Otto Arve's line; then with
 said Arve's line to the Swain County line; then
 with the Swain County line to the top of the Pine
 Ridge; then with said Ridge to Harvey Mashburn's
 line; then with said Mashburn's line to J.E. Lakey's
 line; then with J.E. Lakey's line to the line of
 the lands hereinbefore willed to W.J. Lakey in
 trust for H.W. Lakey, then with said lands
 to the beginning.

8th I give and devise the remainder of my said
 hereinbefore devised unto my said wife for life
 after her death, unto my son W.J. Lakey
 and his heirs forever.

9th I will unto Otto Arve the following lands
 in Swain County N.C. to wit: All the lands cover-
 ed by State Grant No 8445, and recorded in the
 Registers Office of Macon County in Book J.
 pages 687 + 690 - Also all the lands covered by
 State Grant No 8461 and recorded in the
 Registers Office of Macon County in Book X
 page 366. Also all the lands covered by State Grant
 No 8429 and recorded in the registers Office
 of Swain County N.C. in Book J No 10. pages
 175; in trust nevertheless that the said Otto
 Arve my executor, sell said lands either at
 public or private sale, as to him may seem best
 and apply the proceeds of said sale of said
 lands after paying expenses, to the payment of
 my funeral expenses, and just debts, and the re-
 mainder to be paid over unto my beloved
 wife E.P. Arve.

trust for H. M. Lacey, then with said lands to the beginning

8th I give and devise the remainder of my said husband's devised unto my said wife for life and after her death, unto my son W. J. Lacey and his heirs forever.

9th I will unto Otto Arne the following lands in Swain County N.C. to wit: All the lands covered by State Grant No 8448, and recorded in the Registers Office of Macon County in Book J. pages 687+690- Also all the lands covered by State Grant No 8461 and recorded in the Registers Office of Macon County in Book X page 366, Also all the lands covered by State Grant No 8429 and recorded in the registers Office of Swain County N.C. in Book J No 10. pages 175; in trust nevertheless that the said Otto Arne my executor, sell said lands either at public or private sale, as to him may seem best and apply the proceeds of said sale of said lands after paying expenses, to the payment of my funeral expenses, and just debts, and the remainder to be paid over unto my beloved wife Elizabeth Lacey.

10th I do hereby nominate and appoint my son in law, and trusty friend, Otto Arne the Executor of this my last will and testament. This July the 23rd 1894.

J. B. Lacey

Signed and sealed by J. B. Lacey in our presents and in the presents of each other and the said J. B. Lacey do at the time of signing the same that the

over

Same was his last Will & Testament
Willis Meadows,
C.R. Browning.

Codicil of the last Will
of J.B. Lakey.

I further will, that my
executor Otto Arce, as soon after my
death as may be convenient sell all the rest
and residue of my lands not hereinbefore
disposed of on such terms as he may deem
best, and in such way as he may think
proper, and after paying the expenses of
such sale, pay over the surplus to my
beloved wife Elizabeth Lakey.
Signed & Sealed in
our presents.

J.B. Lakey (Seal)

Willis Meadows,
C.R. Browning.

State of North Carolina } In the Superior Court,
Macon County }

A paper purporting
to be the last Will & Testament and Codicil
to the same, of J.B. Lakey deceased, is exhibited
before me the undersigned, Clerk of the Superior
Court for said County, by Otto Arcey the exec-
utor therein mentioned, and the due execution
thereof by the said J.B. Lakey by the oath &
examination of Willis Meadows & C.R. Browning
the subscribing witnesses thereto; who being duly
sworn, doth depose & say, and each for himself
deposeth and saith, that he is a subscribing wit-

disposal of all such assets as he may deem
best and in such way as he may think
proper, and after paying the expenses of
such sale, pay over the surplus to my
beloved wife Elizabeth Lakey,
Signed & Sealed in
our presents.

J. B. Lakey (Seal)

Willis Meadows,
C. R. Browning

State of North Carolina } In the Superior Court,
Macon County }

A paper purporting
to be the last Will & Testament and Codicil
to the same, of J. B. Lakey deceased, is exhibited
before me the undersigned, Clerk of the Superior
Court for said County, by Otto Orrey the exec-
utor therein mentioned, and the due execution
thereof by the said J. B. Lakey by the oath &
examination of Willis Meadows & C. R. Browning
the subscribing witnesses thereto; who being duly
sworn, doth depose & say, and each for himself
deposeth and saith, that he is a subscribing wit-
ness to the paper-writing now shown him, pur-
porting to be the last Will & Testament & Codicil
to the same of J. B. Lakey that the said J. B.
Lakey in the presence of this deponent sub-
scribe his name at the end of said paper-
writing, which is now shown as aforesaid,
and which bears date of the 28th day of
July 1894. And the deponent further saith:
That the said J. B. Lakey 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 & Testament and Codicil to the same
 and this deponent did thereupon subscribe his
 name at the end of said Will as an at-
 testing witness thereto, and at the request^{ed}
 in the presence of said testator. And this de-
 ponent further saith, that at the said time
 when the said testator subscribed his name
 to the said last Will & Codicil as aforesaid, ^{and}
 at the time of the deponent's subscribing his
 name as an attesting witness thereto, as afo-
 said, the said J. B. Lakey was of sound mind
 and memory, of full age to execute a will,
 and was not under any restraint, to the knowl-
 edge, information or belief of this deponent.
 And further these deponents say not.

Willis Meadows,
 C. R. Browning.

Solemnly sworn & subscribed, this 30th day of
 August 1894, before me.

Lee Crawford
 Clerk Superior Court

North Carolina } In the Superior Court,
 Macon County }

It is therefore Considered &
 adjudged by the Court that the said paper-
 writing and every part thereof is the last Will
 and Testament and Codicil to the same, of J.
 B. Lakey deceased. Let the said Will and
 Codicil, together with the probate, be recorded
 and filed. This Aug 30th 1894. D D D

testifying witnesses thereto, and at the request &c
in the presence of said testator. And this de-
ponent further saith, that at the said time
when the said testator subscribed his name
to the said last Will &c Codicil as aforesaid, &c
at the time of the deponents subscribing his
name as an attesting witness thereto, as afo-
said, the said J. B. Lakey was of sound mind
and memory, of full age to execute a will,
and was not under any restraint, to the knowl-
edge, information or belief of this deponent.
And further these deponents say not.

Willis Meadows,
C. R. Browning.

Severally sworn &c subscribed, this 30th day of
August 1894, before me.

Lee Crawford
Clerk Superior Court

North Carolina } In the Superior Court,
Macon County }

It is therefore considered &c
adjudged by the Court that the said paper-
writing and every part thereof is the last will
and testament and Codicil to the same, of J.
B. Lakey deceased. Let the said Will and
Codicil, together with the probate, be recorded
and filed. This Aug 30th 1894.

Lee Crawford
Clerk Superior Court