

County, by Frank Hardie. the executor therein mentioned, and the due execution thereof by the said Nancy Castle, did, by the oath and examination of J. J. Case and Florence Miller the subscribing witnesses thereto, who being duly sworn both before and say, and each for himself depose and saith, that he and she is a subscribing witness to the paper writing now shown him, purporting to be the last will and Testament of Nancy Castle dead, that the said Nancy Castle in the presence of this deponent subscribed her mark at the end of said paper writing, which is now shown as aforesaid, and which bears date of the 28th day of May 1700, and the deponent further saith, that the said Nancy Castle the testatrix aforesaid, did at the time of subscribing her mark, as aforesaid declare the said paper writing as subscribed by her and exhibited to her last will and Testament, and this deponent did thereupon subscribe his and her name at the end of said Will as an attesting witness thereto, and at the request and in the presence of said testatrix, and this deponent further saith, that at the same time when the said testatrix subscribed her mark, to the said last will as aforesaid, and at the time of the deponent's subscribing his and her name as an attesting witness thereto, as aforesaid, the said Nancy Castle, 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 these deponents say not.

J. J. Case
Florence Miller.

Solemnly sworn and subscribed
this 2nd day of May 1702.

A. S. Ellis, Clerk.

In W. & John. 216.

North Carolina } ss. In the Superior Court.
Ashe County }

It is therefore considered and adjudged by the Court, that the said paper writing, and every part thereof is the last will and Testament of Nancy Castle, dead, let the said will, together with the probate be recorded and filed. This 2nd day of May 1702.

A. S. Ellis,
Clerk.

I John H. Carson being in feeble health but of sound mind and disposing memory make this my last will and Testament in form following First I will that all my just debt and funeral expenses be paid. 2nd I will to my wife Ella H. Carson during her natural life or so long as she remains my widow the tract of land that I now live on adjoining the lands of S. Lumsford and others I also will her the use of my South Fork farm for five Year after my death, I also will her the use of all my personal property so long as she lives, to use for to support herself,

3rd After my wife has the use of my South Fork farm for five Year then my nephew Nathaniel Carson to have it he the said Nathaniel Carson to pay to Mary Ann Carson Martha Ellen Carson Chloe Carson and Emma Carson twenty five dollars each he the said Nathaniel Carson to be responsible for all Taxes on said tract of land, he to have possession at my death of all woodlands, on said tract after my wife's death I want the tract of land that I have herein willed to her sold and the proceeds to be divided as follows To Nathaniel Phipps fifty dollars Robert Phipps James Phipps Ellen Park, and John Phipps five dollars each the balance to be divided between my three brothers (twins) William Carson James Carson and Smith Carson, at my wife's death if there is anything left that belongs to my estate not herein mentioned it to be sold and the proceeds given to Chloe and Mary Ann Carson and to see this will executed I appoint my wife Ella H. Carson and Nathaniel Carson my Executors This May 2nd 1900

Attest

J. L. Wyatt

W. L. Griffith

John H. Carson

Since making the foregoing will I have changed my mind as follows that Nathaniel Carson pay to Mary Ann Carson fifty dollars instead of twenty five and that my wife have full control of all fenced land on my South Fork farm for the five Year named in said will then at the end of said five years he the said Nathaniel Carson to have said tract with all privileges to him heirs forever This March 1st 1902

John H. Carson

State of North Carolina } In The Superior Court
Ashe County }

A paper purporting to be the last Will and Testament of John H. Carson deceased, is exhibited before me, the undersigned Clerk of the Superior Court for said County by Ellen H. Carson one of the executors therein mentioned, and the due execution thereof by the said John H. Carson by the oath and examination of J. C. Wyatt and W. G. Griffith, the subscribing witnesses thereto, who being duly sworn, doth depose and say, and each for himself depose and saith, that he is a subscribing witness to this paper writing now shown him, purporting to be the last Will and Testament of John H. Carson that the said John H. Carson in the presence of this deponent acknowledged the execution and signature of his name at the end of said paper writing which is now shown as aforesaid, and which bears date the 2nd day of May 1900

And the Deponent further saith that the said John H. Carson the testator aforesaid, did at the time of acknowledging the execution and signature of 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 said testator. And this deponent further saith that, that at the same time when the said testator acknowledged the execution and signature of 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 John H. Carson 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 these deponents say not

Sworn and subscribed
This 17th day of May 1902 before me

Ed. Ellis

Clerk Superior Court

And it further appearing that there is a writing after the end of said Will purporting to be a Codicil thereto and bearing date of March the 1st 1902 and no witness being marked thereto thereupon J. C. Wyatt W. G. Griffith and W. M. Transon all being duly sworn each for himself says that he is acquainted with the handwriting of J. H. Carson the testator having seen his writing many times and that they and each of them verily believe that the Codicil appended to the said Will and every part thereof is in the genuine handwriting of the said testator J. H. Carson

Sworn and subscribed
This 17th day of May 1902 before me

Ed. Ellis Clerk Superior Court

North Carolina } In The Superior Court
Ashe County }

The foregoing Will with the Codicil thereto annexed is duly proven in manner and form as aforesaid. It is therefore considered and adjudged by the Court that the said paper writing and every part thereof is the last Will and Testament together with the Codicil of John H. Carson deceased. Let the said Will together with the Codicil and the probate be recorded and filed

This 17th day of May 1902

Ed. Ellis

Clerk Superior Court

J. C. Wyatt
W. G. Griffith

J. C. Wyatt
W. G. Griffith
W. M. Transon