

The State of North Carolina, In the Superior
Buncombe County Court.

In Re The Probate of the Will
of Clarence Johnson Barker, deceased. Probate

A paper writing, purporting to be the last will and testament of Clarence Johnson Barker, deceased, is exhibited for probate in open Court by Adèle Schmidt, the executor therein named, and the due execution thereof by the said Clarence Johnson Barker is proved by the oath and examination of C. N. Buckley and Daniel J. Augustine, the subscribing witnesses thereto.

It is therefore considered by the Court, that the said paper writing, and every part thereof, is the last will and testament of the said Clarence Johnson Barker, and the same is ordered to be recorded and filed.

And thereupon the said Adèle Schmidt, executrix as aforesaid, duly qualifies as such by taking the oath required by law; and being he now resident of the State files bond in accordance with Sections 1388 and 1515 of the Code of North Carolina in the sum of Six hundred thousand dollars, with the American Surety Company of New York, as surety, which bond is accepted, approved and filed according to law.

This 20th day of March, A.D., 1896.

J. L. Carthy
Clerk of the Superior Court of Buncombe Co.

North Carolina.
Buncombe County.

Whereas it has been suggested and made satisfactory to appear to the undersigned Clerk of the Superior Court of the County of Buncombe and State of North Carolina that Clarence Johnson Barker, late a resident of the said County of Buncombe, owning and possessing property in said County, has died leaving a written will with subscribing witnesses to the same

to-wit, in the State of New York, and it is desirable to obtain evidence and proof of the handwriting best of the testator, the said Clarence Johnson Barker, and of the witnesses to said will,
Now Therefore, The State of North Carolina to Edward Bruce, Gentling:

We reposing special trust and confidence in your integrity do authorize and empower you to take the examination of C. N. Buckley and Daniel J. Augustine, witnesses to said will, and of such other witnesses as may be produced before you touching the execution of said will of the said will of the said Clarence Johnson Barker, and to record such examinations and seal up and transmit the same to the undersigned Clerk of said Court, together with this commission.

Given under my hand and seal of office at the office of the Clerk of the Superior Court of said County of Buncombe this the 14th day of March, A.D., 1896.

Official Seal

J. L. Carthy
Clerk of the Superior
Court, Buncombe County,
North Carolina

State Of New York,
City And County Of New York, ss

I, Edward Bruce, Commissioner, duly appointed by the Superior Court of Buncombe County, North Carolina, to take the examinations in writing of C. N. Buckley and Daniel J. Augustine, witnesses to the will of Clarence Johnson Barker, deceased, late of said County of Buncombe, in the State of North Carolina, do certify that by virtue and in pursuance of the said commission to me directed, which is hereto attached, I caused the said C. N. Buckley and Daniel J. Augustine to appear before me in the City of New York on the 18th day of March, 1896, and, after having duly sworn said C. N. Buckley and Daniel J. Augustine to speak the truth, the whole truth and nothing but the truth, the said C. N. Buckley testified

My name is C.K. Buckley, and I am 61 years of age. On December 30, 1889, I resided at No. 462 Ninth Street, in the city of Brooklyn, New York, and at present reside at 802 Carroll Street, in the city of Brooklyn, New York. I recognize the paper handed me by the Commissioner, which consists of four type-written pages, the first three of which purport to be the ~~last~~ will of Clarence Johnson Barker, dated December 30, 1889, and signed "Clarence Barker"; the fourth page of which purports to be the certificate of the witnesses to said will. The said paper is the will of Clarence Johnson Barker, who was personally known to me, and who, on the 30th day of December, 1889, in my presence and in the presence of Daniel J. Augustine, signed, read, published and declared said paper as and for, and to be, his last will and testament; and at the request of said Clarence Johnson Barker, Daniel J. Augustine and I subscribed our names to said paper as witnesses thereto, and the said Clarence Johnson Barker signed the same as "Clarence Barker" in the presence of me and of said Daniel J. Augustine, and both of us signed the said will, as subscribing witnesses, in the presence of said Clarence Johnson Barker and in the presence of each other, and, likewise, subscribed our names at the same time, and at the request of the said Clarence Johnson Barker, and in his presence and in the presence of each other to the certificate or attestation immediately following the will proper.

at the time of the execution of said will by him, said Clarence Johnson Barker was of sound mind and disposing memory, and free from any restraint, duress, control or influence of any person or persons whatsoever.

and further, this Deponent said not.

C.K. Buckley

and the said Daniel J. Augustine testified and deposed, as follows;

My name is Daniel J. Augustine, and I am 34 years of age. On December 30, 1889, I resided at No. 7 7th Street, in the City of

and I at present reside at the same address, in said City of New York. I recognize the paper handed me by the Commissioner, which consists of four type-written pages, the first three of which purport to be the ~~last~~ will of Clarence Johnson Barker, dated December 30, 1889, and signed "Clarence Barker"; the fourth page of which purports to be the certificate of the witnesses to said will. The said paper is the will of Clarence Johnson Barker, who was personally known to me, and who, on the 30th of December, 1889, in my presence and in the presence of C.K. Buckley, signed, read, published and declared said paper as and for, and to be, his last will and testament; and at the request of said Clarence Johnson Barker, C.K. Buckley and I subscribed our names to said paper as witnesses thereto, and the said Clarence Johnson Barker signed the same as "Clarence Barker" in the presence of me and of said C.K. Buckley, and both of us signed the said will, as subscribing witnesses, in the presence of said Clarence Johnson Barker and in the presence of each other; and, likewise, subscribed our names at the same time, and at the request of said Clarence Johnson Barker, and in his presence and in the presence of each other, to the certificate or attestation immediately following the will proper.

at the time of the execution of said will by him, said Clarence Johnson Barker was of sound mind and disposing memory, and free from any restraint, duress, control or influence of any person or persons whatsoever.

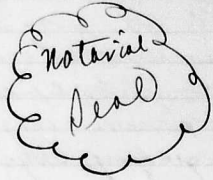
and further, this Deponent said not.

Daniel J. Augustine

The foregoing depositions of C.K. Buckley and Daniel J. Augustine were taken and written out by me in their presence, after they were each duly sworn, and were then read over and signed by each of them, respectively, in my presence; and in their

the last will and testament of Clarence Johnson Barker, referred to in their depositions and identified by them, and have also annexed the commission issued to me by the Superior Court of Buncombe County, North Carolina.

All done this 15th day of March, A. D. 1896.



Edward Bruce
Special Commissioner of the
Superior Court of Buncombe
County, North Carolina, and
Notary Public in and for
the City and County, and
State of New York.

I, Clarence Johnson Barker, Esquire, now residing at the Victoria Hotel, in the City and State of New York, United States of America, formerly a resident of 8 Port Street, Belgium, London, in the County of Middlesex, England, hereby revoke all former wills or other testamentary dispositions by me at any time heretofore made, and declare this to be my last will and testament.

Whereas I am entitled under the will of my late grandfather, Cornelius Vanderbilt, who died in or about the year one thousand eight hundred and seventy-five, to will or appoint one-fourth of the sum of Four Hundred and Eighty-eight Thousand Three Hundred and Fifty Dollars of the Four Per-cent United States of America Loan or Stock,

Now, Therefore, in exercise of the said power and of all other powers and authorities whatsoever enabling me in this behalf, I do hereby will and appoint the one-fourth of the sum of Four Hundred and Eighty-eight Thousand Three Hundred and Fifty Dollars of the Four Per-cent United States of America Loan or Stock and all income therefrom, and of all other sums or stocks whatsoever over which I have power of making a will or appointment or other disposition under the Will of my said

Twenty five Thousand Dollars thereof and the income therefrom unto my sister Virginia Bacon, the wife of W. R. Bacon, of London, now or lately residing in London, for her separate use.

Twenty five Thousand Dollars thereof and the income therefrom unto my sister Adele Schmidt, the wife of Frederick Schmidt, of Barman, Germany.

Twenty Thousand Dollars thereof unto my brother Cadley Barker, now or lately residing in the City, County, and State of New York, in trust, however, he to have the income thereof during his lifetime, the sum to be put in trust in the Union Trust Company of New York.

One Thousand Dollars thereof unto Madame Tranquier, of Paris, in France.

One Thousand Dollars thereof unto Madame Isabelle Brachetto, of Turin, in Italy.

Fifteen Hundred Dollars thereof I give and bequeath absolutely to my maid servant Frederick Farman.

All the rest, residue and remainder of the said one-fourth of the said sum of Four Hundred and Eighty-eight Thousand Three Hundred and Fifty Dollars of the Four Per-cent United States of America Loan or Stock and of all sums or stocks whatsoever over which I have a power of making a will or appointment or other disposition under the Will of my said Grandfather, not heretofore given and devised, I hereby direct to be placed in trust in the Union Trust Company of New York for the sole benefit of my cousins, Mrs. Medina, of New York, and Miss Eliza Russell, of Newrick, Cumberland & England, each to have one-half of the income thereof during their lives. The said Union Trust Company is hereby empowered to sell such American Loan or Stock or other securities hereby entrusted to said Company and to reinvest the proceeds thereof in such securities as said Company deems advisable in case it is

through to various issues, a more full of such stock and to make reinvestment of the proceeds thereof for the benefit of said trust.

I further hereby direct that the one-half of said sum, put in trust as aforesaid for the benefit of Miss Eliza Russell, after her death be given absolutely to Harold Barker, of Orange, New Jersey, son of Cadeby Barker, at his coming of age. And that Mrs. Medina, for whom the other half of said trust fund shall be held by said Trust Company as hereinbefore directed, shall have the power at her death to will and dispose of the same absolutely as she may wish.

I give, devise and bequeath to my sister Adele Schmidt, wife of Frederick Schmidt, my portrait and the frame thereof.

I give all my jewelry, trinkets and watches and ornaments of the person equally unto my said sisters Virginia Bacon and Adele Schmidt, and all my real estate and the residue of my personal estate whatsoever and wheresoever the same may be respectively situated, I give, devise and bequeath the same equally unto my said sisters Virginia Bacon and Adele Schmidt, and each of them, their respective heirs, executors, administrators and assigns, absolutely as tenants in common. And I direct that the share of my sister Virginia Bacon shall be held by her for her separate use. And I direct that all bequests made to or for any female who shall at the date hereof be unmarried shall, in case of subsequent coverture, be held and enjoyed by her for her separate use and payable to her on her separate receipt.

And I appoint my said sister Adele Schmidt to be sole executrix of this my Will.

In witness whereof, I have herewith subscribed my name and affixed my seal, to this my Will consisting of four sheets of paper inclusive of Attestation Clause, executed in duplicate, this thirtieth day of December in the year one thousand eight hundred and eighty-nine.

Witness:

C. H. Buckley

Daniel J. Augustine

Clarence Barker

Witnesses of Clarence Johnson Barker, the Testator named in the foregoing Will, in the presence of each of us, and at the time of making such subscription the above Instrument was declared by the said Testator to be his last Will and Testament and each of us, at the request of said Testator and in his presence and in the presence of each other, signs our names as witnesses thereto.

C. H. Buckley residing #62 North 4th Brooklyn N.Y.
Daniel J. Augustine residing No. 7 Dela St New York City

Brunswick County in Superior Court
Before J. B. Cathey
In the Matter of the Will of
Clarence Johnson Barker, Superior Court Clerk

That Clarence Johnson Barker, late of said County, is dead, having first made and published his last Will and Testament; and that Adele Schmidt is the executor named therein.

Further that the property of the said Clarence Johnson Barker, consisting of Stocks, Bonds of various corporations &c. Cash, plate and household furniture is worth about \$300,000.00 so far as can be ascertained at the date of this application and that Virginia Bacon, Adele Schmidt, Cadeby Barker, Madame Traugott, Mademoiselle Brachette, Mrs. Medina, Eliza Russell, Harold Barker, Frederick Hammann are the entitled under said Will to the said property.

Material Seal

Adele Schmidt
Sworn to and subscribed before me,
this 17th day of March, 1890
Edward Bruce
Notary Public
City and County of New York

State of North Carolina } ss In the Superior Court
Brunswick County }

I, Adele Schmidt, do swear (or affirm) that I believe this writing to be and contain the last Will and Testament of Clarence Johnson Barker, deceased; and that I will well and truly execute the same by first paying his debts and then his legacies, as far as the said estate shall extend, or the law will charge me, and that I will well and truly execute

the office of an executor agreeable to the trust and confidence reposed in me, and according to law; so help me God. Adele Schmidt

Sworn and subscribed before me,
this 17th day of March 1896.

Edward Bruce

Notary Public

City and County of New York,

North Carolina
Blount County

deed

In the Superior Court

M. the Master of the will
of Winnie Slays

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Before J. L. Bailey

Superior Court Clerk

Maggie Halyburton, being duly sworn doth say: That Wm. H. Slagle, late of said County is dead. Learning first made and published his last will and Testament naming no executor therein. Further that the property of said Wm. H. Slagle, consisting of realty and personally, is worth about \$20,000 as far as can be ascertained at the date of this application, and that affiant is the sole devisee and legatee named in said will and is the only party entitled under said will to the said property.

Maggie Halyburton

State of Georgia
Fulton County

This is to Certify that on the 28. day of February 1896 personally appeared before me Jas T Wright a Notary Public in and for the County of Fulton and State of Georgia, Maggie Haliburton to me well known and the person she represents herself to be and subscribed in my presence and by me was duly sworn to the foregoing Affidavit. In witness whereof I have hereunto, at my Office Seat in the City of Atlanta, County and State aforesaid on the day first written in this Certificate, set my hand and Notarial Seal

Jas J. Wright
 Notary Public and for the
 County of Fulton and State of Georgia

North Carolina
Fauconberg County

In the matter of the
Will of Winnie Doyle
Deceased

A paper writing dated August 7th 1894. Hereto attached marked exhibit "A" purporting to be the last will and testament of Winnie Sloger deceased, and another paper writing dated Oct 5 1894 also hereto attached and marked exhibit "B" purporting to be a Codicil to said last will and testament of the Winnie Sloger deceased and exhibited before me J. L. Beck of Superior Court of said County of Sancombe by Haggerty Burton the sole chosen & legal named executor in said Codicil and due execution of the said last will and testament and said Codicil attests of the said Winnie Sloger deceased, being proved by the oaths and examination of Wm. Henry & all subscribing witnesses to said last will & testament & H. B. & Wm. Henry subscribing envelopes to said Codicil, that is to say Wm. Henry being duly sworn doth depose & say that he is a subscribing to the paper writing now shown him & marked exhibit "A" dated August 7th 1894 & being hereto attached purporting to be the last will & testament of the said Winnie Sloger deceased that the said Winnie Sloger deceased in the presence of this deponent subscribed her name at the end of said paper writing which is now shown aforesaid, and, and this deponent further saith that the said Winnie Sloger the testatrix aforesaid at the time of subscribing her name as aforesaid executed said paper writing & subscribed by her & exhibited to be her last will and testament and this deponent did thereupon subscribe his name at the end of said will as an attesting witness thereto in the presence of said testatrix and at the request of said testatrix. And this deponent further saith that at the time when the said testatrix subscribed her name to the said last will & testament as aforesaid at the time of deponent's subscribing his name as an attesting witness thereto as aforesaid the said Winnie Sloger was of sound mind & free of full age to execute a will & was not under restraint to the knowledge, information or belief of this deponent and further this deponent saith that