

LAST WILL AND TESTAMENT OF CHARLES JOSEY

NORTH CAROLINA)  
:  
Catawba County.)

In case of death it is my will that the following disposition by made of my estate: -

1.

It is my will that all of my debts, costs of administration upon my estate and funeral expenses be paid out of my personal property and money arising from my insurance policies.

2.

All money, will stock and personal property of whatever description is to be divided in equal shares between my wife Millie D., and my two children, Ethel May and Clarence Klutz. Actual partition of will stock is to be made, and in case it is necessary to subdivide any share of said stock in order to make equal division, such share shall be sold for cash by my executor and proceeds divided equally, as directed above.

3.

It is my will that my wife Millie D. shall have an estate during her life in the house and lot in Maiden, N. C., upon which I now reside. My two children named above are to have the right and privilege of living with her, and occupying said house and lot as a home as long as they so desire. After the death of my wife, said house and lot is to go in equal shares to my two children herein named.

4.

I authorize and empower my executor, whenever he sees fit so to do, to sell my interest in the tract of real estate, known as the "Alex Brevard Land," upon such terms as in his discretion he may deem best, and make a deed therefor to the purchaser. The proceeds of such sale are to be divided equally between my wife and children herein named, who are hereby declared equal tenants in common in the said tract of land.

5.

I hereby designate and appoint Dr. J. A. Foil, guardian of my two children. In case he refuses to act, or a vacancy exists at any time in said office, the Clerk of the Superior Court of Catawba County is to appoint a proper person as successor. Said guardian is to expend such sums in maintenance and care for my children as to him may seem best. He is to pay especial care to their education, and such a one is to be given as will properly fit them for life

and he is authorized to spend such sums of money therefor as is in his discretion he may deem best.

6.

I designate and appoint my father-in-law, J. T. Huitt, executor of this my Last Will and Testament, with Witherspoon & Witherspoon, of Newton, N. C., to aid in management and settlement of my estate as legal advisers therefor.

Made as my Last Will and testament, at Maiden N. C. on the 18th day of March, 1907.

Charles Josey, (SEAL)

The undersigned witnessed the execution and signing of the above instrument by Chas. Josey, and hereto subscribe our names, in his presence and at his request as witnesses thereto.

D. M. Carpenter,

J. M. Holshouser.

North Carolina,)

Catawba County.)

I, Charles Josey, <sup>hereby</sup> ~~do make~~ and declare the following codicil to the last will and testament heretofore made by me on the 18th day of March, 1907.

1.

It is my will and desire that J. A. Foil, heretofore appointed guardian of my two children, keep my said children together so that they can have the pleasure and society of each other without ever being separated and placed in different homes, and that their education heretofore directed be conducted to that end. If it possible, it is my will that they be educated in the same school, when ever such course can be advantageously pursued. I charge my Executor and the Guardian of my children with a faithful performance of these requests.

Witness my hand and seal, March 19th, 1907.

Charles Josey, (SEAL)

Witnesses to signature  
of Charles Josey.

D. M. Carpenter.

J. M. Holshouser.