

Geo. F. Hendrix my Executor

In testimony whereof I Julia Marcus have hereunto set my hand in the presence of the subscribing witness this the 17 day of Sept 1927.

Signed Julia ^{her} X Marcus
mark

We the undersigned Witnesses to the signature of the maker of the above will in her presence and in the presence of each other saw her sign her name to the above will.

Signed } Glenn Hendrix
Elsie Queen.

Recorded Jan. 9, 1929.

State of North Carolina } ss. In the Superior Court.
Cherokee County.

A paper writing purporting to be the last Will and Testament of A. B. Smith, deceased, is exhibited before me, the undersigned, Clerk of the Superior Court for said County, by J. P. Smith one of the executors therein mentioned, and the due execution thereof by the said A. B. Smith is proved by the oath and examination of B. E. Robinson, and Everett A. Mintz, 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 the paper writing now shown him, purporting to be the last Will and Testament of A. B. Smith; that the said A. B. Smith, in the presence of this deponent, subscribed his name at the end of said paper writing, which is now shown as aforesaid, and which bears date of the 13th day of March, 1928.

And this Deponent further saith, that the said A. B. Smith 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 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 at the same time when the said testator subscribed his name to the said last Will as aforesaid, and at the time of the deponent's subscribing his name as attesting witness thereto, as aforesaid, the said A. B. Smith 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.

Severally sworn and subscribed,
This 11th day of January, 1929, before me.
B. E. Robinson
Everett A. Mintz
Clerk Superior Court.

State of North Carolina } ss. In the Superior Court.
Cherokee County.

A paper writing purporting to be a codicil to the last Will and Testament of A. B. Smith, deceased, is exhibited before me, the undersigned, clerk of the Superior Court for said county, by J. P. Smith one of the executors therein mentioned, and the due execution thereof by the said A. B. Smith is proved by the oath and examination of B. E. Robinson, J. H. Mintz and Everett Cook, 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 the paper writing now shown him, purporting to be a codicil to the last Will and Testament of A. B. Smith; that the said A. B. Smith, in the presence of this deponent, subscribed 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, 1928.

And this Deponent further saith, That the said A. B. Smith 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 a codicil to his last Will and Testament, and this deponent did thereupon subscribe his name at the end of said codicil to said Will, as an attesting witness thereto, and at the request and in the presence of said testator. And this deponent further saith that at the same time when the said testator subscribed his name to the said last Will as aforesaid, and at the time of the deponent's subscribing his name as attesting witness thereto, as aforesaid, the said A. B. Smith 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.

Severally sworn and subscribed, this 11th day of January, 1929, before me.

P. C. Hyatt

Clerk Superior Court.

B. E. Robinson

J. H. Mintz

Everett Cook

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

It is therefore considered and adjudged by the court that the said paper writing and the codicil thereto and every part thereof is the last Will and Testament of A. B. Smith, deceased. Let said Will and the codicil thereto, together with the probate be recorded and filed.

This 11th day of January, 1929.

P. C. Hyatt

Clerk Superior Court.

The last Will and Testament of Addison Baxter Smith, of Marble, Cherokee County, North Carolina, made and written by himself, and signed by his hand, this the 13th day of March, 1928; and which said will (this) supercedes all other wills or will made prior to this date, - and which wills or will shall now be destroyed.

Know all men by these presents: That I Addison Baxter Smith, of Marble, Cherokee County, North Carolina, being of sound body and mind, do hereby on this the 13th day of March, 1928, make and subscribe this my last will and Testament.

First:

I appoint and make my son, John P. Smith, of Marble, N. C., Executor and Administrator, and my daughter, Asie Smith, of Marble, N. C., Administratrix and Executrix, that after my death - and without bond, that they administer and execute the provisions of this my last will and Testament. (Neither of them shall be required to make bond)

Second:

My homestead consists of about one acre of land and the dwelling house near Marble. And the same is now free from any and all encumbrance whatsoever.

On my Ministerial Pastoral Book, #3, page 184, is shown an account of \$184.84, which is the sum Asie Smith invested in house repairs and in purchasing the