

State of North Carolina
Cherokee County

ss. In The Superior Court.

A paper writing purporting to be the last Will and Testament of F. R. Carter, deceased, is exhibited before me, the undersigned, Clerk of the Superior Court for said County, by J. L. Marrow the executor therein mentioned, and the due execution thereof by the said F. R. Carter is proved by the oath and examination of W. L. Garren and J. R. Morgan, the subscribing witness thereto, who being duly sworn, each 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 F. R. Carter; that the said F. R. Carter, 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 23rd day of July, 1928.

And this deponent further saith, that the said F. R. Carter the testator aforesaid, did, at the time of subscribing his name as aforesaid, declare the said paper writing as 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 F. R. Carter 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.

W. L. Garren
J. R. Morgan

Solemnly sworn and subscribed,
this 5th day of January, 1931,
before me.

J. E. Keener,
Clerk Superior Court.

North Carolina } ss. In the Superior Court.
Cherokee 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 F. R. Carter, deceased. Let said Will, together with the probate, be recorded and filed.

This 5th day of January, 1931.

J. E. Keener,
Clerk Superior Court.

North Carolina,
Cherokee County.

I, F. R. Carter of Cherokee County and State of North Carolina, being of sound mind, but considering the uncertainty of my earthly existence, do make and declare this my last Will and testimony:

First- My executors, hereinafter named, shall give my body a decent burial suitable to the wishes of my friends and relatives, and pay all funeral expenses, together with all my just debts, out of the first moneys which may come into their hands belonging to my estate, and that they shall have any

lettering, dates etc. that may be lacking on my wife Anna Carter and my tombstones entered thereon, and that they place at my parents grave a double monument with dates of birth, death etc. to cost not more than \$75.00, and also a monument at my beloved Brother Francis grave to cost in the vicinity of \$50.00, if one has not been placed there before this, my will, comes into effect.

Second- It is my desire that after my death all of my real estate with all improvements be sold and the proceeds of the same be disposed of as follows:

That Leonard, the son of Burton Carter, shall receive Three-hundred (\$300.00) Dollars; That Callie Carter-Garren shall receive Fifty (\$50.00) Dollars, and that Dora Carter-McCay shall receive Fifty (50.00) Dollars, and that the three youngest children of my beloved Brother Nathan Carter, by his last wife, shall each receive Fifty (\$50.00) Dollars; and that my beloved nephew Andrew Shadulick shall receive Fifty (\$50.00) Dollars; and that Ollie Carter-Anderson shall receive Fifty (\$50.00) Dollars; and that Arthur Carter shall receive One-hundred and fifty (\$150.00) Dollars; and that Walter Carter shall receive one-hundred (\$100.00) Dollars; and that Bertha Bandy shall receive Fifty (\$50.00) Dollars; and that Bob Gaddis shall receive the enlarged picture of my adopted daughter, Maude; and that Tom Payne, my beloved wife's only brother, shall receive the family clock and the family Bible; and that my beloved niece, Cordelia Dille, shall receive one-hundred (\$100.00) Dollars and one cow and also one half the proceeds of the kitchen and household effects when sold; and that Arthur Carter and B. H. Harris shall receive an equal share in the balance of the kitchen and

Household effects, when sold.

Third- It is my desire that my beloved nephew, B. H. Harris, shall receive at my death the following described real estate, provided he shall pay to J. M. Garren an order the sum of one-hundred and fifty-six (\$156.55) Dollars and fifty-five cents with interest from October 7, 1927 on or before October 7, 1928- To wit: Lying and being on the waters of Wolf Creek and adjoining the lands of Tom Burger, Charley Cross, Cordelia Dille and others and bounded as follows:

Beginning on a stake on the top of a ridge, the same being the south-west corner of Cordelia Dille land; Thence South, a conditional line (marked) to a poplar tree in Tom Burger's line; Thence East with said line, it being a conditional line, to a stake in the original line; Thence with said original line North to the top of a ridge to a white oak, being the South-east corner of Cordelia Dille's land; Thence a North-West direction to a spanish oak tree near the fence, a short distance North-east of a small house; Thence a conditional line across the field with Cordelia Dille's line, a West direction, to the beginning corner containing Twenty five (25) acres more or less, being part of tract # 137, with out any other obligation on his part, but if he shall fail to pay the above debt of one-hundred and fifty-six (156.55) Dollars and fifty-five cents with interest as above set out, then the above described real estate shall be sold and the above named amount taken from the proceeds and the said B. H. Harris shall receive the balance.

Fourth- It is my desire that the proceeds of my personal property, except as afore enumerated, shall be entered with the proceeds of the real Estate.

Fifth- It is my desire that the Thomasville Baptist

Orphanage shall receive Two Thousand (\$2000.00) Dollars.

Sixth - It is my desire that if there is not enough money to pay each of the individual beneficiaries, as above enumerated, and also meet the \$2000.00 for the orphanage, as above set forth, then any amount short, if any, shall be taken from the amount given the Orphanage, and if there shall be an amount greater than that enumerated above, then I desire that the excess shall be given the Minister's (Baptist) Relief Board of North Carolina.

Seventh - I hereby constitute and appoint my trusted friends J. L. Marrow and Arthur Carter my lawful executors to all intents and purposes to execute this my last will and testimony, according to the true intent and meaning of the same, and every part and clause thereof hereby revoking and declaring void all other wills and testaments by me heretofore made.

In Witness whereof, I, the said J. R. Carter do here unto set my hand and seal, This July 23 1928.
J. R. Carter Seal.

Signed, sealed, published and declared by the said J. R. Carter to be his last will and testament in the presence of us, who, at his request and in his presence, and in the presence of each other, do subscribe our names as witnesses thereto.

Witness W. L. Garren
Witness J. R. Marrow.

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

A paper writing purporting to be a codicil to the last Will and Testament of J. R. Carter, deceased, is exhibited before me, the undersigned, Clerk of the Superior Court for said county, by J. L. Marrow the executor therein mentioned, and the due execution thereof by the said J. R. Carter is proved by the oath and examination of W. L. Garren and Josie Garren, the subscribing witness thereto, who being duly sworn, doth depose and say, and each for himself deposeth 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 J. R. Carter; that the said J. R. Carter, 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 23rd day of October, 1928.

And this deponent further saith, that the said J. R. Carter 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 codicil of said last Will as aforesaid, and at the time of the deponent's subscribing his name as attesting witness thereto, as aforesaid, the said J. R. Carter was of sound mind and memory, of full age to execute a codicil to said Will, and was not under any restraint, to the knowledge

information or belief of this deponent: and further these deponents say not.

W. L. Garren
Josie Garren

Solemnly sworn and
subscribed, this 5th day
of January, 1931, before me.

J. E. Keener
Clerk Superior Court.

*

North Carolina
Cherokee County.

I, J. R. Carter of Cherokee County and state of North Carolina, being of sound mind, but considering the uncertainty of my earthly existence, do make and declare this to be an addition to my last Will and Testament made and dated July 23, 1928.

1. That where I provided that Rutha Bandy should receive fifty dollars that this clause shall be stricken out.
2. That I desire that Bob Dean shall receive an enlarged picture of his mother, my beloved wife, Anna Carter, and also a flax spinning wheel and a one gallon stone pitcher.

In Witness whereof, I the said J. R. Carter do hereunto set my hand and seal, this October 23, 1928.

J. R. Carter Seal.

Signed, Sealed published and declared by the said J. R. Carter to be his last Addition to his Will and Testament, in the presence of us, who, at his request and in his presence, and in the presence of each other, do subscribe

our names as witnesses thereto.

Witness W. L. Garren
Witness Josie Garren.

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 J. R. Carter, deceased, is exhibited before me, the undersigned, Clerk of the Superior Court for said county, by J. L. Morrow, the executor therein mentioned, and the due execution thereof by the said J. R. Carter is proved by the oath and examination of W. L. Garren, and E. W. Redford, the subscribing witness 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 J. R. Carter; that the said J. R. Carter, 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 23rd day of April, 1929.

And this deponent further saith, that the said J. R. Carter 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

North Carolina, Cherokee County, ss. In the Superior Court,
I, J. E. Keener, Clerk of said Court, do hereby certify that the foregoing is a true and correct copy of the last Will and Testament of J. R. Carter, deceased, as the same appears from the records of said Court, and that the same was duly admitted to record on this 5th day of January, 1931.

his name to the said Codicil to said last Will as aforesaid, and at the time of the deponents subscribing his name as attesting witness thereto, as aforesaid, the said J. R. Carter was of sound mind and memory, of full age to execute a codicil and was not under any restraint, to the knowledge, information or belief of this deponent. And further these deponents say not.

W. L. Garren
E. W. Lidfard

Personally sworn and
subscribed, this 5th day
of January, 1931, before me.

J. E. Keener
Clerk Superior Court.

North Carolina
Cherokee County.

} ss. In the Superior Court.

It is therefore considered and adjudged by the Court that the said paper writing and every part thereof is a codicil to the last Will and Testament of J. R. Carter deceased.

Let said Will, together with the probate, be recorded and filed.

This 5th day of January, 1931.

J. E. Keener
Clerk Superior Court.

North Carolina,
Cherokee County.

1. I, J. R. Carter, of Cherokee County and State of North Carolina, being of sound mind, but considering the uncertainty of life, do make and

declare this to be an addition to my last will and Testament made and dated July 23, 1928.

2- It is my desire that my Executors, as mentioned in the Will, shall have a deed, that I and my Wife, Anna, made to Cordelia Rodgers-Wills placed on record for her, and her given full possession of the land therein described at my death.

3- It is my desire that my executors shall give to my beloved namesake, Fred Stuart, son of Bob and Dollie Stuart, Fifty Dollars to be placed in a bank at interest to be his and to be paid to him on his 21st birthday, and if in the event the said Fred Stuart should die before his 21st birthday, then the said amount shall be equally divided between his brothers and sisters.

4- It is my desire that my beloved nephew, B. H. Harris shall have the land described in my Will under section "Third," with the conditions therein stated removed.

In Witness Whereof, I, the said J. R. Carter do hereunto set my hand and seal, this April 23, 1929.
J. R. Carter Seal

Signed, Sealed, Published and declared by the said J. R. Carter to be his last addition to his Will and Testament, in the presence of us, who, at his request and in his presence and in the presence of each other, do subscribe our names as witnesses thereto.

Witness

W. L. Garren

Witness

E. W. Lidfard.

State of North Carolina.
Cherokee County.

{ ss. In the Superior Court.

A paper writing purporting to be a codicil to the last Will and Testament of F. R. Carter, deceased, is exhibited before me, the undersigned, Clerk of the Superior Court for said County, by J. L. Morrow the executor herein mentioned, and the due execution thereof by the said F. R. Carter is proved by the oath and examination of W. L. Garren and Josie Garren, the subscribing witnesses thereto, who being duly sworn, each 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 F. R. Carter; that the said F. R. Carter, 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 11 day of July, 1929.

And this deponent further saith, that the said F. R. Carter the testator aforesaid, did, at the time of subscribing his name as aforesaid, declare the said paper writing as 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 codicil of said last Will as aforesaid, and at the time of the deponent's subscribing his name as attesting witness thereto, as aforesaid, the said F. R. Carter was of sound mind and memory,

of full age to execute a codicil to said Will, and was not under any restraint, to the knowledge, information or belief of this deponent; and further these deponents say that.

W. L. Garren
Josie Garren

Personally sworn and
subscribed, this 5th day
of January, 1931, before me.

J. E. Keener
Clerk Superior Court.

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

It is therefore considered and adjudged by the Court that the said paper writing and every part thereof is a codicil to the last Will and Testament of F. R. Carter, deceased.

Let the said Will, together with the probate, be recorded and filed.

This 5th day of January, 1931.

J. E. Keener,
Clerk Superior Court.

North Carolina
Cherokee County.

1. I, F. R. Carter of the above named State and County, being of sound mind do make and declare this to be an addition to my last Will and Testament made and dated July 23, 1928.

2. It is my desire that my executors, as mentioned in the Will, shall give to Bob Dean the enlarged picture as mentioned in my Will.

of July 23, 1929 under section "2" but that it shall be the picture with the hat on her

I--- It is my desire that my beloved nephew W. A. Carter shall receive an enlarged picture of myself and of my beloved wife, Anna Carter.

In witness whereof, I, the said J. R. Carter, do here unto set my hand and seal, this July 11, 1929.

J. R. Carter Seal.

Signed, Sealed, published and declared by the said J. R. Carter to be his last addition to his will and Testament, in the presence of us, who, at his request and in his presence, and in the presence of each other, do subscribe our names as witnesses thereto.

Witness W. L. Garren

Witness Josie Garren

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

A paper writing purporting to be a codicil to the last Will and Testament of J. R. Carter, deceased, is exhibited before me, The undersigned, Clerk of the Superior Court for said County, by J. L. Marrow the executor therein mentioned, and the due execution thereof by the said J. R. Carter is proved by the oath and examination of W. L. Garren and L. H. Marr, the subscribing witness 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 J. R. Carter; that the said J. R. Carter, 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 21st day of September, 1929.

And this deponent further saith, that the said J. R. Carter the testator aforesaid, did, at the time of subscribing his name as aforesaid, declare the said paper writing as 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 codicil to said last Will as aforesaid, and at the time of the deponent's subscribing his name as attesting witness thereto, as aforesaid, the said J. R. Carter was of sound mind and memory, of full age to execute a codicil to a will, and was not under any restraint, to the knowledge information or belief of this deponent. And further these deponents say not.

L. H. Marr

W. L. Garren

Solemnly sworn and subscribed, this 5th day of January, 1931, before me.

J. E. Keener

Clerk Superior Court.

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

It is therefore considered and adjudged by the

Court that the said paper writing and every part thereof is a codicil to the last Will and Testament of J. R. Carter, deceased.

Let said Will, together with the probate, be recorded and filed.

This 5th day of January, 1931.

J. E. Keener,
Clerk Superior Court

North Carolina
Cherokee County.

1. I, J. R. Carter of the above named State and County, being of sound mind, but considering the uncertainty of life do make and declare this to be another addition to my last Will and Testament, made and dated July 25, 1928.

2. It is my desire that Bertha Bandy, Marion Carter, Jake Carter, Josie Carter-Stennett, and Sarah Irons shall receive Fifty (\$50.00) Dollars at my death, and that Lara Carter-Gaddis shall receive Twenty-Five (\$25.00) Dollars at my death, and that my beloved friend J. L. Marrow shall receive my pocket knife at my death, the same knife having two pictures of girls in bathing suits in the handles.

3. It is my desire that my beloved nephew, Arthur Carter, be relieved of the responsibility of executor of this my last Will and Testament and that my friend J. L. Marrow act as executor of this my last Will and Testament alone.

In witness whereof, I, the said J. R. Carter do hereunto set my hand and Seal this Sept. 21, 1929.

J. R. Carter. Seal

Signed, sealed, published and declared by the said J. R. Carter to be his last Will and Testament in the presence of us, who, at his request and in his presence, and in the presence of each other, do subscribe our names as Witnesses Thereto.

Witness L. H. Marr
Witness W. L. Garrett

Recorded Jan. 7th - 1931