

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

A paper purporting to be the last Will and Testament of George H. Lutter, deceased, is exhibited before me, the undersigned Clerk of the Superior Court for said County, by Will Lutter, the executor thereon mentioned, and the due execution thereof by the said George H. Lutter is proved by the oath and affirmation of Clyde H. Jarrett and H. M. Whitaker, the subscribing witnesses thereto, who being duly sworn, both before and day, did each for himself depose and swear, that he is a subscribing witness to the paper purporting now shown him, purporting to be the last Will and Testament of George H. Lutter; that the said George H. Lutter, in the presence of this deponent, subscribed his name at the end of said paper purporting, which is now shown as aforesaid, and which bears date of the 9th day of June, 1927.

And this deponent further saith, that the said George H. Lutter, the testator aforesaid, did, at the time of subscribing his name as aforesaid, declare the said paper purporting 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 George H. Lutter 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 no.

Clyde H. Jarrett
H. M. Whitaker

Subscribed, sworn and
Subscribed, this 25th
day of March, 1931

P. C. Hyatt, Deputy 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 purporting and every part thereof is the last Will and Testament of George H. Lutter, deceased. Let said Will, together with the probate, be recorded and filed.

This 25th day of March 1931

P. C. Hyatt,
Deputy Clerk Superior Court

North Carolina }
Cherokee County

I, George H. Lutter, of the aforesaid State and County being of sound mind, but considering the uncertainty of my earthly existence, do make and declare this my last will and testament:

First: My Executor 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 of my just debts (if any) out of the first moneys which may come into his hands belonging to my estate.

Second: I give and devise to my beloved wife Lena Lutter, all of my lands and tenements together with all of my personal property of every kind and nature, including money on hand, house hold and kitchen furniture, provisions, live

Stock and each and every item of property that has not been otherwise disposed of prior to my death, the same to be used by her during her natural life, and at her death to be disposed of by my executor hereinafter named, according to the provisions hereinafter set out in this instrument.

Third: It is my will and request that my executor hereinafter named shall aid and assist my beloved wife the said Laura Lutter in the management of my said estate during her natural life, to the end that she shall be fully protected in all of her rights and benefits accruing from my said estate, and to personally see that she is comfortably provided for and at her death to dispose of all of my said estate as follows: First, to pay, all of her funeral expenses together with all of her just debts (if any).

Fourth: That my beloved daughter, Julia Lutter, shall in consideration of her faithful service in taking care of myself and her mother during our declining days, have in addition of the lands that I have heretofore deeded to her, said deed to be operative and effective at my death, have all of the household and kitchen furniture that my wife is possessed of at the time of her death, and further to have the sum of Two Thousand (\$2,000.00) in money.

Fifth: That my beloved daughter Sarah E. Lumsford, shall have out of my estate at the time of the death of my beloved wife Laura Lutter, the sum of One Thousand Dollars (\$1,000.00) in money.

Sixth: It is my will and request that all of the remainder of my estate left after the death of my beloved wife Laura Lutter, except such as has been otherwise disposed of

in this instrument, shall be equally divided between my seven other children as follows: Mary J. Adams, Will Lutter, Sherman Lutter, Harrison Lutter, James Lutter, Beulah Lutter and Laura Lumsford, to the end that each and every one of them shall have an equal amount in money value out of the remainder of my said estate, which shall include all lands, money, notes, live stock, provisions, and each and every parcel of property of every kind and nature whether real estate, personal property or mixed.

Seventh: I hereby constitute and appoint my trusty son Will Lutter, my lawful executor to all intents and purposes, to execute this my last will and Testament, according to the true intent and meaning of the same, and every part and clause thereof, hereby revoking and declaring utterly void all other wills and Testaments by me heretofore made.

In witness whereof, I the said George Lutter, do hereunto set my hand and affix my seal, this the 9th day of June, 1927 George Lutter Seal

Signed sealed and delivered in the presence of

Clyde H. Garrett.
H. M. Whitaker

Filed Mar. 25, 1931
Recorded Mar. 25, 1931