

Melina Carringer, widow of A. M. Carringer, breed, has filed her dissent from this will, on this the 5th day of February, 1921. See page 447, et seq.

North Carolina } Last Will and Testament.
 Cherokee County } of.
 A. M. Carringer.

In the name of God, Amen!

I, A. M. Carringer being of sound mind and memory, but knowing the uncertainty of human life, do now make and publish this my last will and Testament, that is to say, I give my Soul to the God who gave it, and all my property both real and personal I give and bequeath to my son, John B. Carringer.

I appoint my father, J. B. Carringer to be sole Executor of this my will. In the event of his death before my son John B. Carringer reaches his majority, I then appoint my Brother-in-law, Neil Sued, to be sole Executor of this my will.

A. M. Carringer (Seal)

Signed, Sealed, published and declared by the said A. M. Carringer the testator as and for his last will and Testament: and we, at his request and in his presence, and in the presence of each other, have hereto subscribed our names as witnesses thereto, this 17th day of October 1929.

J. M. Davidson
 E. C. Maloney

(Seal)
 (Seal)

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

A paper writing purporting to be the last Will and Testament of J. R. Rogers, deceased, is exhibited before me, the undersigned, Clerk of the Superior Court for said County, by C. Ches Smathers ~~attorney and counsel~~ and the due execution thereof by the said J. R. Rogers is proved by the oath and examination of C. Ches Smathers and J. E. Kephart, the subscribing witness thereto, who being duly sworn, doth depose and say, and each for himself, depose and say, that he is a subscribing witness to the paper writing now shown him, purporting to be the last Will and Testament of J. R. Rogers; that the said J. R. Rogers, in the presence of them deponents, subscribed his name at the end of said paper writing, which is now shown him as aforesaid, and which bears date of the 27th day of October, 1918.

And this Dependent further saith, that the said J. R. Rogers 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 Dependent 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 Dependent further saith that at the time when the said testator subscribed his name to the said last Will as aforesaid, and at the time of the Dependent's subscribing his name as attesting witness thereto, as aforesaid, the said J. R. Rogers was of sound mind and memory, of free 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.

Sworn and
Subscribed, this 21st day
of October, 1930.

D. Hyatt,
Clerk Superior Court

W. H. Smathers
J. H. Kephart

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 J. P. Rogers, deceased.

Let said will, together with its probate,
be recorded and filed.

This 21st day of October, 1930

D. Hyatt,
Clerk Superior Court

Page One
State of North Carolina,
County of Cherokee.

I, J. P. Rogers, of the
State of North Carolina, County of Cherokee, being
of sound mind, but considering the uncertainty
of my earthly existence, do make and de-
clare this my last will and Testament;

First. John H. Rogers Executor

My executor, herein 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. All of the first money which
may come into his hands belonging to my
estate.

Second.

I give and devise to my beloved son,
William Monteville Rogers the tract of land
on which I now reside, containing about
(60 acres more or less lying and being in the
State of North Carolina, Cherokee County, and
described as follows:

Description.

In Valley town Township District No. (7)
Seven on the waters of Tatham Creek and
being that apart of Tract No. 39 known as
the Crawford Place,
Beginning on a black oak in the line of Tract 39 and 40,
a corner of a lot formerly sold to M. V. York, and runs with
his line west two hundred and eighty feet to a stake;
thence north 29 poles to a black gum, this with west corner;
then west with the original line of this part of Tract 39, 90 1/2 and
one half poles to a corner on top of the Tatham Ridge;
thence Southward with the meanders of the top of said ridge
to a corner on top of the same in the line of 39 and 40; then
with the original line of Tract 39 and 40 East 92 poles to a
stake, the South East Corner of Tract 39, and the North East Corner
of Tract 40, and in the line of Tract 40, then with the line of said
Tract, north 64 poles to the beginning, containing 60 acres more
or less, together with all other real and personal property of
which I may die possessed, for his only use and behoof
forever upon the following conditions hereinafter mentioned.

Condition No. one.

That is to say The said William Monteville Rogers shall
keep, maintain, and provide for my Beloved daughter, Miss
Emma Rogers a home and subsistence for her natural
life, with kind and gentle treatment, and he shall provide
for all her physical needs at his own expense.

Condition, Two.

In case the said William Monteville Rogers shall survive
the said Miss Emma Rogers, then he shall furnish and provide
for her, at his own expense, a good and decent burial.

Condition. Three.

But in case the said Miss Emma Rogers shall survive the said William Monteville Rogers, then all of the said real and personal property herein granted, devised and bequeathed to the said William Monteville Rogers shall, immediately upon his death, become and become the property of the said Miss Emma Rogers, to have and to hold the same in fee forever,

Condition. Four.

The said William Monteville Rogers shall pay to my beloved daughters, my fourth and fifth lawful heirs, Mrs Jessie Moulton and Mrs Lottie Watkins each the sum of one hundred dollars (\$100.00) the same to be their just and sufficient shares of my said estate, provided that the said amounts of \$100.00 each shall not be due and payable until such time or times as the said William Monteville Rogers shall reasonably be able to make such payments without undue sacrifice or embarrassment upon his part. Upon the failure to pay to the said Mrs Jessie Moulton and Mrs Lottie Watkins the said sums of \$100.00 each prior to their death, then the said amount, immediately upon their death or deaths, shall become due and payable to their heirs

Third. I hereby give, devise and bequeath to my second lawful heir, my beloved son John H. Rogers, that lot or parcel of land upon which he has been living for a number of years, and upon which he now resides, the same having been conveyed to him by deed from me in fee simple forever, the same to be in full satisfaction as his sufficient share of all my said estate -

Fourth-

I hereby constitute my son John H. Rogers, 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 disavowing hereby void all other wills and Testaments by me heretofore made.

In witness whereof I, the said J. R. Rogers, do hereby set my hand and seal, this 27th day of October 1918.

J. R. Rogers. *[Signature]*

Signed, sealed, published and declared by the said J. R. Rogers to be his last will and Testament in the presence of us, who, at his request,

and in the presence and in the presence of each other, do subscribe our names as witnesses.

C. Chas Smith, J. E. Kephart-