

State of Georgia
County of Cobb }

Be it Remembered that on this the 20 day of November, 1930, E. B. Clary and wife, Annie Marks Clary, personally appeared before me and each of them being first duly sworn, each for himself and herself, doth say: That he and she are subscribing witnesses to the paper writing now shown him and her, purporting to be the last will and testament of S. E. King, deceased, late of Murphy, Cherokee County, North Carolina, and a codicil to said will; that he and she saw the said S. E. King execute the said last will and testament and the said codicil, and that each attested it in the presence of, and at the request of, said S. E. King, deceased, as well as the codicil thereto, and at the time of the execution of the said will and of the said codicil, the said S. E. King was, in the opinion of each of the affiants, of sound mind and disposing memory. Each affiant further says that he and she signed the said will and the said codicil in the presence of each other, and in the presence of the said S. E. King, deceased, at her instance and request, and that each affiant resides out of the State of North Carolina, and in the County of Cobb in the said State of Georgia, and that they make this affidavit to the end that the said will and codicil may be probated in the County and State of the late residence of the said S. E. King, deceased.

In Testimony Whereof, I John F. Petty N.P., a Notary Public in and for said County and State, have caused the said witnesses to subscribe this Affidavit, the day and year above written, and I attach below the proper jurat; this Affidavit is returned by me together with the said last will and testament and said codicil, to the Clerk of the

Superior Court of Cherokee County, Murphy, N.C., for proper order of probate.

Annie Marks Clary Affiant
Ernest B. Clary Affiant

Subscribed and sworn to before me
This November 20th 1930.

John F. Petty, Notary Public, Cobb County, Georgia.
(N.P. Seal) My commission expires 1932.

North Carolina,) In the Superior Court.
Cherokee County.)

In Re:
Last will and testament
of S. E. King, deceased.

ORDER

A paper purporting to be the last will and testament of S. E. King, deceased, late of said County and State, having been mailed to the undersigned Clerk by John F. Petty a duly qualified and acting Notary Public in and for the County of Cobb, State of Georgia, to which said paper writing said Notary has attached Affidavits of E. B. Clary and wife, Annie Marks Clary, subscribing witnesses to said will, wherein it appears that the execution of said will by said S. E. King, deceased, is duly proved by the oath and examination of each of said witnesses, as required and provided by law, thereupon.

It is Considered and Adjudged by the Court that the said paper writing, and every part thereof, is the last will and testament of S. E. King, deceased, and the same, with the oath and examination of said E. B. Clary and wife, Annie Marks Clary, and this order or decree are ordered to be recorded and filed, and the executrix, Dixie Dillard, named in said will, is hereby permitted to qualify as such executrix under said will.

This December 3rd 1930.

J. E. Keener Clerk
Cherokee County North Carolina Superior Court

I, S. E. King, of Cherokee County, realizing the uncertainty of life, do make and declare this my will:

I give and bequeath whatever property of whatever kind I may have at my death to my daughter, Dixie, after my debts and expenses incident to my burial shall have been first paid, except I wish and will that, my grandson Frederick Lee King, ^{if he shall live to that age,} shall have the sum of one hundred and fifty Dollars, when he attains the age of twenty one years, + if he should die before reaching his majority, that this sum shall go to my said daughter, or to the beneficiary of her estate.

I appoint my said daughter, Dixie, wife of John H. Dillard, my Executor.

In witness whereof, I have hereunto set my hand + seal this February 28th 1925.

S. E. King (seal)

Signed, sealed, published + declared to be the last will and testament of S. E. King, by her, in the presence us, who, in her presence and at her request, and in the presence of each other, hereto subscribe our names as witnesses, this Feb'y 28th 1925

Annie Marks Clary
Ernest G. Clary

Witnesses

Reaffirming the foregoing and attached one sheet, my last will + testament, I desire to add a Codicil to the same setting out more fully my wish as to the bequest to my grandson Frederick Lee King: I direct, in case my said grandchild survive me that soon after my death my Executor shall place the amount bequeathed my said grandson at interest, + that the yearly interest be paid him each year until he shall arrive at the full age of

twenty one years when the principal shall all then be paid to him. It is my wish that my will as to this amount, should my said grandson die before attaining the age of twenty one, shall stand.

Witness my hand + seal this Sept 9th 1925

S. E. King (seal)

Signed, sealed, published + declared to be a Codicil to the last will, + testament of S. E. King in our presence, who in her presence + in the presence of each other, and at her request, subscribe our names here to, as witnesses Sept. 9th 1925

Annie Marks Clary
Ernest G. Clary

Recorded this 7th day of December 1925.

I, S. E. King, of Cherokee County, realizing the uncertainty of life, do make and declare this my will:

I give and bequeath whatever property of whatever kind I may have at my death to my daughter, Dixie, after my debts and expenses incident to my burial shall have been first paid, except I wish and will that, my grandson Frederick Lee King, ^{if he shall live to that age,} shall have the sum of one hundred and fifty Dollars, when he attains the age of twenty one years, + if he should die before reaching his majority, that this sum shall go to my said daughter, or to the beneficiary of her estate.

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Annie Marks Clary
Ernest G. Clary

Recorded this 7th day of December 1925.