

Commonwealth of Massachusetts,
In force ss. Probate Court.

I, James H. Flint, Esquire, Judge of the Probate Court within and for the County of Norfolk County certify that John D. Cobb, whose signature is affixed to the annexed certificate and attestation, is the Register and proper certifying officer of said Court, and has by law the custody of the seal, and all the records, books, documents and papers, of or appertaining to said Court, and that said certificate and attestation are in due form, and entitled to full faith & credit.

In witness whereof, I have hereunto set my hand, this twenty ninth day of May, in the year of our Lord nineteen hundred and seven.
(Seal) Signed James H. Flint,
Judge of Probate Court.

Recorded in Book H. of Wills pages 248
& 260 inclusion. June 8th 1907.

A. A. Fawcett
Clerk Superior Court.

North Carolina
Buncombe County

In the Superior Court.

In the matter of the Will of Alfred J. Cummer.

Before Marcus Erwin Clerk.

Marianne Cummer being duly sworn, says: That Alfred J. Cummer, late of said County, is dead, having first made and published his last Will and Testament; and that she the said Marianne Cummer, is the executrix therein named.

Further that the said Alfred J. Cummer left real and personal property in this State, consisting of real estate, situate in the County of Cherokee, of the value of about eight thousand dollars, so far as can be ascertained at the date of this application, and also money invested in bonds and stocks, the amount of which has not yet been ascertained by this applicant, and that the applicant is the sole devisee and legatee, and is solely entitled under said Will to the property.

And further that the said Alfred J. Cummer wrote and executed his said last Will and Testament in the County of Anderson and State of Tennessee, while residing in said State, and that G. S. Kincaid and W. S. McKamey are the subscribing witnesses thereto, and that said witnesses reside in said County of Anderson and State of Tennessee, and that she is unable to prove their handwritings in this State.

Wherefore she prays that the Clerk of said Court issue a Commission to such person as he may select, authorizing the said Commissioner to take the examination of said witnesses touching the execution of said Will, and to return the Commission with the examination of said witnesses to this Court, as provided by the Statute in such cases.

Marianne Cummer

Sworn to and subscribed before me this the 11th day of February 1907.

(Notarial Seal)

Archibald S. Montcalm
Notary Public for Buncombe Co.

State of North Carolina
Barnstable County

In the Superior Court
Before Marcus Erwin Clerk

In the matter of the Will of
Alfred J. Cammer. } of Witnesses,

State of North Carolina, to Hon. J. Hicks, Judge:
We reporting official trust and confidence
in your integrity, do authorize and empower you
to cause R.S. Kincaid and W.S. McHenry to appear
before you at such time and place as you may
appoint, and then enquire to examine, touching all
such matters and things as they shall know of and
concerning a certain paper writing purporting to be
the last Will and testament of Alfred J. Cammer, dated
bearing date the 21st day of June, 1897 and of and
concerning the execution thereof by the said Alfred J.
Cammer, and the depositions and examinations in writing
by you as taken. The same to transmit sealed with your
seal, to our said Superior Court, together with this
commission.

Witness, Marcus Erwin, Clerk of said Court,
at Asheville, in the said County of Barnstable and
State of North Carolina, this 11th day of February,
1907.

(Official Seal)

Marcus Erwin
Clerk Superior Court.

State of Tennessee } Before Hon. J. Hicks, Commissioner
County of Anderson }
In the matter of the Probate
of the Will of Alfred J. Cammer.

A paper writing purporting to
be the last Will and testament of Alfred J. Cammer,
deceased, is exhibited before me, the undersigned
Commissioner appointed by the Court of the Superior
Court of and for the County of Barnstable and State
of North Carolina, by George A. Shuford, Counsel for
Marion Cammer, the executing thereof was witnessed
and the due execution thereof by the said Alfred J.
Cammer, is proved by the oath and examination of
R.S. Kincaid and W.S. McHenry the subscribing

witnesses thereto, who being by me duly sworn, each
depose and say, and each for himself, deposes and
saith that he is a subscribing witness to the paper
writing now shown him, purporting to be the last Will
and testament of Alfred J. Cammer: that the said Alfred
J. Cammer in the presence of this deponent, subscribed
his name at the end of said paper writing now shown
as aforesaid, and which bears date the 21st day of June
A.D. 1897.

And the deponent further saith, that the said
Alfred J. Cammer the testator aforesaid, declared the said
paper writing to be his last Will and testament, and
threw upon the deponent 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
said time when the said testator subscribed his name to
the said last Will and testament as aforesaid, and at the
time of the deponent's subscribing his name as attesting
witness thereto, as aforesaid, the said Alfred J. Cammer
was of sound mind and memory, of full age to execute
a Will, and was not under any restraint, within the
knowledge, information or belief of this deponent:
and further these deponents say not.

R.S. Kincaid
W.S. McHenry

Personally sworn to and subscribed, this 12th day of
February, 1907, before me, the undersigned Commissioner.

And at the same time and place I proceeded to take
depositions of said subscribing witnesses, touching the
execution of said paper writing by the said Alfred J.
Cammer as his last Will and testament, and transmit
said depositions as a part of the probate of
said Will.

Hon. J. Hicks,
Commissioner.

State of Tennessee / Before Xerz. Hicks, Commissioner,
County of Anderson /

In the matter of the Probate of / Depositions of
the Will of Alfred J. Cammer, / A.S. Kincaid and W.S. McKamey

Pursuant to the aforesaid Commission directing the undersigned, Xerz. Hicks, to take the Depositions of R.S. Kincaid and W.S. McKamey, touching all such matters and things as they shall know of and concerning a certain paper writing purporting to be the last Will and Testament of Alfred J. Cammer deceased, bearing date of the 21st day of June 1897, and of and concerning the execution thereof by the said Alfred J. Cammer, I proceeded, at my Office in the Town of Clinton, County of Anderson, in the State of Tennessee, on the 12th day of February 1907, at 11 O'clock A.M. in the presence of George A. Shuford, Esq., Counsel for executor as a decessor and legator under said Will, to examine said witnesses who being by me first duly sworn upon the Holy Evangelists of Almighty God, to speak the truth, the whole truth and nothing else but the truth of and concerning said matters of enquiring, depose and say, and each for himself depose and says as follows, to-wit:—

R.S. Kincaid, being first examined by George A. Shuford Counsel as aforesaid, testified as follows:

Q. What is your name, age, occupation, and where do you reside?

A. My name is Rufus S. Kincaid my age is 54 years last June, I am Cashier of the Union Bank of Clinton, and I reside in Clinton, Tennessee.

Q. Did you know the late Alfred J. Cammer who recently resided and died in Asheville, North Carolina, and, if so, when did he reside at the time you knew him?

A. Yes, I knew Alfred J. Cammer for about twelve or thirteen years. I first knew him in the town of Clinton, Tennessee, when he resided for about five years, and then I knew him at Asheville, North Carolina, up to the time of his death.

Q. Last at the paper writing now handed you, dated the 21st day of June, A.D. 1897, consisting of one sheet of paper containing writing on one side only, with another sheet attached thereto containing no writing except the endorsement across the same, Last Will and Testament of A.J. Cammer, and state if you are a subscribing witness to said paper writing:

A. I am. My name subscribed after the attesting clause is in my own proper hand writing, and I subscribed the same thereto at the request of said Alfred J. Cammer.

Q. Did you see the said Alfred J. Cammer sign his name to said paper writing, and, if so, did he sign the same in your presence, and in the presence of W.S. McKamey, the other subscribing witness thereto, and when was the same signed and under what circumstances?

A. Yes I saw Alfred J. Cammer sign his name to said paper writing. He signed it in the Union Bank, of which I am the Cashier in the Town of Clinton, Tennessee. He signed it in my presence and in the presence of Mr. W.S. McKamey, and requested me to sign it as subscribing witness, and we did sign it as such witnesses, in his presence and in the presence of each other. He brought the Will to Bank written out in his own hand writing but not signed. He requested us to witness its execution, and then upon signed the same in our presence and then wrote in his own hand writing the attesting clause, and we signed it in his presence, and in the presence of each other.

Q. Please state whether or not the said Alfred J. Cammer at the time he signed said paper writing published and declared the same to be his last Will and Testament, and whether or not the said Alfred J. Cammer was at said time of sound mind and memory, and of full age to execute a Will, and whether or not he was under any restraint or under any influence at said time to your knowledge, information or belief.

A. Yes, at the time of signing said paper writing he published and declared the same to be his last Will and Testament, and he was at said time of sound mind and memory, and of full age to execute a Will, and he was not under any restraint or influence whatever, to my knowledge—nor according to my information,

nor have any reason whatever to believe that he was under any influence, or restraint,

Q. Are you in any way interested in any of the property devised or bequeathed by the said A. J. Bauman in the said paper writing?

A. I am not interested in any way whatever.

R. S. Kincaid,

Sworn to and subscribed before me this 12th day of February, 1907, at the place mentioned in the Caption,

Wm. J. Hicks, (or Hicks)
Commissioner,

W. S. McKenny being duly sworn and examined, he testified as follows:

Q. What is your name, age, occupation, and where do you reside?

A. My name is William S. McKenny, my age is forty six, I am Cashier of the National Bank of La Fayette, and I reside in La Fayette, Tennessee.

Q. How long have you resided at La Fayette, and when did you reside previous to that time?

A. I have resided for about two years in La Fayette. Prior to that time I lived at Clinton, Tennessee for about ten years.

Q. Please state whether or not you know the late Alfred J. Bauman who resided for some time in Asheville, North Carolina, and recently died there, and if so, please state when he resided at the time you knew him.

A. Yes, I knew Alfred J. Bauman for about ten years. When I first knew him, he lived in Clinton, Tennessee, and I also knew him after he removed to Asheville North Carolina.

Q. Please look at the paper writing now handed you dated the 21st day of June A.D. 1897, consisting of one sheet of paper containing writing on one side only, and another sheet attached thereto containing no writing except the endorsements across the same, Last Will and Testament of A. J. Bauman, and state if you are a subscribing witness to said paper writing.

A. Yes, I witnessed this instrument. My name subscribed thereto after the attesting clause is in my own proper hand writing, and I subscribed the same

At the request of the said Alfred J. Bauman, I knew the hand writing of the Alfred J. Bauman, and his name subscribed to said paper writing and also the body of said writing as in his hand writing.

Q. Did you see the said Alfred J. Bauman sign his name to said paper writing, and if so, did he sign the same in your presence and in the presence of R. S. Kincaid, the other subscribing witness thereto?

A. Yes, I saw the said Alfred J. Bauman sign his name to said paper writing. It was signed in my presence and in the presence of Mr. R. S. Kincaid, and we signed it as subscribing witnesses in his presence at his request, and in the presence of each other, at Clinton, Tennessee. It is in the Union Bank, Clinton Tennessee.

Q. Please state whether or not the said Alfred J. Bauman at the time he signed said paper writing, possessed and declared the same to be his last Will and Testament, and whether or not the said Alfred J. Bauman was at said time of sound mind and memory, and of full age to execute a Will, and whether or not he was under any restraint or under any influence at said time to your knowledge or information or belief.

A. At the time of signing said paper writing, the said A. J. Bauman declared the same to be his last Will and Testament, and he was at said time of sound mind and memory, of full age to execute a Will, and was not under any restraint or influence whatever to my knowledge, nor according to any information, nor have I any reason whatever to believe that he was under any restraint or influence.

Q. Are you in any way interested in any of the property devised or bequeathed by the said A. J. Bauman in the said paper writing?

A. I am not interested in any way whatever.

W. S. McKenny

Sworn to and subscribed before me, on this 12th day of February, 1907, at the place mentioned in the Caption,

Wm. J. Hicks,
Commissioner,

State of Tennessee
County of Anderson

I Xer Z. Hicks, Commissioner appointed in and by the annexed commission to me directed, do hereby certify that the foregoing Depositions and examinations of R.S. Kincaid and W.S. McKanny both of said witnesses being personally known to me, were taken, sworn to and subscribed before me at the time and place stated in the Caption and sealed up by me, together with said paper writing purporting to be the last Will and Testament of Alfred J. Cannon, Decedent, Thro' attached, and deposited by me in the post office at Clinton, Tennessee, as a registered package, directed to Marcus E. Ewing, Esq. Clerk of the Superior Court of the County of Buncombe, State of North Carolina at Asheville, N.C. this the 12th day of February, 1907. I further certify that I am not related by blood or otherwise to the testator Alfred J. Cannon nor to the executor, devisee and legatee named in said Will nor to any person interested therein, and am not in any way interested in the property disposed of by said Will.

Xer Z. Hicks,
Commissioner.

This is the last Will and Testament of Mr. Alfred J. Cannon of the City of Clinton, in the County of Anderson, and State of Tennessee, Late Deceased. I devise and bequeath all the real and personal estate to which I shall be entitled at the time of my decease unto my dear wife Marianna Cannon of the said City absolutely.

And I hereby appoint my said wife Marianna Cannon executrix of this Will, and waive her giving bond, or making settlement with the Court hereby revoking all former Wills by me made.

In witness whereof I have hereunto set my hand and seal at the City of Clinton in the County of Anderson and State of Tennessee, this Twelfth day of June A.D. 1897.

Alfred J. Cannon. ()

Signed by the said testator Alfred J. Cannon as and for his last Will and Testament in the presence of us present at the same time who at his request in his sight and presence, and in the presence of each other have subscribed our names as attesting witnesses.

R.S. Kincaid
W.S. McKanny,

State of North Carolina
County of Buncombe,

In the Superior Court
Before the Clerk

In the matter of the Probate of
the Will of Alfred J. Cannon, Decedent, ()

a paper writing purporting to be the last Will and Testament of Alfred J. Cannon Decedent, late of the said County of Buncombe, having been returned into the Court by Xer Z. Hicks, Commissioner hereupon appointed by the undersigned Clerk of the said Superior Court of Buncombe County, pursuant to the provisions of Section 3131 of the Revised of 1905 of North Carolina, to take the examination of R.S. Kincaid and W.S. McKanny subscribing witnesses to said paper writing, touching the execution thereof by the said A. J. Cannon, together with said Commissioner and the examination and Depositions of said witnesses taken by and before said Commissioner, pursuant to said Commissioner.

It is now shewn, upon such examination and deposition of said subscribing witnesses, taken as aforesaid considered and adjudged by the Court that the said paper writing and every part thereof, is the last Will and Testament of the said Alfred J. Cannon, Decedent, and the same with said examination and depositions and this Certificate, are ordered to be recorded and filed.

This the 19th day of February, 1907.

M. Ewing,
Clerk of the Superior Court
for Buncombe County.

State of North Carolina
Buncombe County

In the Superior Court.
Marionne Cammer, being duly sworn,
says that she believes that the attached paper writing
is the last Will and Testament of Alfred J. Cammer
deceased and that I will well and truly execute the
same by first paying his debts and then his legacies
as far as the said estate shall extend, or the law
will charge her, and that she will well and truly execute
the office of an executor according to the trust and
confidence reposed in her according to law. So
help me God!

Marionne Cammer,
Sworn to and subscribed before me this the 19th
day of February 1907.

Marcus Erwin,
Clerk Superior Court
Buncombe County - N.C.

State of North Carolina

Buncombe County, In the Superior Court.
To all whom these presents shall come
Greeting: It being satisfactorily proven to the
undersigned, Clerk of the Superior Court for
Buncombe County, that Alfred J. Cammer late
of said County, is dead, having made his last
Will and Testament, which has been admitted to
Probate (a true copy whereof is herewith annexed),
and Marionne Cammer the executrix named therein,
having qualified as such according to law.

Now there are therefore to empower the said
executrix to enter into and upon all and singular
the goods and chattels, the rights and credits of
the said deceased, and the same to take with
possession, wherever to be found, and all the just
debts of the said deceased to pay and satisfy: and
the residue of said estate to distribute according to
the provisions of said Will.

Witness my hand and the seal of said Court
this the 19th day of February 1907.

(Official Seal)

Marcus Erwin
Clerk of the Superior Court

North Carolina
Buncombe County

I Marcus Erwin, Clerk of the Superior
Court of Buncombe County - hereby certify that the foregoing
is a true and perfect copy of the Will of Alfred J.
Cammer, and the probate thereof as the same appears
on record in my office.

Witness my hand and official seal this the
20th day of June 1907.

Marcus Erwin
Clerk Superior Court of
Buncombe County - N.C.
J. B. Lane D.C.

{Seal}

Chert fee \$ 3.20

Recorded in Book "A" of Wills this the 15th
day of August 1907. at pages 361 to 371 inclusive.

A. A. Fair,
Clerk Superior Court.