

and which bears date of the 18th. day of July 1907. And the Deponent further saith, That the said Ida Sedford the testator aforesaid, did at the time of subscribing her name as aforesaid declare the said paper-writing so subscribed by her, and exhibited to be her 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 her name to the said last Will as aforesaid, and at the time of the deponent's subscribing his name as an attesting witness thereto, as aforesaid, the said Ida Sedford 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.

H. N. Taylor.

B. M. Sedford.

Severally sworn and subscribed, this 19 day of September 1907, before me.

A. A. Fain.

Clerk Superior Court.

North Carolina, 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 Ida Sedford, deceased. Let the said Will, together with the probate, be recorded and filed.

This 19 day of Sept. 1907.

A. A. Fain.

Clerk Superior Court.

North Carolina, Cherokee County.

I H. W. Rogers of the aforesaid county and state 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 Laura A. Rogers of all give my body a decent burial suitable to the wishes of my friends and relatives and pay all my funeral expenses, together with all my just debts out of the first moneys which may come into her hands belonging to my estate.

Second. I give and devise to my beloved wife Sarah A. Rogers, the tracts or tracts of land on which I now reside and all the lands that I now own containing (186) One hundred and eighty six acres more or less, her natural life. The above named lands are lying and being in Murphy Township, Cherokee County, and State of N. C. and adjoining the lands of the Henson donation and others.

Third. I give and bequeath to my beloved wife Lora A. Rogers all my house-hold and kitchen furniture consisting of bed, bed stids, bed clothes, table chairs, stove and everything, and in fact everything I now own or may hereafter own of like kind.

Fourth. I also give and bequeath to me beloved wife Sarah A. Rogers all the personal property that I now own or hereafter may own to-wit: one mare and mule colt, one cow and calf, and ten head of hogs of various sizes and kinds, all the chickens and fowls of various kinds that I now own or may hereafter own.

Fifth. I also give and bequeath to my beloved wife Lora A. Rogers, all my provisions such as meat, corn, syrup, potatoes & vegetables of all kinds. Fodder tops &c.

Sixth. I also give and bequeath to my beloved wife Sarah A. Rogers all my money, debts of all kinds, except I give and bequeath to my daughter the sum of one Dollar in cash, Maybell Craig the wife of Sam Craig.

Seventh. I also give and bequeath to my son S. V. Rogers the sum of one Dollar in cash.

Eighth. I also give and bequeath to my son W. P. Rogers the sum of one Dollar in cash.

Ninth, I also give and bequeath to the lawful heirs of my son, J. J. Rogers, the sum of one dollar in cash.

Tenth. I also give and bequeath to my daughter
I. D. Zachrey the wife of Charley Zachrey the sum of
one Dollar in cash.

Eleventh, I also give and bequeath to my daughter
L. L. Rogers the sum of one dollar in cash.

Twelfth, I also give and bequeath to R. R. Rogers, my son, the sum of one dollar in cash.

Thirteenth, I also give and bequeath to my son, G. W. Rogers, the sum of one dollar in cash.

fourteenth, I also give and bequeath to daughter
Lew Justes the wife of Burt Justes, the sum of
one dollar in cash.

Fifteenth: my beloved wife Sarah A. Rogers the executor of my will to pay to the above named children my lawful heirs, the said sum of one Dollar in cash to each of them at any time they may demand it.

Sixteenth: And at the death of my beloved wife Sarah A. Rogers, I want the above named 186 acres of land sold for cash & the amount of the proceeds of said sale to be equally divided among the above named children my heirs at law.

Sixteenth: I hereby constitute and appoint my beloved wife Lora A. Rogers my lawful Exr. 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 close thereof hereby revoking and declaring utterly void all other wills and Testaments by me heretofore made. In witness whereof I the said H. W. Rogers do hereby and hereunto set my hand and seal. This the 29th of Nov. A. D. 1905.

H. W. Rogers. [seal]

North Carolina.

Cherokee County.

This Nov. 29th. 1905.

Signed, sealed, published and declared by the said H. W. Rogers 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. Thames & Co. 21 D. 1881

North Carolina,
Cherokee County.

In the Superior Court,
Before the clerk.

A paper writing purporting to be the last will and testament of H.W. Rogers deceased, is exhibited before me, the undersigned, Clerk of the Superior Court for said county, by Laura A. Rogers the executrix therein mentioned, and the due execution thereof by the said H.W. Rogers is proved by the oath & examination of J.N. Bates & S.V. Rogers the subscribing witnesses 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 the last will and testament of H.W. Rogers; that the said H.W. Rogers in the presence of this deponent, subscribed his name at the end of said paper-writing now shown as aforesaid, and which bears date of the 24 day of Nov. 1905. And the deponent further saith, that the said H.W. 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 deponent did thereon 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 said time when the said testator subscribed his name to the said last will as aforesaid, and at the time of the deponent subscribing his name as attesting witness thereto, as aforesaid, the said H.W. Rogers 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.

Thodore N. Bates. (seal)

Theodore N. Bates. (seal)

Severally sworn and subscribed this, 24th day of July 1908
Q. A. Fair

A. A. Fair

୧.୨.୧.

North Carolina, Cherokee County, Superior Court.

It is therefore considered and adjudged by the Court that the said paper writing, in every part thereof is the last will and testament of H.W. Rogers, deceased, and the same with the foregoing examination and this certificate are ordered to be recorded and filed. This 24 day of July 1908

Q. J. Fain, C. S. D.