

Record of Wills
State of North Carolina
Cherokee County

I Jesse I. Whitaker of the said County and State being of sound mind but considering the uncertainty of my earthly existence, do make and declare this to be my last will and testament.

I bequeath my soul to God. Who gave it.

My executor or executors herein after named shall give my body a decent burial scitab to the wishes of my friends and relatives and pay all funeral expenses together with all my just debts out of the first money which may come into their hands belonging to my estate. I give and devise to my beloved wife Susan all the lands of which I may die seized and possessed, together with all my personal property of every description, farm implements, household and kitchen furniture included for her own use and benefit during her natural life or widowhood and at her death or marriage to descend to my two children Henry Clay, and Lillian P. Whitaker their heirs and assigns, in fee simple, in equal proportion share and share alike. I hereby constitute and appoint my dear wife Susan executrix and my son Henry Clay my lawful executor, to all intrest and purpose 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 said, utterly void all other wills and testaments by me heretofore made.

In testimony whereof I the said Jesse I. Whitaker do hereunto set my hand and seal. This the 11th day of February 1899.

Jesse I. Whitaker *Test*

Signed, sealed, published, and declared by the said Jesse I. Whitaker to be his last will and testament in the presence of us who at his request and in his presence do subscribe our names as witnesses thereto.

Witness

W. C. Ensley
W. M. Pruitt.

State of North Carolina }
Cherokee County }

In the Superior Court
A paper purporting to be the last will and testament of Jesse I. Whitaker deceased, is exhibited before me, the undersigned, Clerk of the Superior Court for said County by H. P. Whitaker the executor therein mentioned and the execution thereof by the said Jesse I. Whitaker, by the oath and examination of W. C. Ensley and W. M. Pruitt the subscribing witnesses thereto; who being duly sworn doth upon and say, and each for himself depose and saith that he is a subscribing witness to the paper writing now shown him, purporting to be the last will and testament of Jesse I. Whitaker that the said Jesse I. Whitaker in the presence of this deponent subscribed his name at the end of said paper writing which is now shown as aforesaid and which bore date of the 11th day of Feb 1899. And the deponent further saith that the said Jesse I. Whitaker 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 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 ~~when~~ the said testator subscribing his name as an attesting witness thereto, as aforesaid the said Jesse I. Whitaker was of sound mind and memory, of full age without a will and was not under any restraint to the knowledge, information or belief of this deponent. And further these deponents say not.

W. C. Ensley
W. M. Pruitt.

Solemnly sworn and subscribed this 19th day of June 1899 before me

J. H. Loringood

North Carolina }
Cherokee Co }

Clerk Superior Court.

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 Jesse I. Whitaker deceased.

Let the said will together with the probate be
recorded and filed.

This 19th day of June 1899.

J. W. Longgood

Clerk Superior Court.