

Copies in Hill Book, pages 184 &c.  
This Dec. 20<sup>th</sup> 1893.

Lee Crawford.  
Ch. C.

North Carolina 305  
Macon County

I Lee Crawford Clerk Superior Court of County  
and State of Georgia, do hereby certify that  
the foregoing transcript is a true and perfect  
copy of the last Will and Testament of Jas.  
D. Franklin, as presented and recorded in  
my office.

Given under my hand and seal of Court  
at office in Franklin N.C. this 28<sup>th</sup> day  
of Dec. 1893,  
Lee Crawford, Ch. C.

Recorded in office of Clerk Superior Court  
of Cherokee County, North Carolina in  
Book "A" of Wills on pages 245, 246, 247  
and 248 on this the 25<sup>th</sup> day of March A.D.  
1904.

N. J. Dewees,  
Clerk Superior Court,

State of North Carolina.

To Mr. M. Jones, executing:  
We, reporting Special Agent and Confidante  
in your fidelity and integrity, do hereby  
authorize and empower you to cause  
J. J. Ball, Redden Smith and W. H. Rockwell,  
to come before you at such time and  
place as you may direct, and then proceed to  
witness touching such matters and things  
as they may know of and concerning the  
execution of the last Will and Testament  
of Samuel D. Hayes, late a citizen of the  
County of Thomas and State of Georgia; and  
the examination of said persons to reduce  
to writing and return to the undersigned  
Clerk of the Superior Court in the County  
of Cherokee and State of North Carolina,  
at Murphy, under your hand and  
seal, hereof fail not and of this Commission  
and your acts under authority thereof  
make due return.

Witness: N. J. Dewees, Clerk of said  
Superior Court, at office in Murphy, and  
the seal of said Superior Court, this the  
2<sup>nd</sup> day of March, 1904.

N. J. Dewees  
Clerk Superior Court  
Cherokee County, N. C.

State of North Carolina, Cherokee County  
In the Matter of the last Will  
and Testament of Samuel D. Hayes,  
deceased: I, Mr. M. Jones, the commission  
named in the foregoing commission, do  
certify that pursuant to the said commission  
and under authority thereof, I caused J. J.  
Ball, Redden Smith & W. H. Rockwell  
Witnesses to the last Will and Testament  
of Samuel D. Hayes, deceased, to appear before  
me in the office of ordinary in the  
town of Thomasville and County of Thomas  
in the State of Georgia, at 4:30 o'clock.

on the 29<sup>th</sup> day of March 1904, and then read there the following proceedings were had by and before me touching the execution of the Last Will and Testament of said Samuel S. Hayes, deceased, to-wit;

State of North Carolina. Cherokee County  
In the matter of the Last Will and Testament  
of Samuel S. Hayes, deceased.

A paper writing purporting to be the Last Will and Testament of Samuel S. Hayes, deceased, late of the County of Thomas and State of Georgia, is submitted to the undersigned Commissioner of the Superior Court of Cherokee County, North Carolina, and the true execution thereof by the said Samuel S. Hayes, is proven by the oath and examination of J. F. Ball, Riddan Smith and W. H. Rockwell, the subscribing witnesses thereto; who, being by me duly sworn, depose and say, that each in himself both 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 Samuel S. Hayes; that said Samuel S. Hayes, in the presence of said deponent, subscribed his name at the end of said paper writing now shown aforesaid, and which bears date of the 1<sup>st</sup> day of July, 1892.

And this deponent further saith that the said Samuel S. Hayes the testator aforesaid, at the time of subscribing his name as aforesaid, did 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 in the presence of the other witnesses to the said paper writing, and this deponent further saith that at the time when said J. F. Ball,

subscribed his name to the said Last Will and Testament as aforesaid, and at the time of deponent's subscribing his name thereto as attesting witness, the said Samuel S. Hayes was of sound, mind, disposing mind, memory and understanding, of full age to execute a will, and was not under any restraint to the knowledge of this deponent; and further this deponent saith not.

J. F. Ball.

Riddan Smith.

W. H. Rockwell.

Not my Public.

Thomas County Georgia

I, W. M. Jones, Commissioner, do hereby certify that the foregoing witnesses appeared before me at the time and place mentioned in the caption and after being duly sworn depose and say that in the aforesaid and exhibited said document in my presence on the date stated, as witness my hand and seal.

Thus the 29<sup>th</sup> day of March 1904.  
W. M. Jones, (seal)  
Commissioner.

North Carolina, Cherokee County,  
Superior Court, Before the Clerk,

A paper writing purporting to be the Last Will and Testament of Samuel S. Hayes, late of the County of Thomas and State of Georgia, being produced before the court; and the court having therefore, on the 2nd day of March 1904, under the seal of this court, appointed W. M. Jones a Commissioner to take the proof of the execution of said Last Will and Testament of said Samuel S. Hayes; and under said appointment to said Commissioner to him directed, the said Commissioner having caused J. F. Ball, Riddan Smith, and W. H. Rockwell to come before him in the face of the Ordinary, in the Town of Thomasville, in the County of Thomas, in the State of Georgia on the 29<sup>th</sup> day of March 1904 the said

J. L. Ball, Redden Smith and H. F. Rockwell being the witnesses to said Last Will and Testament, when and where said witnesses being, duly sworn, depose and say, and each for himself both say and depose, that he is a subscribing witness to the paper writing now shown him, known to be the Last Will and Testament of Samuel S. Hayes: that said Samuel S. Hayes, in the presence of this deponent, subscribed his name at the end of said paper writing now shown as aforesaid, and which were done on the 1<sup>st</sup> day of July 1892 -

And this deponent further saith that the said Samuel S. Hayes, the testator aforesaid, at the time of subscribing his name as aforesaid did depose the said paper writing to be subscribed by him and intended to be his last will and testament, and this deponent did thereunto subscribe his name at the end of said will as an attesting witness, and at the request of and in the presence of said testator did, in the presence of the other witnesses to the said paper writing: and this deponent further saith that at the time when said testator subscribed his name to the said Last Will and Testament as aforesaid, and at the time of deponent's subscribing his name there to as attesting witness, the said Samuel S. Hayes was of sound and disposing mind, memory and understanding, of full age to execute a will, and was not under any restraint to the knowledge of this deponent: and certificate of the said commissioner having been made to the said affidavits and statements of said witnesses, the Court doth find and adjudge that the said paper writing is the Last Will and Testament of Samuel S. Hayes, deceased, and every part thereof, and that the same is duly proved.

and that the said Court will sub Testament and every part thereof, and each commissioner, the Affidavits and the Certificate of said commissioners, and this order, and all papers attached to this said Last Will and Testament, be regular.

This 10<sup>th</sup> day of April 1917 J. G. Quince.

Clark & Thomas Court  
Cherokee County, N. C.

State of Georgia }  
Cherokee County }

In the name of God, Amen, I Samuel S. Hayes of said County and State being of sound and disposing mind and memory to make, execute and declare, and publish this my last will and testament -

I do hereby and intend to my beloved wife, Callie Louise Hayes all my property both real, personal & mixed to be here during her widowhood & for life, should she never marry, with power however, to sell any and all of said property and reinvest the proceeds in other property upon the same terms use and trusts without obligation to any Court.

Item 1<sup>st</sup> In the event she should marry again the said property is to be divided equally between her (she getting a child's portion) and her children born or that may be born of our marriage.

Item 2 It is my desire in case of my death, and her marriage again, that she the said Callie Louise Hayes shall be the guardian of any child or children that may be under twenty one (21) years of age & to remain guardian of such child or children until they arrive at maturity (21) years old.

In testimony whereof I have hereunto set my hand and seal this the 1<sup>st</sup> day of July 1892 Samuel S. Hayes signed

and published by Samuel L. Hayes as his last will and testament in the presence of all the subscribers named subscribed at: names hereto in the presence of said testator at his instance and request and in the presence of each other in the said Samuel L. Hayes signing in our presence and we signing in his presence.

Thomasville Ga. J. L. Ball  
 July 1st 1896. Riddus Smith  
 Notary Public  
 Thomas Co. Ga.

In the name of God, Amen! I, Robt L. Cooper being of sound mind and memory, but knowing the uncertainty of human life, do now make & 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 wife, Grace Ruston Cooper, and my children - Harry P. Cooper & Emily Elizabeth Cooper. The personal property absolutely to my wife, and the real estate to her for life, with remainder to my children in fee.

Will of  
 R. L. Cooper

(Signed) R. L. Cooper  
 Signed, sealed, published and declared by the said R. L. Cooper 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 18th day of June 1901.

(Signed)

H. N. Cooper

W. F. Randolph

North Carolina  
 Superior Court

Cherokee County  
 Before the Clerk,

A paper writing purporting to be the last will & testament of R. L. Cooper, deceased, is exhibited for probate in open Court; and the due execution thereof by the said R. L. Cooper is duly proved by the oath and examination of H. N. Cooper and W. F. Randolph the subscribing witnesses thereto; It is therefore considered by the Court that the said paper writing and every part thereof is the last will and testament of the said R. L. Cooper, and the same is ordered to be recorded and filed, this 25th day of July 1904,

W. F. Brewster, Clerk  
 Superior Court,  
 Cherokee County, N.C.