

one tract of land in Beaverdam Township
Cherokee County, adjoining the lands of
Bozard, containing 100 acres. known as
the Mountain Tract of land.

(Gift) any and all property left at the
death of my wife M. J. Radford, shall
be sold and divided equally among all
my children share and share alike.

(Sixt) I hereby constitute and appoint
my trusty friend J. P. Davidson my lawful
executor 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 clause thereof. hereby revoking
and declaring utterly void all other
Wills and Testaments by me heretofore
made.

In witness whereof, I the said James
Radford do hereunto set my hand and
seal This 10th day May 1910.

James ^{his} Radford (Seal)
mark

Signed sealed published and declared
by the said James Radford 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.

J. P. Davidson
J. L. Roberts
R. L. Hampton.

North Carolina -- Cherokee County.

I, W. P. Martin, of said state and county,
being of sound and disposing mind and
memory, do make this my last will and
testament:

Item first -- I give, bequeath and devise
to my wife, Catherine Martin, the
following property, to-wit: All the rents
and income that may be derived from all
the realty that I may die possessed of,
and she is to see that the taxes on said
realty is paid, during her natural life.
I give, bequeath and devise to my wife,
Catherine Martin, all the personal property
that I may die possessed of, free from all
charge or limitation whatever, to her
own proper use, benefit and behoof.

Item second -- If said rents, income and
personal property fail to support my said
wife, Catherine Martin, according to her
circumstances, it shall be with the
executor of this will to sell such of the
realty as he deems best for the support
of my said wife, Catherine Martin.

Said property shall not be sold for any
other purpose during her natural life.

This bequest is made to my said wife
in lieu of her whole dower.

Item third -- It is my will and purpose
that all of my children shall share alike
in all the property both real and personal,
except B. L. Martin my oldest son. Whose
part shall be applied to a note made to
his sister, Lillie A. Martin, some twelve or
fourteen years ago. If his part more than
pays the note and interest on the same then
he shall have the remainder of his part.

Item fourth -- The executor of this will
has the power granted to him to sell any
or all the property both real and personal
after the notice has been given to the
living heirs by mail. Said property may

be sold either at public or private sale. The executor of this will may have the privilege to purchase any or all of said property if his bid is higher than any one else.

Item fourth continued. ---

The executor of this will shall not be required to give bond unless it is shown to the heirs that the executor is not disposing of the estate to the best interest of said heirs, then he shall be called upon by one or more of the said heirs to make bond of twice the amount that is to pass through his hands, if he fails to make said bond the Clerk of the Superior Court of said County has the power to appoint an executor who shall be required to give the bond as named above, and must make all sales known to the heirs before any sale of realty shall be legal. The executor of this will shall have the power to execute all deeds to whatever realty that he may sell.

The executor of this will shall only be paid for the actual expenses of carrying out said will. But if another is appointed he shall have only 2% of all moneys received and paid out.

Item fifth - It shall not be necessary to probate said will, but to carry out the contents as near as possible with as little cost as possible.

Item sixth -- I hereby constitute and appoint my son L. U. Martin, executor of this my last will and testament. This the 13 day of January, 1906.

Witness my hand and seal of office, L. U. Martin, as his last will and testament, in the presence of us the subscribers, who subscribe our names hereto, in the presence of said testator (at his instance and request) and of each other, he

signing in our presence and we signing in his

W. A. Bryson
R. L. Patterson
N. J. Deweese.

North Carolina,
Cherokee County.

In Superior Court,
Before the Clerk.

A paper writing purporting to be the last will and testament of W. P. Martin, deceased, is exhibited before me, the undersigned Clerk of the Superior Court for said County, by L. U. Martin, the executor therein named, and the due execution thereof by the said W. P. Martin, is proved by the oath and examination of W. A. Bryson and R. L. Patterson, two of the subscribing witnesses thereto, who, being duly sworn, doth depose 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 W. P. Martin; that the said W. P. Martin 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 January 13th, 1906.

And deponent further saith that the said W. P. Martin, 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 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 subscribing his name as attesting witness thereto, as aforesaid, the said W. P. Martin 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.

W.A. Bryson
R.L. Patterson

Seal.
Seal.

Severally subscribed and sworn to before me, the 6th day of May, 1911.

A.A. Fair
Clerk Superior Court.

North Carolina, Cherokee County, In Superior Court.

It is therefore considered and adjudged by the Court that the said paper writing, and in every part thereof, is the last Will and Testament of W.P. Martin, deceased, and the same with the foregoing examination and this certificate are ordered to be recorded and filed, this the 6th day of May, 1911.

A.A. Fair
Clerk Superior Court.

North Carolina }
Cherokee County } This day personally appeared
before me L.M. Martin the
Executor named in the foregoing Will of W.P. Martin
deceased, and took the oath required by law as
Executor aforesaid.
This May 31st 1911.

A.A. Fair C.C.

North Carolina } Last Will and Testament of
Cherokee County } Eliza Colvard.

I, Eliza Colvard, of Cherokee County and State of North Carolina, being in reasonably good bodily health, and being of a sound and disposing mind and memory, calling to mind the frailty and uncertainty of human life, and being desirous of settling my worldly affairs, and directing how the estate with which it has pleased God to bless me shall be disposed of after my decease, while I have strength and capacity so to do, do make and publish this my last will and testament, hereby revoking and making null and void all other last wills and testaments by me heretofore made. And, first, I commend my immortal being to God who gave it, and my body to the earth, to be buried with little expense or ostentation, by my executor hereinafter named.

My will is, that all my just debts and funeral charges shall by my executor hereinafter named, be paid out of my estate as soon after my decease as shall be by him found convenient.

I give, devise, and bequeath to my beloved grandson, Wallace Colvard, all my household and kitchen furniture, pictures, live stock, farm and garden implements, sewing machines, money, notes, bonds, and any and all other sums which may be due and owing to me together with all other personal property of which I may be possessed, of whatever description, and wheresoever located. I certify that the following described articles of personal property now in my house belong to E.M. Watson, namely, one dresser, one washstand, one bedstead, six cane bottom straight backed chairs, one rocking chair, and one trunk; and that all the other articles of personal property now