

North Carolina

(In the Superior Court,

Gaston County.

In the Matter of the Probate of
the Will of Giles M. McAden, deceased.

TO THE HONORABLE CLERK OF THE SUPERIOR COURT OF GASTON COUNTY:

The undersigned petitioners respectfully show to the court and
allege:

1. That your petitioners, H. M. McAden and R. R. Ray, are Executors
named in the will of the late Giles M. McAden, which was proven before
this court in an Ex Parte proceeding, on the 31st day of October, 1905,
and an order was made by this Honorable Court adjudging the paper writ-
ing bearing date June 18th, 1904, purporting to be the will of the said
Giles M. McAden, and the paper writing bearing date 11th day of October,
1905, and purporting to be a codicil to said will to be and constitute
the will of the said Giles M. McAden.

2. That your petitioners Alice M. McAden, wife of the said H. M.
McAden, and Mary D. Ray, wife of the said R. R. Ray, are legatees named in
said will and codicil.

said will and codicil.

3. That your petitioners re-allege as a part of this application all of the facts set forth in the petition of Henry M. McAden, filed with this court on the 31st day of October, 1905, wherein will appear the names, ages and residences of all the parties interested in said will and codicil.

That in as much as the order heretofore made by this court on the 31st day of October, 1905, adjudging the said paper writings to be the will, was made in an Ex Parte proceeding, and is therefore not binding upon all parties, it is the desire of your petitioners that they be allowed to re-propound the said will for probate, and that all persons interested in the estate of the said Giles M. McAden be cited to appear before this Honorable Court, at some time to be designated by the Court, to the end that the said paper writings may be again probated and that said parties may see proceedings, and if they be so advised may make themselves parties and oppose the probate of the said paper writings, or either one of them, or show cause, if any they have, why the said paper writings, or either one of them, should ^{not} be adjudged to be and constitute the will of the said Giles M. McAden.

WHEREFORE, your petitioners pray that citation be issued to all parties interested in the estate of the said Giles M. McAden.

Henry M. McAden)
R. R. Ray) Executors of the
Henry M. McAden) will of Giles
Alice Jones McAden) M. McAden.

R. R. Ray
Mary D. Ray
Petitioners.

Tillett & Guthrie
Attorneys for petitioners.

North Carolina,
Mecklenburg County) ss.

H. M. McAden, being duly sworn, says that the foregoing petition is true of
his own knowledge, except as to those matters therein stated on information
and belief, and as to the he believes it to be true.

Henry M. McAden.

W. M. Smith, Notary Public

Sworn to and subscribed before me, this 13th day of November, 1905.
(Notarial Seal)

North Carolina,

North Carolina,

In the Superior Court,

Gaston County.

In the Matter of the probate of the will of
Giles M. McAden, deceased.

H. M. McAden, being duly sworn, says that this is a proceeding for the re-probate of the two paper writings purporting to be the will of Giles M. McAden and codicil thereto, and that the petitioners desire citation to be issued to all persons interested in the estate of the said Giles M. McAden to appear before the court to the end that the said paper writing may be again probated and that said parties may see proceedings and oppose the probate of said paper writings, or either one of them, or show cause if any they have, why the said paper writings or either of them should not be adjudged to be and constitute the will of the said Giles M. McAden; that the following named persons are necessary parties to said proceedings in that they are heirs at law or legatees under the said will; that they are non-residents of this state and cannot after due diligence be found in this state, and that the names and residences of said parties are as follows: E. W. Davison, Mary McAden Davison, Yancy M. Davison and Dorothy Davison, all residing at No. 501 Hawthorne Road, Roland Park, near

North Carolina

(In the Superior Court,

Gaston County.

In the Matter of the Probate of
the Will of Giles M. McAden, deceased.

TO THE HONORABLE CLERK OF THE SUPERIOR COURT OF GASTON COUNTY:

The undersigned petitioners respectfully show to the court and
allege:

1. That your petitioners, H. M. McAden and R. R. Ray, are Executors named in the will of the late Giles M. McAden, which was proven before this court in an Ex Parte proceeding, on the 31st day of October, 1905, and an order was made by this Honorable Court adjudging the paper writing bearing date June 18th, 1904, purporting to be the will of the said Giles M. McAden, and the paper writing bearing date 11th day of October, 1905, and purporting to be a codicil to said will to be and constitute the will of the said Giles M. McAden.

2. That your petitioners Alice M. McAden, wife of the said H. M. McAden, and Mary D. Ray, wife of the said R. R. Ray, are legatees named in said will and codicil.

said will and codicil.

3. That your petitioners re-allege as a part of this application all of the facts set forth in the petition of Henry M. McAden, filed with this court on the 31st day of October, 1905, wherein will appear the names, ages and residences of all the parties interested in said will and codicil.

That in as much as the order heretofore made by this court on the 31st day of October, 1905, adjudging the said paper writings to be the will, was made in an Ex Parte proceeding, and is therefore not binding upon all parties, it is the desire of your petitioners that they be allowed to re-propound the said will for probate, and that all persons interested in the estate of the said Giles M. McAden be cited to appear before this Honorable Court, at some time to be designated by the Court, to the end that the said paper writings may be again probated and that said parties may see proceedings, and if they be so advised may make themselves parties and oppose the probate of the said paper writings, or either one of them, or show cause, if any they have, why the said paper writings, or either one of them, should ^{not} be adjudged to be and constitute the will of the said Giles M. McAden.

WHEREFORE, your petitioners pray that citation be issued to all parties interested in the estate of the said Giles M. McAden.

Henry M. McAden)

R. R. Ray) Executors of the
will of Giles
M. McAden.

Henry M. McAden

Alice Jones McAden

R. R. Ray

Mary D. Ray

Petitioners.

Tillett & Guthrie

Attorneys for Petitioners.

North Carolina,)
Mecklenburg County) ss.

H. W. McAden, being duly sworn, says that the foregoing petition is true of his own knowledge, except as to those matters therein stated on information and belief, and as to the he believes it to be true.

Henry M. McAden.

Sworn to and subscribed before me, this 13th day of November, 1905.

(Notarial Seal)

W. M. Smith, Notary Public.

North Carolina,

In the Superior Court,

North Carolina,
Gaston County.

In the Superior Court,

In the Matter of the probate of the will of
Giles M. McAden, deceased.

H. M. McAden, being duly sworn, says that this is a proceeding for the re-probate of the two paper writings purporting to be the will of Giles M. McAden and codicil thereto, and that the petitioners desire citation to be issued to all persons interested in the estate of the said Giles M. McAden to appear before the court to the end that the said paper writing may be again probated and that said parties may see proceedings and oppose the probate of said paper writings, or either one of them, or show cause if any they have, why the said paper writings or either of them should not be adjudged to be and constitute the will of the said Giles M. McAden; that the following named persons are necessary parties to said proceedings in that they are heirs at law or legatees under the said will; that they are non-residents of this state and cannot after due diligence be found in this state, and that the names and residences of said parties are as follows: E. W. Davison, Mary McAden Davison, Yancy M. Davison and Dorothy Davison, all residing at No. 501 Hawthorne Road, Roland Park, near

Henry M. McAden.

L. L. Caudle Notary Public.

This proceeding coming on to be heard upon the petition of Henry M. McAden, and R. R. Ray, Executors of the will of Giles M. McAden, Deceased, and as individuals, and Alice Jones McAden and Mary D. Ray, and it appearing to the court that the following named persons are necessary parties to this proceeding, to-wit:- E. W. Davison, Mary McAden Davison, Yancy McAden Davison (aged 14 years), Dorothy Davison (aged 8 years), the two last

case proceeding, to wit: E. W. Davison, Mary McAden Davison, Yancy McAden Davison (aged 14 years), Dorothy Davison (aged 8 years), the two last named being minors without guardian and residing with the said E. W. Davison and Mary McAden Davison, their father and mother, at No. 501 Hawthorne Road, Roland Park, in the County of Baltimore, near the City of Baltimore, in the State of Maryland, Giles McAden Myers, a minor of the age of four year without guardian, who resides with his father Richard A. Myers, at Norcross, in the County of Gwinnett, in the State of Georgia, Chas A. Bland and wife Lucy M. Bland, and Mary Terry Bland. A minor of the age of two and one half years without guardian, who resides with her father and mother in the city of Charlotte, North Carolina, Rufus Y. McAden and James T. McAden and Bennie W. McAden, the two last named being minors, whose guardian is Capt. J. J. Thomas, and who with the said guardian reside in the city of Raleigh, North Carolina, Henry M. McAden and wife Alice J. McAden, R. R. Ray and wife Mary D. Ray, St. Peters Hospital of Charlotte North Carolina, Caroline C. White of Biddle University, Charlotte, N. C., and that the said E. W. Davison and wife Mary McAden Davison, and Yancy McAden Davison and Dorothy Davison and the said Giles McAden Myers are non-residents of the State of North Carolina and cannot after due diligence be found therein:

It is, therefore, upon motion of Tillett & Guthrie ordered that citation or summons issue in this proceeding citing and requiring the said

parties above named other than said petitioners to appear before the Clerk of the Superior Court of Gaston County, North Carolina, at his office in the Court House in Dallas, North Carolina, on Tuesday the 19th day of December, A. D. 1905, to the end that the said parties or either or any of them may see proceedings in this cause, relating to probate in solemn form of the two paper writings on file in said office, purporting to be the last will and testament of Giles M. McAden, deceased, and contest or oppose the probate in solemn form of the said paper writings as and for the last will and testament of the said Giles M. McAden Deceased, and show cause, if any they have, why the said paper writings or either of them should not be probated in solemn form and adjudged to be the last will and testament of the said Giles M. McAden. Deceased.

It is further ordered that a copy of the said citation or summons, accompanied by a statement of the nature of the proceedings, be mailed to the Sheriff of Baltimore County, in the State of Maryland, who shall serve the same upon the said E. W. Davison, Mary McAden Davison, Yancy McAden Davison and Dorothy Davison in the manner prescribed by law.

It is further ordered that a copy of the citation or summons herein, accompanied by a statement of the nature of the proceedings, be mailed to the Sheriff of Gwinnett County, in the State of Georgia, who shall serve the same upon the said Giles McAden Myers in the manner prescribed by law.

... in the manner prescribed by law.
... day of November, 1905.

C. C. Cornwell,
Clerk Superior Court of Gaston County.

State of North Carolina,
County of Gaston.

In the Superior Court,
Before the Clerk.

In the Matter of Probate of the)
Will of Giles M. McAden, Deceased.)

C I T A T I O N.

STATE OF NORTH CAROLINA TO THE SHERIFF OF WAKE COUNTY, GREETING:

Whereas two paper writings, purporting to be the last will and testament of Giles M. McAden, Deceased, and codicil thereto, have been propounded for probate before the Clerk of the Superior Court of Gaston County by the Executors therein named, Henry M. McAden and R. R. Ray; and whereas the said paper writings have been admitted to probate in common form; and whereas Henry M. McAden and R. R. Ray, individually and as executors of said will, and Alice Jones McAden and Mary D. Ray, have filed their petition praying that the said paper writings may be probated in solemn form and adjudged to be the last will and testament of Giles M. McAden, deceased, and whereas upon the said petition it has

Clerk of the Superior Court of Gaston County that a citation be issued to the next of kin and heirs at law of the said Giles M. McAden, deceased, and also to the legatees named in the said will, other than petitioners above named:

You are therefore commanded to summon and give notice to J. J. Thomas, Guardian, Rufus Y. McAden, James T. McAden and Bennie V. McAden to appear before the Clerk of the Superior Court of Gaston County at the Court House in Dallas, North Carolina,, on Tuesday the 19th day of December, A. D. 1905, then and there to see proceedings in this cause and show cause, if any they can or have, why the said paper writings shall not be admitted to probate in solemn form and adjudged to be the last will and testament of the said Giles M. McAden, Deceased.

And let the said parties take notice that if they fail to appear and show cause at the time and place aforesaid and make their objections, if any known, to the probate in solemn form of the said paper writings as and for the last will and testament of the said Giles M. McAden, Deceased, judgment will be entered according to the prayer of said petitioners.

Herein fail not and of this citation make due return.

Witness my hand and the seal of said Court, this 20th day of November, A. D. 1905

as and for the last will and testament of the said Giles M. McAden, Deceased, judgment will be entered according to the prayer of said petitioners.

Herein fail not and of this citation make due return.

Witness my hand and the seal of said Court, this 20th day of November, A. D. 1905.

C. C. Cornwell,

Clerk Superior Court Gaston County.

Service of the within citation on us and receipt of copy thereof by each of us are hereby admitted. This the 23rd day of November, 1905.

J. J. Thomas, Guardian

R. Y. McAden.

Sheriff's Return:

Received November 28, 1905, and served November 29, 1905 by reading the within citation and delivering copies thereof to James T. McAden and Bennie V. McAden.

M. W. Page, Sheriff of Wake County.

By H. H. Crocker, D. S.

State of North Carolina,

In the Superior Court,

County of Gaston.

Before the Clerk.

In the Matter of the probate of the)
Will of Giles M. McAden, Deceased.)

C I T A T I O N .

STATE OF NORTH CAROLINA TO THE SHERIFF OF MECKLENBURG COUNTY, IN SAID STATE,
GREETING:-

Whereas two paper writings, purporting to be the last will and testament of Giles M. McAden, Deceased, and codicil thereto, have been propounded for probate before the Clerk of the Superior Court of Gaston County by the executors therein named, Henry M. McAden and R. L. Ray; and whereas the said paper writings have been admitted to probate in common form; and whereas Henry M. McAden and R. R. Ray, individually and as executors of said will, and Alice Jones McAden and Mary D. Ray, have filed their petition praying that the said paper writings may be probated in solemn form and adjudged to be the last will and testament of Giles M. McAden, Deceased; and whereas upon the said petition it has been ordered by the Clerk of the Superior Court of Gaston County that a citation be issued to the next of kin and heirs at law of the said Giles M. McAden, Deceased, and also to the legatees named in said will, other than petitioners above named;

You are therefore commanded to summon and give notice to Chas. A. Bland

and also to the legatees named in said will, other than petitioners above named;

You are therefore commanded to summon and give notice to Chas. A. Bland Lucy M. Bland, Mary Terry Bland, St. Peters Hospital of Charlotte, N.C. and Caroline C. White to be and appear before the Clerk of the Superior Court of Gaston County at the Court House in Dallas, N.C., on Tuesday the 19th day of December, A. D., 1905, then and there to see proceedings in this cause and show cause, if any thou can or have, why the said paper writings shall not be admitted to probate in solemn form and adjudged to be the last will and testament of the said Giles M. McAden, Deceased.

And let the said parties take notice that if they fail to appear and show cause at the time and place aforesaid and make their objections, if any known, to the probate in solemn form of the said paper writings as and for the last will and testament of the said Giles M. McAden, Deceased, judgment will be entered according to the prayer of said petitioners.

Herein fail not and of this citation make due return.

Witness my hand and the seal of said court, this 20th day of Nov. A. D., 1905.

C. C. Cornwell, Clerk Superior Court Gaston County.

Service accepted. I hereby waive further service. December 7, 1905.

A. L. Bulwinkle, Guardian ad litem for Mary Terry Bland.

Sheriff's Return: Received November 27, 1905, served November 23, 1905 by reading

and delivering a copy of the within citation to Chas.A.Bland, Lucy M.

Bland and Mary Terry Bland, the said Chas.A.Bland being the father of said Mary Terry Bland with whom she resides; and also to Carolina C.White and to Mrs. Jane L.Wilkes Manager and local agent of St. Peters Hospital, of Charlotte, N.C., This Nov. 29,1905.

N.W.Wallace, Sheriff.

State of Maryland,

County of Baltimore.

Wm.F.Cole, Clerk of the Circuit Court of Baltimore County, in the State of Maryland, which court is a court of Record, having a seal which is hereto attached, do hereby certify that James Rittenhouse, to me well known as the Sheriff of said County of Baltimore, State of Maryland, personally appeared before me and being by me duly sworn, says that as such Sheriff he has full power to serve any and all legal processes issuing from the courts of said State, and that on the 29th day of November, A. D. 1905, he served the accompanying summons and statement of the nature of the proceeding hereto attached, by reading and delivering a copy of each to E.W.Davison, Mary McAden Davison, Yancy McAden Davison and Dorothy Davison,

E.W. Davison, Mary McAden Davison, Yancy McAden Davison and Dorothy Davison,
the defendants named in said citation or summons, the said E.W. Davison
being the father of said Yancy McAden Davison and Dorothy Davison, with
whom they reside at No. 501 Hawthorne Road, Roland Park, Baltimore County,
Maryland.

James Rittenhouse,

Sheriff of Baltimore County,

State of Maryland.

Sworn to and subscribed before me, this 1st day of December, A. D., 1905.

Wm. P. Cole, Clerk of Circuit Court, County of

(Official Seal)

Baltimore, State of Maryland.

State of North Carolina,

County of Gaston.

In the Superior Court,

Before the Clerk.

In the Matter of the probate of the)
Will of Giles M. McAden, Deceased.)

C I T A T I O N .

STATE OF NORTH CAROLINA TO THE SHERIFF OF BALTIMORE COUNTY, IN THE STATE OF
MARYLAND-- GREETING:

Whereas two paper writings purporting to be the last will and testament of Giles M. McAden, Deceased, and codicil thereto, have been propounded for probate before the Clerk of the Superior Court of Gaston County by the executors therein named, Henry M. McAden and R. R. Ray; and whereas the said paper writings have been admitted to probate in common form; and whereas Henry M. McAden and R. R. Ray, individually and as executors of said will, and Alice Jones McAden and Mary D. Ray, have filed their petition praying that the said paper writings may be probated in solemn form and adjudged to be the last will and testament of Giles M. McAden, Deceased; and whereas upon the said petition it has been ordered by the Clerk of the Superior Court of Gaston County that a citation be issued to the next of kin and heir-at-law of the said Giles M. McAden, Deceased, and also to the legatees named in said will, other than petitioners above named, a statement of the nature of the proceedings being hereto attached:

You are therefore commanded to summon and give notice to E. W. Davison, Mary McAden Davison, Yancy McAden Davison and Dorothy Davison, and A. L. Bulwinkle guardian ad litem of said Yancy McAden Davison and Dorothy Davison to be and appear before the Clerk of the Superior Court of Gaston County at the Court House in Dallas, North Carolina, on Tuesday the 19th day of December, A. D. 1905, then and there to see proceedings in this cause and show cause, if any they can or have, why the said paper writings shall not be admitted to probate in solemn

a statement of the nature of the proceedings to be had.

You are therefore commanded to summon and give notice to E.W. Davison, Mary McAdEn Davison, Yancy McAden Davison and Dorothy Davison, and A.L. Bulwinkle guardian ad litem of said Yancy McAden Davison and Dorothy Davison to be and appear before the Clerk of the Superior Court of Gaston County at the Court House in Dallas, North Carolina, on Tuesday the 19th day of December, A. D. 1905, then and there to see proceedings in this cause and show cause, if any they can or have, why the said paper writings shall not be admitted to probate in solemn form and adjudged to be the last will and testament of the said Giles M. McAden Deceased.

And let the said parties ~~take notice~~ that if they fail to appear and show cause at the time and place aforesaid and make their objections, if any known, to the probate in solemn form of the said paper writings as and for the last will and testament of the said Giles M. McAden, Deceased, judgment will be entered according to the prayer of said petitioners.

Herein fail not and of this citation make due return.

Witness my hand and the seal of said court, this 20th day of November,

A. D. 1905.

C. C. Cornwell,

Clerk Superior Court, Gaston County.

State of North Carolina,
County of Gaston.

In the Superior Court,
Before the Clerk.

In the Matter of the Probate of the Will)
of Giles M. McAden, Deceased.) STATEMENT OF THE NATURE OF
THE PROCEEDINGS.

This is a proceeding begun by the petition of Henry M. McAden and others for the purpose of having two paper writings which are on file in the office of the Clerk of the Superior Court of Gaston County probated in solemn form and adjudged to be the last will and testament of Giles M. McAden, Deceased. The said paper writings have already been probated in common form, and the object of this proceeding is to give all parties interested in the said will or in the estate of the said Giles M. McAden, Deceased, an opportunity to appear before the court and make known their objections, if any they have, to the probate in solemn form of the said paper writings as the last and testament of the said Giles M. McAden, deceased.

This the 20th day of November, 1905.

Tillett & Guthrie,

Attorneys for Petitioners.

bated in common form, and the object of this proceeding is to give all parties interested in the said will or in the estate of the said Giles M. McAden, Deceased, an opportunity to appear before the court and make known their objections, if any they have, to the probate in solemn form of the said paper writings as the last and testament of the said Giles M. McAden, deceased.

This the 20th day of November, 1905.

Tillett & Guthrie,

Attorneys for Petitioners.

Rooms 1-4 Piedmont building,

Charlotte, N. C.

North Carolina,

Caston County.

Service accepted. I hereby waive all further service,
Dec. 7, 1905.

A.I. Bulwinkle,

Guardian ad litem for Yancy McAden

Davison and Dorothy Davison.

State of Georgia,
County of Gwinnett.

I, N. S. Robinson, Clerk of the Superior Court of Gwinnett County, in the State of Georgia, which court is a court of record, having a seal which is hereto attached, do hereby certify that R. T. Martin, to me well known as the Sheriff of said County of Gwinnett, State of Georgia, personally appeared before me and being by me duly sworn, says that as such Sheriff he has full power to serve any and all legal processes issuing from the courts of said State, and that on the 24th day of November, A. D. 1905, he served the accompanying summons and statement of the nature of the proceedings hereto attached, by reading and delivering a copy of each to Giles McAden Myers, the defendant therein named, and Richard A. Myers, the father of the said Giles McAden Myers with whom he resides.

R. T. Martin,

Sheriff of Gwinnett County, State of Georgia.

Sworn to and subscribed before me, this 24 day of November, A. D. 1905.

N. S. Robinson

Clerk of the Superior Court, County of Gwinnett

State of Georgia.

State of North Carolina,
County of Gaston.

In the Superior Court,
Before the Clerk.

In the Matter of the Probate of the Will)
of Giles M. McAden, Deceased.) C I T A T I O N .

STATE OF NORTH CAROLINA to the Sheriff of Gwinnett County, in the State of Georgia,
GREETING:

Whereas two paper writings, purporting to be the last will and testament of Giles M. McAden, Deceased, and codicil thereto, have been propounded for probate before the Clerk of the Superior Court of Gaston County by the Executors therein named, Henry M. McAden and R. R. Ray; and whereas the said paper writings have been admitted to probate in common form; and whereas Henry M. McAden and R. R. Ray, individually and as executors of said will, and Alice Jones McAden and Mary D. Ray have filed their petition praying that the said paper writings may be probated in solemn form and adjudged to be the last will and testament of Giles M. McAden, Deceased; and whereas upon the said petition it has been ordered by the Clerk of the Superior Court of Gaston County that a citation be issued to the next of kin and heirs at law of the said Giles M. McAden, Deceased, and also to the legatees named in said will, other than petitioners above named, a statement of the nature of the proceedings being hereto attached;

of Norcross Ga.

You are commanded to summon and give notice to Giles McAden Myers^A and A.L. Bulwinle guardian ad litem for said Giles M. McAden Myers. to be and appear before the Clerk of the Superior Court of Gaston County, at the Court House in Dallas, North Carolina, on Tuesday the 19th day of December, A.D. 1905, then and there to See proceedings in this cause and show cause, if any he has, why the said paper writings shall not be admitted to probate in solemn form and adjudged to be the last will and testament of the said Giles M. McAden, Deceased.

And let the said party take notice that if he fail to appear and show cause at the time and place aforesaid and make his objections, if any known, to the probate in solemn form of the said paper writings as and for the last will and testament of the said Giles M. McAden, Deceased, judgment will be entered according to the prayer of said petitioners.

Herein fail not and of this citation take due return.

Witness my hand and seal of said Court, this 20th day of November, A.D., 1905.

C.C. Cornwell,

Clerk Superior Court Gaston County.

State of North Carolina,

In the Superior Court,

State of North Carolina,
County of Gaston.

In the Superior Court,
Before the Clerk.

In the Matter of the Probate of the)
Will of Giles M. McAden, Deceased.) STATEMENT OF THE NATURE OF THE
PROCEEDINGS.

This is a proceeding begun by the petition of Henry M. McAden and others for the purpose of having two paper writings which are on file in the office of the Clerk of the Superior Court of Gaston County probated in solemn form and adjudged to be the last will and testament of Giles M. McAden, Deceased. The said paper writings have already been probated in common form, and the object of this proceeding is to give all parties interested in the said will or in the estate of the said Giles M. McAden, Deceased, an opportunity to appear before the Court and make known their objections, if any they have, to the probate in solemn form of the said paper writings as the last will and testament of the said Giles M. McAden Deceased.

This the 20th day of November, 1905.

Tillett & Guthrie, Attorneys for Petitioners.

Rooms 1-4 Piedmont Building,

I have this day served Richard A. Myers and his minor child, Giles McAden Myers, each personally with copy of the within proceedings. This Nov. 24, 1905, at Norcross Georgia, Gwinnett County.

R. T. Martin,

Sheriff Gwinnett County, Georgia.

North Carolina, Gaston County.

Service Accepted. I hereby waive further service.

Dec. 7, 1905.

A. L. Bulwinkle, Guardian ad litem for Giles McAden Myers.

North Carolina,

In the Superior Court,

Gaston County.

Before the Clerk.

In the Matter of the Probate of the Will
of Giles M. McAden, Deceased.

J. J. Thomas, Guardian of James Thomas McAden and Bennie V. McAden, minor children of the late Ben T. McAden, and nephew and niece, respectively, of the late Giles M. McAden, answering the petition filed herein by Henry M. McAden and R. R. Ray individually, and as executors of the late Giles McAden and of Alice Jones

late Giles M. McAden, answering the petition filed herein by Henry M. McAden and R. R. Ray individually, and as executors of the late Giles McAden and of Alice Jones McAden and Mary D. Ray, in which said petitioners prayed that certain paper writings there n mentioned purporting to be the last will and testament and codicil thereto of the said Giles M. McAden, be probated in solemn form and adjudged to be the last will and testament of the said Giles M. McAden, deceased, for answer thereto. says:

(1) That he admits the allegations set forth in said petition and believes the said paper writings to be the last will and testament and the codicil of the said Giles M. McAden, Deceased.

(2) That he assents to the probate of the said paper writings and consents that the Court adjudge the same to be and that they are the last will and testament of Giles M. McAden.

R. T. Gray, Attorney.

North Carolina, Wake County.

J. J. Thomas being duly sworn says that the foregoing answer is true of his own knowledge except as to matters therein stated on information and belief and as to those matters he believes it to be true.

J. J. Thomas.

Sworn and subscribed to before me this the 7th day of December, 1905.

E. B. Crow, Notary Public.

(Official Seal)
My commission expires Nov. 29, 1907.

100
North Carolina,
Gaston County.

In the Superior Court,
Before the Clerk.

In the Matter of the Probate of the
will of Giles M. McAden, deceased.

Rufus Y. McAden, son of the late Ben T. McAden and nephew of the late Giles M. McAden, answering the petition filed herein by Henry M. McAden and R. R. Ray individually, and as executors of the late Giles M. McAden, and Alice Jones McAden and Mary D. Ray, in which said petitioners prayed that certain paper writings therein ~~be~~ mentioned purporting to be the last will and testament and codicil thereto of the said Giles M. McAden, be probated in solemn form and adjudged to be the last will and testament of the said Giles M. McAden, deceased, for answer thereto says:

(1) That he admits the allegations set forth in said petition and believes the said paper writings to be the last will and testament and the codicil of the said Giles M. McAden, deceased.

(2) That he assents to the probate of the said paper writings and consents that the Court adjudge the same to be and that they are the last will and testament of Giles M. McAden.

R. T. Gray, Attorney.

Will and Testament of Giles M. McAden.

R. T. Gray, Attorney.

North Carolina, Wake County.

Rufus Y. McAden being duly sworn says that the foregoing answer is ~~xx~~ true of his own knowledge except as to matters therein stated on information and belief and as to those he believes it to be true.

Rufus Y. McAden.

Sworn and subscribed to before me this the 7th day of December, 1905.

(Official Seal)

E. B. Crow, Notary Public.

My commission expires Nov. 29, 1907.

Filed Dec. 8, 1905.

C. C. Cornwell, C. C.

North Carolina,

In the Superior Court,

Gaston County.

Before the Clerk.

In the Matter of the Probate of the
Will of Giles M. McAden, Deceased.

E. W. Davison and Mary McAden Davison, his wife, the latter being a sister of the late Giles M. McAden, answering the petition filed herein by Henry M. McAden and R. R. Ray individually, and as executors of the late

Giles M. McAden, and of Alice Jones McAden and Mary D. Ray, in which said petitioners prayed that certain paper writings therein mentioned purporting to be the last will and testament and codicil thereto of the said Giles M. McAden be probated in solemn form and adjudged to be the last will and testament of the said Giles M. McAden, deceased, for answer thereto say:

(1) That they admit the allegations set forth in said petition and believe the said paper writings to be the last will and testament of the said Giles M. McAden, deceased.

(2) That they assent to the probate of the said paper writings and consent that the Court adjudge the same to be and that they are the last will and testament of Giles M. McAden.

R. T. Gray, Attorney.

State of Maryland, City of Baltimore.

E. W. Davison being duly sworn says that the foregoing answer which he filed in behalf of himself and his said wife, is true of his own knowledge except as to matters therein stated on information and belief and as to those he believes it to be true.

E. W. Davison.

Sworn to and subscribed before me this the 5th day of December, 1905.

(Official Seal)

John W. Hewes, Notary Public.

(Official Seal)

John W. Hewes, Notary Public.

Filed Dec. 19, 1905,

C. C. Cornwell, C. S. C.

North Carolina,
Gaston County.

In the Superior Court,
Before the Clerk.

In the Matter of the probate of the
Will of Giles M. McAden, Deceased.

Charles A. Bland and Lucy McAden Bland, his wife, the latter being a sister of the late Giles M. McAden, answering the petition filed herein by Henry M. McAden and R. R. Ray, individually, and as executor of the late Giles M. McAden, and of Alice Jones McAden and Mary D. Ray, in which said petitioners prayed that certain paper writings therein mentioned purporting to be the last will and testament and codicil thereto of the said Giles M. McAden be probated in solemn form and adjudged to be the last will and testament of the said Giles M. McAden, deceased, for answer thereto say:

(1) That they admit the allegations set forth in said petition and believe the said paper writings to be the last will and testament of the said Giles M. McAden, deceased.

(2) That they assent to the probate of the said paper writings and consent that the Court adjudge the same to be and that they are the last will and testament of Giles M. McAden.

Chas. A. Bland

Lucy McA. Bland.

State of North Carolina,
City of Charlotte, Dec. 13, 1905.

Charles A. Bland being duly sworn says, that the foregoing answer which he filed in behalf of himself and his said wife, is true of his own knowledge except as to matters therein stated on information and belief and as to those ~~xxxxxxx~~ he believes it to be true.

Chas. A. Bland,

Sworn to and subscribed before me this the 13th day of December, 1905.

(Official Seal)

Frank F. Jones, N. P.

North Carolina,
Gaston County.

In the Superior Court.

In the Matter of the Probate of the
Will of Giles M. McAden, Deceased.

In the Matter of the Probate of the
Will of Giles M. McAden, Deceased.

TO THE HONORABLE CLERK OF THE SUPERIOR COURT OF GASTON COUNTY:

The undersigned attorneys hereby represent to the court that Yancy McAden Davison, Dorothy Davison and Giles McAden Myers and Mary Terry Bland upon whom process has been served in this case, are minors without guardian, and we ask that some discreet and proper person be appointed as guardian ad litem to represent said infant defendants in this proceeding.

This Dec. 5, 1905.

Tillett & Guthrie, Attorneys.

Upon considering the foregoing application, the court having found after due inquiry that A.L. Bulwinkle is a discreet and proper person to be appointed guardian ad litem for the said infant defendants, it is now ordered that the said A.L. Bulwinkle be, and he is hereby appointed guardian ad litem of Yancy McAden Davison, Dorothy Davison and Giles McAden Myers, and Mary Terry Bland.

This 7th day of December, 1905.

C. C. Cornwell,

Clerk Superior Court.

North Carolina,
Gaston County.

In the Superior Court,
Before the Clerk

In the Matter of the Probate of the)
Will of Giles M. McAden, deceased.) Answer.

Yancy McAden Davison, Dorothy Davison, Giles McAden Myers and Mary Terry Bland, by their guardian ad litem A.L. Bulwinkle, answering the petition, say:

1. That paragraph one (1) of the petition is true.
2. That paragraph two (2) of the petition is true.
3. That paragraph three (3) is true, as is also the facts set forth in the application referred to in the said paragraph.

A. L. Bulwinkle
Guardian Ad Litem.

North Carolina,
Gaston County.

A.L. Bulwinkle, Guardian Ad Litem, being duly sworn, says that the foregoing answer is true of his own knowledge, except as to those matters therein stated on information and belief and as to those matters he believes it to be true.

Sworn to and subscribed before me, this the 7th day of December, 1901.
A. L. Bulwinkle.

Gaston County.

A.L.Bulwinkle, Guardian Ad Litem, being duly sworn, says that the foregoing answer is true of his own knowledge, except as to those matters therein stated on information and belief and as to those matters he believes it to be true.

A.L.Bulwinkle.

Sworn to and subscribed before me, this the 7th day of December, 1905.

C.C.Cornwell,

Clerk Superior Court Gaston Co.

Filed Dec. 7, 1905.

C.C.Cornwell, C.S.C.

North Carolina,

In the Superior Court,

Gaston County.

In the Matter of the Probate of the)
Will of Giles M. McAden, Deceased.)

Order.

In this proceeding it is ordered that the same be continued for hearing until the 27th day of December, A.D. 1905.

This December 19, 1905.

C.C.Cornwell,

Clerk Superior Court.

North Carolina,

In the Superior Court,

Gaston County,

Before the Clerk.

In the Matter of the Probate of the
Will of Giles M. McAden, deceased.

This proceeding coming on to be heard upon this 27th day of December 1905, upon the application and petition of Henry M. McAden and others to have probated in solemn form as the last will and testament of G.M. McAden the paper writings one bearing date June 18th 1904, and the other bearing date October 11th 1905, purporting to be the Will and Codicil of the said G.M. McAden, and it appearing to the satisfaction of the Court that under the order heretofore made citations have been issued and served upon all the heirs at law, next of kin, devisees and legatees of said G.M. McAden (other than the petitioners) returnable the 19th day of December 1905, and the said proceeding having been continued until this day and it further appearing to the Court that all the heirs at law and next of kin of the said G.M. McAden (other than the petitioners) have filed answers assenting to the probate of the said paper writings as the will of said G.M. McAden, and it further appearing that A.L. Bulwinkle has been duly appointed Guardian Ad Litem of the minors, Yancy McAden Davison, Dorothy

G.M. McAden, and it further appearing that A.L. Bulwinkle has been duly appointed Guardian Ad Litem of the minors, Yancy McAden Davison, Dorothy Davison, Giles McAden Myers and Mary Terry Bland and has filed answer for said minors admitting all the allegations of the petitions, and twenty days having elapsed since the minors and the guardians were served with notice or citation and since answers has been filed by said Guardian: Now therefore, upon the application of the petitioners (H.M. McAden and R.R. Ray appearing in person and by their attorney, C.W. Tillett) it is found as a fact by the court upon the oath of Henry M. McAden, G.L. Van-Echop, J.C. Tate, and S.N. Boyce that the paper writing bearing date the 18th of June, 1904, purporting to be the will of Giles M. McAden and every part thereof is in the handwriting of the said G.M. McAden was found among the valuable papers and effects of the said G.M. McAden, and the paper writing bearing date the 11th day of October 1905, purporting to be a codicil to the will of the said G.M. McAden was deposited for safe keeping in the hands of the said Van Echop, and the same and every part thereof is in the handwriting of the said G.M. McAden, all of which will appear by reference to the affidavits of the above named parties which affidavits are hereto annexed and which are found to be facts by the Court.

It is, therefore, considered and adjudged that the said paper writings which are hereto annexed be, and the same are and together constitute

the last will and testament of the said G.M. McAden and the same together with the proofs and other papers in connection with the proceeding are ordeered to be rEcorded.

This Dec. 27, 1905

C. C. Cornwell, Clerk of the Superior Court, Gaston County, N. C.

It is further ordered and adjudged that the order of probate heretofore made be, and the same is hereby ratified and confirmed and the Letters testamentary heretofore issued to the said Henry M. McAden and R. R. Ray, Executors, are also ratified and confirmed.

It is further ordered that the Executors pay out of the funds of the estate the costs of this proceeding amounting to \$48⁵⁰ -----.

C. C. Cornwell,

Clerk Superior Court Gaston Co., N. C.

State of North Carolina,

Gaston County.

I, James Walter Moore of the County of Gaston and State of North Carolina, having in view the uncertainty of human life, do hereby make and de-