

North Carolina,

Gaston County.

I, Jess H. Costner 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.

1st First. My Executor hereinafter named shall give my body a decent burial, suitable to the wishes of my friends and relatives, and pay all funeral expenses, together with all my just debts out of the first moneys which may come into his hands belonging to my estate.

Second. I give and bequeath to my three sisters Bell Moton, wife of W. H. Moton, Ula Warren wife of John Warren and my youngest sister, Myrtle Costner, my undivided interest in the Home place about 48 acres to be divided equally between the above named sisters, this tract of land adjoins the lands of John C. Robinson, W. W. Farris, Will Moton, in Gastonia Township, Gaston County.

Third. I give and bequeath to my sister, Bell Moton two hundred thirty three Dollars out of my life insurance of one thousand dollars in the Modern Woodmen of America, of which I am a member, Neota Camp #11777 in Haskell County, Oklahoma, and to my sister Ula Warren Five Hundred and thirty three, also to my youngest sister, Myrtle Costner Two hundred thirty three dollars, out of my insurance.

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Fourth. My will and desire is that all the residue of my estate (if any) after taking out the devises and legacies above mentioned, shall be sold by my executor or his successor, and the debts owing to me collected and if there should be any surplus over and above the payments of debts, expenses and legacies, that such surplus shall be equally divided and paid over to my said three sisters, share and share alike.

Fifth. And whereas my said youngest sister Myrtle Costner is a minor of the age of about fifteen ^{or} and will not be of full age of twenty one until about 6 years.

Now, therefore, my will and desire is that my next friend John C. Robinson be, and he is hereby constituted and appointed guardian of the said Myrtle Costner to have and to hold the custody of her estate until the said Myrtle Costner shall arrive at full age of twenty one years.

Sixth. I hereby constitute and appoint my trusted friend John C. Robinson 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 Jesse H. Costner do hereunto set my

and seal this the 31st day of Jany. 1911.

his
Jesse H X Costner
mark

(Seal)

Signed, sealed, published and declared by the said Jesse H. Costner to be his
last will and testament in the presence of us who at his request and in his pres-
ence and in the presence of each other do subscribe our names as witnesses thereto.

Witness:

John C. Robinson

S. S. Morris

his

(Seal)

W. F. X Warren
mark

(Seal)

State of North Carolina,
Gaston County.

In the Superior Court,

In the Matter of the Last Will of Jesse H. Costner.
It appearing to the Court by the oath and examination of W. F. Warren and S. S. Morris
the subscribing witnesses thereto, that the paper writing propounded by the
Executor therein named, is the last will and testament of Jesse H. Costner, and
that the same was duly executed by said Jesse H. Costner in the presence of said
witnesses and that at the time of signing the same the said Jesse H. Costner was
of sound mind. It is thereupon adjudged that the said paper writing be admitted to
probate as the last will and testament of the said Jesse H. Costner and
therein named qualify as such.

Witness:

John C. Robinson

S. S. Morris

(Seal)

his

W. F. X Warren
mark

(Seal)

State of North Carolina,

In the Superior Court,

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It appearing to the Court by the oath and examination of W. F. Warren and S. S. Morris the subscribing witnesses thereto, that the paper writing propounded by the Executor therein named, is the last will and testament of Jesse H. Costner, and that the same was duly executed by said Jesse H. Costner in the presence of said witnesses and that at the time of signing the same the said Jesse H. Costner was of sound mind. It is thereupon adjudged that the said paper writing be admitted to probate as the last will and testament of the said Jesse H. Costner and the Executor therein named qualify as such.

This the 20th day of Feb. 1911.

C. C. Cornwell,

Clerk Superior Court.