

Mecklenburg County- In the Superior Court.

In the Matter of the will of M.L.Tate,- Before J.A.Russell, Clerk.

A.F.Hand being sworn, doth say:

That M.L.Tate late of said County is dead, having first made and published his last will and testament ; and that no Executor is named therein.

Further, that the property of the said M.L.Tate consisting of real estate and personal property (\$5000 real estate and \$5000 personal property) is worth about \$10,000 so far as can be ascertained at the date of this application; and that the persons named in said will, viz: A.F.Hand, Leo Hand, H.A.Davis, Laban Allison, Flora Allison, Essie Allison, all of said county and all of full age except Leo Hand who is the son of affiant who is appointed guardian in said will, are the parties entitled under the said will to the said property.

Sworn to and subscribed before me this the 3rd day of May, 1905.

A.F.Hand.

W.M.Moore, Deputy Clerk Superior Court.

State of North Carolina,

Mecklenburg County.

I, Margaret L.tate of the County and State aforesaid being of sound mind and memory, but considering the uncertainty of my earthly existence, do make,

and memory, but considering the uncertainty of my earthly existence, do make, publish and declare this my last will and testament.

First- It is my will and desire that my body after death shall receive a decent burial suitable to the wishes of my friends and relatives, and that my funeral expenses and all my just debts shall be paid out of the first available moneys belonging to my estate at the time of my death.

Second- I give and devise to my worthy and trusted friend, Albert F. Hand, all that tract of land lying in the County of Mecklenburg and State of North Carolina on the Catawba River, adjoining lands of the late Dawson Mitchell, Ruth Berryhill and the John Sloan place and others, containing 200 acres more or less, and known as my home place. To have and to hold in fee simple.

Third- I give and devise to Leo Hand, the son of my worthy friend Albert F. Hand, Seventy Five (75) acres off of the upper end of the John Sloan Place, which adjoins my home place, the lands of Leroy Suggs, Samuel Porter and others which said John Sloan place contains one hundred acres, more or less. To have and to hold the said Seventy Five acres in fee simple.

Fourth- I Give and devise to my worthy and trusted friend, Albert F. Hand the remaining Twenty five acres more or less of the John Sloan tract not heretofore devised to the said Leo Hand, to have and to hold the same in fee simple.

Fifth- I give and devise to my worthy and trusted friend, Albert F. Hand all

of that tract of land lying in Gaston County and State of North Carolina, on the Catawba River, adjoining lands of C.T.Stowe, John F., and W.A.Leeper and others, containing 200 acres more or less, and known as the Matthew Leeper lands on which A.F.Gaston now lives. To have and to hold the same in fee simple.

Sixth- I give and devise to my beloved cousins, Essie Allison, Laban Allison and Flora Allison, children of the late John Allison, one undivided half of all that tract of land in Gaston County, N.C., adjoining lands of C.T.Stowe, H.F.Ewing and others, containing 63 acres more or less, and known as the James Allison place, to have and to hold the same in fee simple

Seventh- I give and devise to my worthy and trusted friend Albert F.Hand all of that tract of land lying in and near the town of Belmont in Gaston County, N.C., adjoining lands of J.Q.Hall, W.W.Davis, W.B.Puett and others, except ten acres which I give and devise to Leo Hand, son of the said A.F. Hand, to be so divided between the said Albert F.Hand and Leo Hand, that each will front on the public road, leading through the same to the said town, to have the same in fee simple.

Eighth- I give and devise to my beloved cousin, Hugh A.Davis one undivided one half of all that tract of land in Gaston County, State of North Carolina, adjoining lands of C.T.Stowe, H.F.Ewing and others, containing

ded one half of all that tract of land in Gaston County, State of North Carolina, adjoining lands of C.T.Stowe, H.F.Ewing and others, containing 63 acres, more or less and known as the James Allison tract, to have and to hold the same in fee simple.

Ninth- I give and bequeath to my worthy and trusted friend, Albert F. Hand all notes and accounts of whatever kind or character for moneys due or owing to or belonging to my estate at the time of my death, and also all moneys in the First National Bank of Charlotte, N.C., and for which I hold certificates of deposit, at the time of my death.

Tenth- I give and bequeath to my worthy and trusted friend, Albert F. Hand all my household and kitchen furniture consisting of beds, bedding, tables, chairs, bureaus, bookcase and books, cooking utensils and every article in and belonging to my house and kitchen and also all stock, horses, mules, cattle, hogs and all provisions on hand and all crops that may be on hands at the time of my death, also any and every other article of property of which I may die possessed, I hereby give to the said Albert F. Hand.

Eleventh- It is my will and desire that my worthy and trusted friend, Albert F. Hand shall act as guardian of his son Leo Hand until he becomes 21 years of age, when he shall deliver to him, the said Leo Hand all of the property hereinbefore devised to him, together with the proceeds thereof

In Witness Whereof I, the said M.L.Tate do hereunto set my hand and

seal, this the fifth day of November, 1901.

M.L.Tate,

(Seal)

Signed, sealed, published and declared by the said Margaret L.Tate to be her last will and testament in the presence of us, who at her request and in her presence do subscribe our names as witnesses thereto.

W.A.Leeper, John F.Leeper.

State of North Carolina,
Mecklenburg County. }

IN the Superior Court.

A paper writing purporting to be the last will and testament of M.L.Tate, deceased, is exhibited before me, the undersigned, Clerk Superior Court for said County, by A.F.Hard one of the devisees therein mentioned, and the due execution thereof by the said M.L.Tate is proved by the oath and examination of W.A.Leeper and John F.Leeper the subscribing witnesses thereto, who being duly sworn, doth depose and say, and each for himself deposeth and saith, that he is a subscribing witness to the paper writing now shown him, purporting to be the last will and testament of M.L.Tate that the said M.L.tate in the presence of this deponent subscribed her name at the end of said paper writing, which is now shown as aforesaid, and which bears date of the 5th day of November, 1901.

-said, and which bears date of the 5th day of November, 1901.

And the deponent further saith, that the said M.L.Tate the testatrix aforesaid, did at the time of subscribing her name as aforesaid, declare the said paper writing so subscribed by her and exhibited to be her 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 Testatrix. And this deponent further saith that at the said time when the said testatrix subscribed her name to the said last will as aforesaid, and at the time of the deponent's subscribing his name as an attesting witness thereto, as aforesaid the said M.L.Tate was sound of 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.Leeper (Seal)

John F.Leeper (Seal)

Severally sworn and subscribed this 3rd day of May, 1905, before me,

W.M.Moore, Deputy Clerk Superior Court.

North Carolina,

Gaston County.

Upon the foregoing and attached proof it is now considered and adjudged that the foregoing paper writing and every part of same is the last will

and testament of M.L.Tate, deceased. Therefore let the said will together with the application, the proof and this order be recorded. This the 3rd day of May, 1905.

J.A.Russell, Clerk Superior Court.

State of North Carolina,)
) Superior Court.
 Mecklenburg County.)

I, A.F.Hand, do solemnly swear that I believe Margaret L.Tate died leaving a last will and testament, no executor named therein, and that I will well and truly administer, with will annexed, all and singular the goods, and chattels, rights, and credits of the said Margaret L.Tate, and the true and perfect inventory thereof return as provided by law; and all other duties appertaining to the charge reposed in me, I will faithfully and honestly perform with the best of my skill and ability; so help me God.

A.F.Hand

(Seal)

Sworn to and subscribed before me this 14th day of July, 1905.

J.A.Russell, C.S.C.

State of North Carolina,
 Mecklenburg County.

Mecklenburg County.

I, J.A. Russell, Clerk of the Superior Court, in and for said County and State, hereby certify that the foregoing is a true and correct copy of the last will and testament of Margaret L. Tate, deceased, as the same appears of Record and on file in my office.

In Testimony Whereof I have hereunto set my hand and official seal, this the 21st day of October, 1905.

J.A. Russell, Clerk Superior Court.

*Filed and recorded October 24th 1905.
W. L. Cornwall C.S.C*

North Carolina,

Gaston County.

I, F.W. Leeper, of the State and County aforesaid, being of sound mind and memory but considering the uncertainty of my earthly existence, do make, publish, and declare this my last will and testament hereby declaring and making void any and all wills by me heretofore made. First,- I will and devise that all of my just debts and funeral expenses shall be paid.

Second- I will and bequeath to my beloved wife Elmina C. Leeper, during the term of her natural life, all of my real estate consisting of one