

NORTH CAROLINA, BUNCOMBE COUNTY—In Superior Court  
In the Matter of the Will and Codicil

J. Scott Sayre (J. S. Sayre) Before ZEBULON WEAVER, JR., Clerk

TO THE CLERK OF THE SUPERIOR COURT:

The undersigned petitioner, Guy Weaver, 10th Floor Jackson Bldg., Asheville, N. C., upon oath, represent, that late of said County and State, died on or about the 10 day of November, 1962, having first made and published a paper-writing, purporting to be his Last Will and Testament, dated the 2 day of August, 1957, and, Codicil dated October 26, 1959

That said paper-writing was found among the valuable papers of said testator in Lock Box in Bank of Asheville, where it was in the possession of Guy Weaver, who had been placed by him for safe keeping.

That said petitioner now file said paper-writing with the Court and request that the same be admitted to probate; that Guy Weaver the Executor or therein named.

Further that the said J. Scott Sayre (J. S. Sayre) left real and personal property consisting of Bank of Asheville, cash \$ 7236.40 = stocks (value unknown) 1955 Plymouth value about \$300.00 excess of \$10,000.00 of the approximate value of \$10,000.00 as far as can be ascertained at the date of this application and that Helen M. Howard, sister, Wilmington, Del.

is the part entitled under said Will to the said property.

Subscribed and sworn to before me this 12 day of November, 1962

Emmett H. Hester  
Ass't Clerk Superior Court.

By Deputy Clerk Superior Court.

COMMISSION TO TAKE PROOF OF WILL

NORTH CAROLINA }  
BUNCOMBE COUNTY } IN THE SUPERIOR COURT  
BEFORE THE CLERK

TO Frances R. Harley, Notary Public,  
Auburndale, Florida.

The undersigned Clerk, reposing special trust and confidence in your integrity, hereby authorizes and empowers you to cause Eleanor M. Bowman, and Kenneth N. Schulz

to appear before you at such time and place as you may appoint and on oath to examine touching such matter and things as they shall know of and concerning the execution of a paper writing purporting to be the Last Will and Testament of J. Scott Sayre deceased, which has been filed in this office for probate.

And the deposition in writing by you so taken, the same you are to transmit, sealed with your seal, to the undersigned Clerk of the Superior Court.

In witness whereof, I have hereunto set my hand and seal this 20 day of November 1962

Zebulon Weaver, Jr.  
Clerk of the Superior Court  
Buncombe County, N. C.

RETURN

A paper hereto attached and purporting to be the Last Will and Testament of J. Scott Sayre deceased, bearing the date of 2 day of August, 1957 is exhibited before the undersigned by virtue of the authority above given him, and thereupon

the following proof thereof is taken by the oath and examination of Eleanor M. Bowman and Kenneth N. Schulz the subscribing witnesses thereto, as follows:

State of Florida

Polk COUNTY.

Eleanor M. Bowman and Kenneth N. Schulz

being duly sworn, depose and say, each for himself or herself, that he or she is a subscribing witness to the said paper-writing now shown him or her, purporting to be the Last Will and Testament of J. Scott Sayre deceased, and that he or she saw

execute (or heard

acknowledge the execution of) this writing as his Last Will and Testament, and that affiant attested it in his presence and at his request; and that at the time of the execution (or at the time its execution was acknowledged) said J. Scott Sayre was, in affiant's opinion, of sound mind and disposing 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 deponents say not.

Subscribed and sworn to before me, this 21 day of December, 1962

My commission expires 9/22/64  
Frances R. Harley  
Notary Public  
State of Florida at Large

Having executed the commission of the Clerk of the Superior Court of Buncombe County, I hereby make this as a true and complete account of the proceedings had before me under the special authority as above reposed.

In witness whereof I hereunto set my hand and seal this 21 day of December, 1962

MY Commission expires 9/22/64  
Frances R. Harley  
Notary Public of State of Florida  
at Large



**In the Name of God, Amen,**

I, J. SCOTT SAYRE, also known as J. S. SAYRE,  
being of sound mind and memory, and considering the uncertainty of this frail and  
transitory life, do therefore make, ordain, publish and declare this to be my last  
WILL AND TESTAMENT that is to say:

First—After all my lawful debts are paid and discharged, I give and bequeath  
and devise all of my property, real, personal and mixed, whatsoever  
it may be and wheresoever situate, to my sister, HELEN M. HOWARD,  
of 501 West Tenth Street, Wilmington, Delaware.

Likewise I make, constitute and appoint my attorney, Latimer A. Long, of  
Auburndale, Florida,

to be the executor of this my last Will and Testament, hereby  
revoking all former Wills by me made.

In Witness Whereof, I have hereunto subscribed my name and affixed my  
seal the second day of August in the year of our Lord,  
one thousand nine hundred and fifty-seven.

*J. Scott Sayre* 

The above partly written and printed instrument was subscribed by the said  
J. SCOTT SAYRE, also known as J. S. SAYRE, in our presence and  
acknowledged by him to each of us; and he at the same time did declare  
the above instrument, so subscribed, to be his Last Will and Testament; and we,  
at his request, have signed our names as witnesses hereto, in his presence  
and in the presence of each other, and written opposite our names our respective  
places of residence.

*Eleanor M. Bowman* Witness *Auburndale, Florida* Residence  
*Kenneth M. Schulz* Witness *Winter Haven, Fla.* Residence  
*Lewis Bentley* Witness *Auburndale, Florida* Residence

**Codicil****PROBATE OF WILL**

NORTH CAROLINA } ss. IN THE SUPERIOR COURT  
HUNCOMBE COUNTY Codicil to

A paper purporting to be the Last Will and Testament of J. Scott Sayre  
deceased, is exhibited before me, the undersigned Clerk of Court for said County, by  
Guy Weaver the execut. or  
therein mentioned, and the due execution thereof by the said J. Scott Sayre  
by the oath and examination of Guy Weaver

the subscribing witnesses thereto: who being duly sworn, doth depose and say, and each for  
himself and depose and saith, that he and a Codicil is subscribing  
witness to the paper-writing now shown him, purporting to be the Last Will  
and Testament of J. Scott Sayre  
that the said J. Scott Sayre in the presence of this deponent,  
subscribed his name at the end of said paper-writing which now shown as aforesaid, and  
which bears date of the 26 day of October 1959

And the Deponent Further saith, That the said J. Scott Sayre  
the testat. or aforesaid, did at the time of subscribing his name as aforesaid, declare the said  
paper-writing so subscribed by him and exhibited, to be a Codicil to LAST WILL AND  
TESTAMENT, and the deponent did thereupon subscribe his and name at the  
end of said will as an attesting witness thereto, and at the request and in the presence of the said  
testator. And this deponent further saith, that at the said time when the said testat. or subscribed  
his name to the said last will aforesaid, and at the time of deponent's subscribing his  
name as an attesting witness thereto, as aforesaid, the said  
J. Scott Sayre was of sound mind and memory, of full age to exe-  
cute a will and was not under any restraint to the knowledge, information or belief of this deponent:  
And further these deponents say not.

*Lewis Mark* (SEAL)  
*Guy Weaver* (SEAL)  
*J. Scott Sayre* (SEAL)

Severally sworn and subscribed this 20  
day of November, 1962, before me.  
*Edna C. Anderson* C. S. C.  
By Deputy Clerk.



CODICIL TO LAST WILL AND TESTAMENT

OF

J. SCOTT SAYRE

I, J. SCOTT SAYRE, also known as J. S. SAYRE, being of sound and disposing mind and memory, but considering the uncertainty of my earthly existence, do hereby make, publish and declare this as a Codicil to my last Will and Testament heretofore executed on the 2nd day of August, 1957; hereby ratifying and confirming the said Will in all respects, excepting as modified by this Instrument.

**FIRST:** For the information of my Executor, the present address of Helen M. Howard, my sister, is: 822 North Adams Street, Wilmington, Delaware.

**SECOND:** It is my desire that my remains be cremated and handled with as little expense as possible, and I do not desire any funeral services of any kind.

**THIRD:** My Bank Account is with the Bank of Asheville, of Asheville, N. C., and my securities and valuable papers are in safe deposit box No. 1277 in said Bank. My social security Number is 557-32-8769, and will be used in part for my funeral expense. My sister, Mrs. Helen M. Howard's address is 822 North Adams Street, Wilmington, Delaware, and my permanent address is Princess Anne Hotel, Asheville, N. C.

**FOURTH:** Due to my change of residence I desire to change the name of the Executor in my Will from that of Latimer A. Long, of Anburadale, Florida, and I nominate and appoint instead thereof GUY WEAVER, Attorney, of Asheville, N. C.

IN WITNESS WHEREOF, I, the said J. SCOTT SAYRE, have hereunto set my hand and affixed my seal the 26th day of October, 1959

Signed, sealed, published and declared by the said J. SCOTT SAYRE to be his Codicil to 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:

*Irwin Monk* of Asheville, N. C.  
Witness

*Madeline A. Beath* of 74 Pearson Dr.  
Witness

*Guy Weaver* of Asheville, N. C.  
Witness

NORTH CAROLINA  
BUNCOMBE COUNTY

} ss.

IN THE SUPERIOR COURT  
BEFORE THE CLERK

IN RE: LAST WILL AND TESTAMENT OF:  
J. Scott Sayre (d. S. Sayre)  
Deceased.

ORDER OF PROBATE

Upon due consideration of the foregoing proofs and examinations of Eleanor A. Rowan and Kenneth M. Schulz the subscribing witnesses to a paper writing purporting to be the Last Will and Testament of J. Scott Sayre, deceased, late of Buncombe County, said instrument bearing date 2nd day of August, 1957 and being now offered for probate as the Last Will and Testament of the said J. Scott Sayre (d. S. Sayre); and

Further, upon the due consideration of the foregoing proofs and examinations of Irwin Monk and Guy Weaver the subscribing witnesses to a paper writing purporting to be a codicil to the Last Will and Testament of J. Scott Sayre (d. S. Sayre), deceased, late of said County of Buncombe, said instrument bearing date 26th day of October, 1959, and being offered as a codicil to the will of said J. Scott Sayre, deceased.

IT IS NOW CONSIDERED, ORDERED AND ADJUDGED that said paper writing bearing date August 2nd, 1957, and every part thereof, is the Last Will and Testament of J. Scott Sayre (d. S. Sayre), and that the paper writing bearing date October 26th, 1959, is a codicil to the said Last Will and Testament of the said J. Scott Sayre (d. S. Sayre), deceased, and the said instruments together with the foregoing proofs and examinations of the said subscribing witnesses thereto are ordered to be recorded and filed.

AND IT IS FURTHER ORDERED that upon the said Guy Weaver the Executor therein named, qualifying as provided by law that Letters Testamentary be issued unto the said Executor.

WITNESS My hand this the 21st day of December, 1959.

*John C. Lister*  
CLERK SUPERIOR COURT.



### In Superior Court

Sworn to and subscribed before me this the 12 day of November 1962

Clark Superior Court, Buncombe County, N. C.

**RUNCOMBE COUNTY—IN THE SUPERIOR COURT**

To all whom these Presents shall come—**GREETINGS:**

Is being satisfactorily proven to the undersigned, clerk of the Superior Court for Buncombe County, that.....

J. Scott Sayre (J. S. Sayre)

late of said County, is dead, having made his last WILL AND TESTAMENT, which has been admitted to Probate (a true copy whereof is hereunto annexed), and Guy Weaver the Executor named therein, having qualified as such according to law:

Now these are therefore to empower the said Execut<sup>ors</sup> to enter in and upon all and singular the goods and chattels, the rights and credits of the said deceased, and the same to take into possession, wheresoever to be found, and all the just debts of the said deceased to pay and satisfy; and the residue of said estate to distribute according to the directions of said Will.

Witness my hand and seal of said County, this the 21  
day of December, 19 62.

Edna C. Turnbull, Assistant

**Clerk of the Superior Court,  
Ex Officio Judge of Probate**

[illegible]

1985-1986

**In the Matter of the Will of**

Dicie Randall Mock Before ZEBULON WEAVER, JR., Clerk

The undersigned petitioner, Randall Duckett, 112 Louisiana Avenue, Asheville

Dicie Randall Mock, late of said County and State, died on or about the 10 day of December, 1962, having first made and published a paper-writing, purporting to be her Last Will and Testament, dated the 19th day of July, 1958.

Lock Box Bank of Asheville

That said paper-writing was found among the valuable papers of said testator, of ~~CHAS. H. PARKER~~.....  
in ~~where~~ ~~testator~~ ~~had~~ ~~been~~ ~~placed~~ ~~by~~ ~~him~~ ~~for~~ ~~safe~~ ~~keeping~~.....

That said petitioner..... now file said paper-writing with the Court and request... that the same be admitted to probate: that Randall Duckett the Execut<sup>OR</sup> therein named.

Further that the said Dicie Randall Duckett  
left real and personal property consisting of Acct. approx. \$5000.00, Approx Series E  
bonds to survivors

of the approximate value of \$\_\_\_\_\_ so far as can be ascertained at the date of this application and that  
Randall Duckett and wife Sybil S. Duckett

the parties entitled under said Will to the said property

Subscribed and sworn to before me this the 21 day of December 19 62

Assistant Clerk Superior Court

By \_\_\_\_\_ Deputy Clerk Superior Court.

## PROBATE OF WILL

**NORTH CAROLINA** } **SS.** **IN THE SUPERIOR COURT**  
**BUNCOMBE COUNTY**

A paper purporting to be the Last Will and Testament of Dicie Randall Hock  
deceased, is exhibited before me, the undersigned Clerk of Court for said County, by  
Randall Duckett the executor  
therein mentioned, and the due execution thereof by the said Dicie Randall Hock  
by the oath and examination of Mrs. Ola Moody

the subscribing witnesses thereto: who being duly sworn, doth depose and say, and each for.....  
herself.....deposeth and saith, that...she..... is subscribing  
witness to the paper-writing now shown. her....., purporting to be the Last Will  
and Testament of Dicie Randall Mock.....  
that the said.....Dicie Randall Mock.....in the presence of this deponent,  
subscribed her.....name at the end of said paper-writing which now shown as aforesaid, and  
which bears date of the 19 day of July.....1958.....