

#382

Joseph Carter)
 to) Copy of Will (Filed for Record April 28th A.D. 1909 at 9.25 oclock A.M.
 Adela Carter)
 Feb. 22. 1890

George Hill Recorder
 By Daisy Hill Deputy.

I Joseph Carter in the Township of Douglas County of Madison State of Iowa aware of the uncertainty of life and in failing health but of sound mind and memory do make and declare this to be my last will and testament in manner to wit.
 First I give devise and bequeath unto Adela Carter my wife One hundred and sixty five (165) acres of land and all my household goods and personally property about my home. I further give Adela Carter my Wife the power to sell and convey said Land and personal property. in witness whereof I Joseph Carter to my last will and testament have hereunto set my hand and seal this twenty-second day of February eighteen hundred and ninety.

Joseph Carter.

Signed and declared by Joseph Carter as and for 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 have subscribed our names hereunto as witnesses thereof.

E.T. Hays.
 J.N. Trester.

(Endorsed on the back of said will is the following)

Will opened, publicly read and filed April 15th, 1908, and the 11th day of May, 1908, the same being one of the regular days of the April A.D. 1908, Term of the District Court of Madison County, Iowa, is set for Probating same.

J.A. Way, Clerk.

By W.F. Craig, Deputy.

A F F I D A V I T of P U B L I C A T I O N.
 PROOF OF WILL.

Notice is hereby given that on the 15th day of April A.D. 1908, a paper purporting to be the Last Will and Testament of Joseph Carter, late of Madison County, Iowa, deceased, was filed in this office and publicly read, and the 11th day of May A.D. 1908, of the April Term A.D. 1908, of the District Court of Madison County, is set for the proving of said will when and where those desiring to show cause why the same should not be admitted to Probate are required to appear.

J.A. Way, Clerk District Court.
 By Walter F. Craig, Deputy.

State of Iowa, Madison County, SS:

J.W. Miller, of said County, and State of Iowa, makes oath and says that he is Business Manager of the Winterset Reporter a weekly news paper, printed and published in the City of Winterset, of said County, and having a general circulation in said County, and that the notice thereto attached was published in said paper 3 consecutive weeks, the first publication being on the 16th, day of April 1908, and the last publication thereof being on the 30th day of April 1908,

J.W. Miller.
 Business Manager.

Subscribed and sworn to before me this 20th day of May A.D. 1908.

J.A. Way, Clerk.

SEAL
 Printer's Fee \$4.00

Miscellaneous Record, No. 17, Madison County.

CERTIFICATE OF PROOF OF WILL.

State of Iowa Madison County, SS:

I, J.A. Way, Clerk of the District Court of said County hereby certify that, on the 11th day of May A.D. 1908, the annexed instrument purporting to be the last will of Joseph Carter deceased, late of Madison County, was duly approved and allowed by said Court, and admitted to Probate as such will according to law, and is entitled to full faith and credit as such.

In Witness Whereof, I have hereunto set my hand and caused the seal of said Court to be affixed, this 11th day of May A.D. 1908.

J.A. Way, Clerk.

(SEAL)

In the District Court of Iowa within and for Madison County,

In the Matter of the Last Will,
vs

No. 1865, P R O B A T E .
Probate of Will.

Joseph Carter, Deceased.

Now at this time, to-wit: the 11th, day of May A.D. 1908, this matter comes on for hearing on motion for the proof and allowance of an instrument purporting to be the Last Will and Testament of Joseph Carter, deceased. And it appearing that due service of notice of the hearing hereof has been given as required by law, and that the instrument presented in Court as the Last Will and Testament of said decedent, late of Madison County, Iowa, bearing date the 22nd day of February A.D. 1890, was upon the testimony of one of the subscribing witnesses, to-wit: J.N. Trester declared to be the last will and testament of said decedent as aforesaid. And it further appearing upon proof that said will was duly executed and that said decedent was of full age; of sound mind and not under restraint. It is therefore ordered, adjudged and decreed that said paper purporting to be the last will and testament of said decedent with the proof thereof be recorded and admitted to probate as and for the last will and testament of Joseph Carter, Deceased.

J.H. Applegate, Judge.

CERTIFICATE OF CLERK.

State of Iowa,
Madison County SS:

I, W.F. Craig, Clerk of the District Court within and for the above named State and County hereby certify that the instruments to which this certificate is attached are exact, true and complete copies of the Last Will and Testament of Joseph Carter, deceased, Notice of Proof thereof and Publisher's Affidavit, Order Admitting same to Probate in the District Court of Madison County, Iowa and Certificate of Proof of Will, all as exact, true and complete as the originals of the same now on file and of record in this office.

In Witness Whereof I have hereunto Set my hand and caused the Seal of said Court to be affixed at Winterset, Iowa, this 27th day of April A.D. 1909.

District Court
Seal

W.F. Craig.
Clerk District Court in and for
Madison County, Iowa.