

North Carolina } In the Superior Court -
Cherokee County } Before the Clerk.

In the Matter of the Will of A. J. Burger and Lyda Burger, Deceased.

The paper writing hereto attached and purporting to be the last will and Testament of A. J. Burger and Lyda Burger, deceased, is exhibited before the undersigned Clerk of the Superior Court of Cherokee County, North Carolina, by E. M. Hamby, the executor therein named, and thereupon the following proof thereof is taken by the oath and examination of Marshall Hamby and Ed Brown, the subscribing witnesses thereto, as follows:

North Carolina, Cherokee County.

Marshall Hamby and Ed Brown, being duly sworn, depose and say, and each for himself deposes and says, that he is a subscribing witness to the said paper writing now shown him, purporting to be the last will and Testament of A. J. Burger and Lyda Burger, and that he saw them execute this writing as their last will and Testament, and that affiant attested it in the presence and at the request of said A. J. Burger and Lyda Burger, deceased; and at the time of its execution said A. J. Burger and Lyda Burger was, in affiant's opinion, of sound mind and disposing memory.

Marshall Hamby
Ed Brown

Severally subscribed and sworn to before me, this 21st day of August, 1924

E. E. Davis

Clerk Superior Court Cherokee County.

And thereupon it is considered and adjudged by the Court that the said paper writing and every part thereof is the last will and Testament of A. J. Burger and Lyda Burger, deceased, and it is ordered that the same, with the foregoing examination and this certificate, be recorded and filed.

This 21st day of Aug. 1924

E. E. Davis
Clerk Superior Court of
Cherokee County.

North Carolina Cherokee County.

We A. J. Burger and Wife Lyda Burger of the Aforesaid County and State being of Sound Mind But considering the uncertainty of our Earthly Existence Do Make and Declare this Our Last Will and Testament

First. Our Executor here in after named. Shall Give our Bodies a Decent Burial Suitable to the Wishes of our Friends and Relatives And Pay all Funeral Expenses. to gether With All our Just Debts Out of the First Money which May Come Into his hands Belonging to our Estate.

Second. We give and Bequeath to Chas Hamby Our Son-in-law All our Lands and Monies House hold and Kitchen Furniture and every Thing that Belongs to us at our Death.

Third. We here By constitute and and appoint our Son in Lawful Execution to all inter and purposes. to execute this our 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 us heretofore Made

In Witness Whereof We the said A. J. Burger and Wife Lyda Burger do here unto set our hands and Seals this 7 day. of January 1922.

A. J. Burger [Seal]

Lyda Burger [Seal]

Signed: Sealed, Published and Declared by the said A. J. Burger and Lyda Burger to be their Last Will and Testament in the presents of us who at his request and in his presents do Subscribe our names here to.

Witness J. M. Hamby

W. F. Hill.

Witness Ed Brown

Recorded August 28th, 1924.