

and disposing memory. That it was testatrix desire and intention expressed to affiant before he subscribed his name to said will, that the persons named in the will should have all the property she owned, both real and personal. That affiant after to testatrix walked to the porch from where she was lying on the bed in the room and signed his name to said will as a subscribing witness to said will, the said W.D. Hughes having called affiant to the home of Emeline Parker Furness for the purpose of subscribing his name as a witness to her will, on the 12 day of August, 1912.

J. W. Lovingood

Subscribed and sworn  
to before me, this the  
21 day of February, 1922.

A. L. Johnson  
Clerk Superior Court.

North Carolina, }  
Cherokee County } ss. In the Superior Court,

It is therefore considered and adjudged by the court that the said paper writing and every part thereof is the last Will and Testament of Emeline Parker Jones, deceased. Let the said Will, together with the probate, be recorded and filed. This 21<sup>st</sup> day of February, 1922

A. L. Johnson  
Clerk Superior Court.

Recorded February 24<sup>th</sup>, 1922.

North Carolina Cherokee County.

We A. J. Burger and Wife Lyda Burger of the afore said 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 hereinafter named shall Give our Boddies a Decent Burial Suitable to The Wishes of our Friends. And Relatives and Pay all Funeral Expenses to gether With All our Just Debt out of the First money Which may come into his hands Belonging To our Estate;

Second. We give and Bequeath to Elias Hamby Our Soninlaw all our Lands and Money House hold and Kitchen Furniture and every thing that Belongs to us at our Death

Third. We hereby constitute and appoint our Soninlaw our Lawful Executor, to all intent and purpose. to execute this our Last Will and testament according to the true intent and meaning of the same, and every part and clause there of hereby revoking and Declaring utterly void all other Wills and testaments by us heretofore made

On Witness Whereof 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 Wife Lyda Burger to be their last Will and testament in the presence of us who at his request and in his presence do subscribe our names hereto.

W. F. Hill

Witness J. M. Hamby  
Witness Ed Brown

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

In the Matter of the Will of A.J. Burger, deceased,  
The paper writing hereto attached and pur-  
porting to be the last will and testament of  
A.J. Burger, deceased, is exhibited before the un-  
dersigned 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, depose and say, that he is a  
subscribing witness to the paper writing  
now shown him, purporting to be the last  
will and testament of A.J. Burger, and  
that he saw him execute and acknowledge  
the execution of this writing as his last  
will and testament, and that affiant attested  
it in the presence and at the request of said  
A.J. Burger, deceased; and that at the time  
of its execution (or at the time its execution  
was acknowledged) said A.J. Burger was, in  
affiant's opinion, of sound mind and dispos-  
ing memory.

Marshall Hamby  
Ed Brown

Severally subscribed and sworn to before  
me, this 27<sup>th</sup> day of February, 1922.

A.L. Johnson  
Clerk Superior Court Cherokee County.

And thereupon it is considered and

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

This 27<sup>th</sup> day of February, 1922.

A.L. Johnson  
Clerk Superior Court of Cherokee County.

Recorded and filed February 28, 1922.