

Jane Battle the Executrix named therein, having qualified as such according to law:

Now, thus are therefore to empower the said Executrix 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, wherever 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 the seal of said Court, this the 6th day of May, 1927.

J. B. Cair
Clerk of the Superior Court,

State of North Carolina,
County of Buncombe.) In the Superior Court,

I, J. B. Cair, Clerk of the Superior Court of Buncombe County, North Carolina, do hereby certify that the foregoing is a true and perfect copy of the Last Will and Testament of J. Wesley Battle, and the probates thereto, as the same appear on file and as Recorded in Record of Wills "N" at page 403, in my said office.

In Witness Whereof, I have hereunto set my hand and affixed my official seal, this the 6th day of November, 1928.

J. B. Cair
(Official Seal.) Clerk of the Superior Court,
Buncombe County, North Carolina.

Cherokee County

Superior Court

In Re

The Last Will and Testament
of Edward Simpson Miller,
deceased.

Before the Clerk.

Harry Miller being duly sworn says that the paper writing purporting to be the Last Will and Testament of Edward Simpson Miller, deceased, this day exhibited by him as one of the Executors therein named to the said Court for probate, as such last will and testament, was found among the valuable papers of the said Edward Simpson Miller, after his death.

Harry Miller Affiant.

Subscribed and sworn to before me this December 17th 1928.

P. C. Hyatt Clerk Superior Court,

North Carolina
Cherokee County

In the Superior Court

In Re:

The Last Will and Testament
of Edward Simpson Miller,
deceased.

On this the 18th day of December, 1928, personally appeared before the undersigned clerk of the said Court C. L. Dobbs, T. E. Bayless and W. W. Hyde, who being first duly sworn say, and each for himself doth say that, he was acquainted with the handwriting of Edward Simpson Miller having often seen him write, and he verily believes that the name of the said Edward Simpson Miller at the bottom of the paper writing this day exhibited to the Court by Harry Miller, one of the Executors named therein and subscribed thereto and the said will itself and every part thereof preceding said signature, is in the handwriting of the said Edward Simpson Miller, which handwriting is generally known

To the acquaintances of said Edward Simpson Miller
C.L. Dobbs Affiant
L.E. Bayless Affiant
W.W. Hyde Affiant

Subscribed and sworn to before me this December
18th 1928.

P. P. Hyatt Clerk Superior Court

North Carolina
Cherokee County

Superior Court

In Re: Last Will and
Testament of Edward Simpson
Miller, deceased;

Probate.

A paper writing purporting to be the last will and testament of Edward Simpson Miller, deceased, is exhibited for probate in open court by Harry Miller, one of the executors therein named; and it is thereupon proved by the oath and examination of Harry Miller that the said will was found among the valuable papers and effects of the said Edward Simpson Miller after his death. And it is further proved by the oath and examination of three competent and credible witnesses, to wit: C.L. Dobbs, W.W. Hyde and L.E. Bayless, that they are acquainted with the handwriting of the said Edward Simpson Miller, having often seen him write, and verily believe that the name of the said Edward Simpson Miller subscribed to the said Will, and the said Will itself and every part thereof, is in the handwriting of the said Edward Simpson Miller. And it is further proved by the evidence of the three last mentioned witnesses that the said handwriting is generally known to the acquaintances of the said Edward Simpson Miller.

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 the said Edward Simpson Miller, and the same is ordered to be read and filed.

This Dec. 18th 1928.

P. P. Hyatt
Clerk Superior Court Cherokee County

Ed J. Dillard, Murphy NC.

Hayesville NC Jan'y 31 / 1928

Dear Judge:-

My present will is obsolete. Harry will hand you copy. Original is filed with Trust Officer Wachovia Bk & Trust Co Asheville.

I desire this will be cancelled and a new one drawn by you. Of course you know best regarding the essentials. Instead of the Trust Co. I wish Mrs. Miller and Harry named as my executors but I would like two or three friends named as counselors whose life expectancy is longer than mine. Before this breakdown mine was figured by Insurance Co at 12 to 15 years. I now carry \$15,000 Life Insurance.

Mrs. Miller has demonstrated to me excellent managerial ability. She is 49 years of age. Harry 22 Katherine 18 Bill 14 & the Baby who is delicate 8.

Unless I get into an income or can dispose of some real estate I may have to cut my insurance to 10,000.

I think best to have all my property real and personal put at the disposal of Harry and his mother jointly, as to management disposal &c.

I want my wife amply taken care of and at her death the property divided among the children according to their needs.

I wish you would consult with Mrs. Miller and Harry & make any and all suggestions your wide knowledge & experience prompts. This authorizes the discontinuance of Wachovia Bank and Trust Co as Trustee, and shall act as a codicil to my last will and testament until new will is drawn.

Witness W. J. Umstatter J. M. May.

Edward Simpson Miller

(S)

Recorded and filed.
December 18th, 1928.

J. E. Reener,
Deputy C. L. C.