

State of North Carolina
Cherokee County

vs. In The Superior Court.

A paper writing purporting to be The last Will and Testament of Emma J. Nelson deceased, is exhibited before me, the undersigned, Clerk of the Superior Court for said County, by W.B. Nelson the Trustee therein mentioned, and the due execution thereof by The said Emma J. Nelson is proved by the oath and examination of E.O. Christopher and Dorothy Hensley the subscribing witnesses thereto, who being duly sworn, doth depose and say, and each for himself and herself depose and say, that he is a subscribing witness to the paper writing now shown him and her purporting to be The last Will and Testament of Emma J. Nelson, that the said Emma J. Nelson, in the presence of this deponent, subscribed her name at the end of said paper writing, which is now shown as aforesaid, and which bears date of The 12th day of July 1928. And this deponent further saith, that the said Emma J. Nelson the Testatrix aforesaid, did, at the time of subscribing her name as aforesaid, declare The said paper writing as subscribed by her and exhibited to be her last Will and Testament, and this deponent did thereupon subscribe his name at the end of said Will, as an attesting witness thereto, and at the request, and in the presence of said Testatrix. And this deponent further saith that at the same time when The said Testatrix subscribed her name to the said last Will as aforesaid, and at the time of The deponent's subscribing his and her name as attesting witness thereto, as aforesaid, The said Emma J. Nelson was of sound mind and 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 these deponents say not.

Sincerely sworn and subscribed
This 27th day of April 1928 before me.

P.C. Hyatt, Clerk Superior Court.

North Carolina, Cherokee County } vs. In The Superior Court.

It is therefore considered and adjudged by the Court that the said paper writing and every part thereof be The last Will and Testament of Emma J. Nelson deceased, to said Will together with this probate, be recorded and filed.
This 27th day of April 1928

P.C. Hyatt
Clerk Superior Court.

I, Emma J. Nelson of Cherokee County, North Carolina, being of sound and disposing mind and memory and desiring to provide for the support and comfort of my daughter, Ora Lee Nelson, do make, publish and declare this my last Will and Testament in manner and form following, that is to say.

I give and devise to my son W.B. Nelson as Trustee all that certain lot or parcel of land in the Town of Murphy bounded and described as follows. Beginning on a stake on Peachtree Street and West side of an Alley and from Street running by the Well near The house South 52 West 260 feet to a stake, Thence with the line of Emma J. Nelson, South 30 West to The Hiwassee River, Thence down said river with its meanders North 62 West 145 feet to a stake corner of The School Lot (called The Boot Lot) Thence with the line of said lot North 36 West 181 feet to a stake, corner of School and Church lot. Thence with the line of The Church lot, North 54th East 248 feet to the corner of The lot of Mrs. J.H. Hensley, Thence on E. 13th East 79 feet to a stake, Thence North 70th East 100 feet to a stake. Thence North 50th East 170 feet to the corner of The said Mrs. Hensley's lot, Thence North 54th East 192 feet to a stake on Peachtree Street, Thence with the said Street, South 36 East 101 feet to the beginning, containing four acres, more or less.

To be by him held in Trust for the use and benefit of my said Daughter Ora Lee Nelson for and during The term of her natural life, and in trust to lease said property, if same can be done for an amount sufficient to provide for her support and maintenance in a way and manner sufficient in the judgment of The said Trustee to produce for her a comfortable living and if not, Thence to sell and convey the same or enough thereof to provide a fund sufficient if invested, to produce an income adequate for such support, and if necessary to use such part of the principal sum realized from such sale as may be needed, and upon the death of my said daughter, The said lands or the proceeds of any sale thereof shall be held by said Trustee for the benefit of all the heirs at law of The said Ora Lee Nelson, according to the tenor of descent and the Statutes of Distribution of the State of North Carolina. All which said estate owned by me.

upon my death, go to and be divided among my children, who may then be living and the representatives of such as may be dead, other than the said one daughter.

In testimony whereof, I have hereunto set my hand and seal, this 12th day of July, 1924

Emma J. Nelson *Em*

Signed, Sealed, published and declared to be the last Will and Testament of Emma J. Nelson in the presence of us, who in her presence and at her instance and request, and in the presence of each other, hereunto subscribe our names as witnesses the day and year above written.

E. O. Christopher *E. O. Christopher*
Dorothy Hunsley *Dorothy Hunsley*

Recorded April 27, 1928.

State of North Carolina } ss. In the Superior Court.
Cherokee County.

A paper writing purporting to be the last Will and Testament of J. K. Bryson, deceased, is exhibited before me, the undersigned, clerk of the Superior Court for said county, by J. L. Rose the executor therein mentioned, and the due execution thereof by the said J. K. Bryson, is proved by the oath and examination of D. M. Birchfield and Ralph Moody, two of the subscribing witnesses thereto, who being duly sworn, doth depose and say, and each for himself depose and saith, that he is a subscribing witness to the paper writing now shown him, purporting to be the last Will and Testament of J. K. Bryson; that the said J. K. Bryson, in the presence of this deponent, subscribed his name at the end of said paper writing, which is now shown as aforesaid, and which bears date of the 20th day of September, 1927.

And this deponent further saith, that the said J. K. Bryson the testator aforesaid, did, at the time of subscribing his name as aforesaid, declare the said paper writing so subscribed by him and exhibited to be his last Will and Testament, and this deponent did thereupon subscribe his name at the end of said Will, as an attesting witness thereto, and at the request and in the presence of said testator. And this deponent further saith that at the same time when the said testator subscribed his name to the said last Will as aforesaid, and at the time of the deponent's subscribing his name as attesting witness thereto, as aforesaid, the said J. K. Bryson was of sound mind and 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 these deponents say not.

Severally sworn and subscribed, this 2nd day of May, 1928, before me. } D. M. Birchfield
Ralph Moody
R. L. Hyatt, clerk Superior Court.

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

It is therefore considered and adjudged by the court that the said paper writing and part