

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

A paper writing purporting to be the last Will and Testament of M.E. Cogad, deceased is exhibited before me, the undersigned, Clerk of the Superior Court for said County, by Eleanor Louise Cogad the executrix therein mentioned, and the due execution thereof by the said M.E. Cogad is proved by the oath and Examination of W. Latham & D. Witherspoon, two of the subscribing witnesses thereto, who being duly sworn, doth depose and say, and each for himself depose and swear, that he is a subscribing witness to the paper writing now shown him, purporting to be the last Will and Testament of M.E. Cogad; that the said M.E. Cogad, in the presence of these deponents, subscribed his name at the end of said paper writing, which is now shown as aforesaid, and which bears date of the 8th day of Sept., 1927.

(And these deponents further swear, that the said M.E. Cogad 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 these deponents did thereupon subscribe their names at the end of said Will, as attesting witnesses thereto, and at the request and in the presence of said testator. And these deponents further state that at the time when the said testator subscribed his name to the said last Will as aforesaid, and at the time of the deponents' subscribing, his name as attesting witnesses thereto, as aforesaid, the said M.E. Cogad was of sound mind and memory, of free age to execute a Will, and was not under any restraint, to the knowledge, information or belief of these deponents; And further, these deponents say not.

Solemnly sworn and Subscribed,
This 19th day of Sept., 1927. Before me,
Clerk Superior Court.

W. Latham
D. Witherspoon

North Carolina } ss. In the Superior Court,
Cherokee County }
It is thereupon considered and adjudged by the Court that the said paper writing, and every part thereof, is the last Will and Testament of M.E. Cogad, deceased.
Let said Will, together with the probate, be recorded and filed.

This 19th day of Sept., 1927.

Attest
Clerk Superior Court.

State of North Carolina,
Cherokee County.

I, M.E. Cogad, of the above named County, and State, do hereby make, publish and declare my last, will and Testament, revoking all former wills made by me.

1. Upon my death, it is my will that all my property, both real and personal, of what soever character and wheresoever situated, shall become the property of my daughter, Eleanor Louise Cogad, to be hers in fee simple and absolutely forever.

2. I appoint my said daughter, Eleanor Louise Cogad, executrix of this will to serve without bond.

3. I direct that my said executrix pay and discharge all my debts, including the expense of my funeral and a monument to be erected at my grave out of my estate.

In witness whereof I have hereunto set my hand and affixed my seal, this the 8th day of September, 1927.

M.E. Cogad (deceased)

Signed, sealed, published and declared by M.E. Cogad to be his last will and Testament, and executed by him in our presence and at the request and in his presence we sign our names as attesting witnesses thereto.

W. Latham
D. Witherspoon
Eleanor Louise Cogad
Witnesses

Will: Order for Probate of Will.
State of North Carolina. In the Superior Court,
Cherokee County. Byne P. C. H. 22, Clerk.

In re Estate of } Order for Probate of Will.
W. H. Potrott, deceased.

A paper writing purporting to be the Last Will and Testament of W. H. Potrott, deceased, is exhibited in open Court for probate by Mrs. W. H. Potrott, Executrix therein named; and the due execution thereof by the said W. H. Potrott, deceased, is duly proven by the Oath, Examination & Depositions of L. P. Smith and Mrs. Smathers subscribing witnesses thereto; and it is further shown to the satisfaction of the Court, by said witnesses that the said W. H. Potrott was, at the time of making said Will, of sound mind and memory, of full age to execute a Will, and under no restraint to their knowledge, information or belief:

It is thereupon considered, adjudged and decreed, that said proof is sufficient and according to law, and that said paper writing is and contains the Last Will and Testament of W. H. Potrott, deceased. And on motion it is ordered that said Will be admitted to probate and recorded in the Book of Wills of Cherokee County, and as such filed as provided by law in the office of the Clerk of the Superior Court of said County.

It is further ordered that said Mrs. W. H. Potrott be allowed to qualify as Executrix as provided by law and enter upon the discharge of the duties imposed by said trust.

Dated this the 22nd day of Nov. 1927

P. C. H. 22
Clerk Superior Court

Commission to take Deposition.
State of North Carolina,
To William A. Stroud, Clerk of the Superior Court of Wilkes County. Greeting:

We, reposing special trust and confidence in your integrity, do authorize and empower you to cause Rev. M. S. Smathers of North Wilkesboro to appear before you at such time and place as you may appoint and him on oath to examine touching all such matters and things as he shall know of and concerning a certain matter of controversy in our Superior Court of the County of Cherokee, pending, In re Will of W. H. Potrott.

And the deposition in writing by you so taken, the same to transmit, sealed with your seal, to Clerk of Superior Court on the 12th day of November, 1928.

We see, J. E. Davis, Clerk of said Court, at office in Murphy, N. C., the 31st day of October, A. D. 1928

Seal

J. E. Davis
Clerk Superior Court.

North Carolina,
Wilkes County.

In re: Probate of Will of W. H. Potrott.

Pursuant to the annexed Commission to me directed, I, William A. Stroud, Commissioner, under the authority thereof, on the 3rd day of November, 1928, at 9 o'clock A. M., at the Court House in Wilkesboro, Wilkes County, State of North Carolina, proceeded to take the depositions of M. S. Smathers, who being first duly sworn to speak the truth relative to the above entitled matter, deposes and says:

Question: Mr. Smathers where do you reside?