

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

A paper purporting to be the last Will and Testament of Thos. B. Dickey deceased, is exhibited before me, the undersigned Clerk of the Superior Court for said County, by A. B. Dickey and Frank Dickey, the executors therein mentioned, and the due execution thereof by the said Thos. B. Dickey by the oath and examination of R. H. Hyatt and M. W. Bell 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 Thos. B. Dickey; that the said Thos. B. Dickey 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 27th day of October 1916.

And the Deponent further saith, that the said Thos. B. Dickey 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 an attesting witness thereto, as aforesaid, the said Thos. B. Dickey 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.

Severely sworn and subscribed,
 This 19th day of September, 1924,
 before me.

E. G. Davis
 Clerk Superior Court.

R. H. Hyatt
 M. W. Bell

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 Thos. B. Dickey deceased. Let the said Will, together with the probate, be recorded and filed.

This 19th day of September 1924.

E. G. Davis
 Clerk Superior Court.

North Carolina, }
 Cherokee County.

In the name of God: Amen.

I, Thomas B. Dickey, of Murphy, Cherokee County, North Carolina, being of sound and disposing mind, memory and understanding, but realizing the uncertainty of human life, do make, publish and declare this my Last Will and Testament:

- (1). I direct that, after my death my body be given a burial in accordance with the wishes of my nearest relatives, and that the expense thereof be paid out of my estate; and that all of my just debts be paid out of my estate.
- (2). I devise and bequeath my undivided three-fifths interest in the lot on which the Dickey Hotel is situated, and my undivided four-fifths interest in the Dickey Livery Stable lot situated on Tennessee Street in Murphy, to my four children, share and share alike, viz: A. B. Dickey, Edith Clark (wife of John Clark) Frank Dickey and Fred Dickey; the share devised to Fred to be held as provided in item eight of this Will.
- (3). I devise and bequeath all the other land owned by me in the town of Murphy, hereinafter set out, to my wife, Nettie Dickey, and to my said children, A. B. Dickey, Edith Clark, Frank Dickey and Fred Dickey, (the share devised to Fred to be held as provided in item eight of this Will), share and share

alike, To-wit, my undivided half interest in the lot situate on the S.E. corner of the public square bought of Duke Land & Improvement Company, being 30 by 90 feet, across the street from the Regal Hotel; an undivided half interest in another Duke lot situate on the Alley and opposite the A.B. Campbell property, 30 by 50 feet as I remember; an undivided half interest in a Duke lot in East Murphy across the street from the residence of Mrs. S.W. Davidson. The other half interest in said lots is owned by A.B. Dickey and reference is hereby made to the Deeds to him and me for better description of said lots.

(4) I devise and bequeath my undivided one-fifth interest in the G.W. Dickey Mountain lands to my three sons, A.B. Dickey, Frank Dickey and Fred Dickey, share and share alike, the share devised to Fred to be held as provided in item eight of this will.

(5) I devise and bequeath to my said wife, Nellie Dickey, and to my said children, A.B. Dickey, Edith Clark, Frank Dickey and Fred Dickey, share and share alike, (the share devised to Fred to be held as provided in item eight of this will), my undivided half interest in the following farms/lands, viz; The Mission Farm on Hiwassee River; the G.W. Dickey Farm (sometimes called The Allen Dickey Farm) on Notta River; the Ute Johnson Farm, (near the residence of R.L. Hargler) all in Cherokee County; The other half interest in these farms is owned by A.B. Dickey, and reference is made to the deeds to him and me for better description of the same.

(6) It is my will that the above devised to my wife, Nellie Dickey, be in lieu of dower.

(7) All the rest and residue of my estate, real, personal and mixed, and wherever situated, I devise and bequeath to my three sons, A.B. Dickey, Frank Dickey and Fred Dickey (except that the

sum of \$250.00 is to be deducted from the share of Fred Dickey in my personal property and paid to said A.B. Dickey in consideration of moneys supplied by him to be furnished to Fred at different times in the past.

(8) On account of the fact that my said son, Fred, has been wild and improvident in the past, and has not yet demonstrated the fact that he will become steady and of good habits, I do not deem it wise to entrust him in the management and control of that part of my estate devised to him in this will, and I hereby nominate, constitute and appoint A.B. Dickey, Frank Dickey and Luther Alexey, Trustees will, upon my death and as soon thereafter as may be, take possession of all the property herein devised to Fred Dickey and manage and control same as in their discretion seems best, and hold same until such time as they, or a majority of them, may decide that Fred has demonstrated his steadiness, sobriety, good citizenship and ability to properly manage and take care of said property and demean himself as a prudent man and good citizen, especially as regards sobriety.

In the event of the death or resignation of one of said trustees before discharging their trust, it is my will that the surviving trustees acting with the then clerk of the Superior Court of Cherokee County do name a successor or substitute trustee in his place and stead.

It is ~~my~~ further my will that said trustees be not required to give any bond on account of their trust under this will.

(9) I hereby nominate, constitute and appoint my sons, A.B. Dickey and Frank Dickey the Executors of this my last Will and Testament and direct that they be permitted to qualify and serve without any bond being required of them on account of my estate or any matter pertaining thereto, such is my confidence in

their integrity.

In Testimony Whereof I have hereunto set my hand
and affixed my seal this Oct. 27th 1915

Thos. B. Dickey (Seal).

Signed, sealed, published and declared by Thomas B.
Dickey to be his last Will and Testament in the presence
of us, who, at his request and in his presence, and
in the presence of each other, do hereunto subscribe
our names as witnesses. This Oct. 27th 1915,

R. H. Hyatt
A. B. Martin
M. W. Bell.

Probated and filed Sept. 19, 1924.
Recorded Sept. 20 - 1924.

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

A paper purporting to be the last Will and Testament of
Jacob W. Palmer deceased, is exhibited before me, the under-
signed, Clerk of the Superior Court for said County, by
said Palmer sole devisee therein mentioned, and the
due execution thereof by the said Jacob W. Palmer
by the oath and examination of E. O. Palmer and
Marshall W. Bell 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 Jacob W. Palmer; that the
said E. O. Palmer and Marshall W. Bell 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 18th day of February, 1922.

And the deponent further saith, That the said Jacob
W. Palmer 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 attest-
ing witness thereto, and at the request and in the presence
of said testator. And this deponent further saith, that ~~at~~
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 an attesting witness thereto, as aforesaid, the said
Jacob W. Palmer 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.

Subscribed and subscribed,
this 18th day of February, 1925, before me
E. O. Palmer
Marshall W. Bell.
E. E. Davis
Clerk Superior Court.