

North Carolina, Cherokee County.

We Elijah and Isaac Truett of the aforesaid County and State, Bachelor Brothers, neither of us ever having been married and having accumulated a small amount of property both real and personal, being of sound mind, but considering the uncertainty of our earthly existence, do make and declare this our last will and testament, to be of effect at the death of the last survivor.

- Item 1 Our executor hereinafter named, shall give each of our bodies a decent burial, suitable to the wish of our friends, and relations, which is to include ordinary tombstones to the grave of each, and pay all funeral expenses, together with all our just debts, out of the money which may come into his hands from the sale of property belonging to our estate and of debts owing to the estate.
- Item 2 Our will is that our executor shall sell as soon as may be all our estate both real and personal, together with household and kitchen furniture, all domestic animals and fowls that have not been heretofore sold by us or either of us, and divide the proceeds of the sale among all our brothers and sisters, or their legal representatives in equal proportion, share and share alike, one share to the heirs of our sister Nancy Griffiths heirs, one to John Truett's heirs, one to James Truett's heirs, one to Jane Chance's heirs, one to Charles Truett and to Wm. H. Truett.
- Item 3 We hereby constitute and appoint our mutual friend George T. Hendrix our lawful executor to all intents and purposes to execute this our last will and testament according to the true intent and meaning of the same, every part and clause thereof, hereby revoking and declaring utterly void all other wills and testaments by us heretofore made.

In witness whereof we the said Elijah and Isaac Truett, do hereunto set our hands and seals.

This January 11 1908.

Elijah ^{his} Truett
Isaac ^{his} Truett

seal.
seal.

Sign, sealed, published and declared by the said Elijah and Isaac Truett to be their last will and testament in the presence of us, and at their request and in their presents, do subscribe our names as witnesses thereto.

Co. J. Barker Witness
Ellis Love "
James A. Thomason "

North Carolina,
Cherokee County.

In the Superior Court
Before the Clerk.

A paper writing purporting to be the last Will and Testament of Elijah Truett and Isaac Truett, deceased, is exhibited before me, the undersigned Clerk of the Superior Court for said County, by George T. Hendrix, the executor therein named, and the due execution thereof by the said Elijah Truett and Isaac Truett, is proved by the oath and examination of Ellis Love and James A. Thomason, 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 Elijah Truett and Isaac Truett; That the said Elijah Truett and Isaac Truett in the presence of the deponent subscribed their names at the end of said paper writing as shown aforesaid, and which bears date of January 11th, 1908. And deponent further saith that the said Elijah Truett and Isaac Truett the testators aforesaid, did, at the time of subscribing their names as aforesaid, declare the said paper writing as subscribed

by them and exhibited, to be their last Will and Testament, and this deponent did thereupon subscribe his name at the end of said as an attesting witness thereto, and at the request and in the presence of said testators.

And this deponent further saith that at the said time when the said testators subscribed their names to the said last Will and Testament as aforesaid, and at the time of the deponent subscribing his name as an attesting witness thereto, as aforesaid the said Elijah Truitt and Isaac Truitt 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.

E. H. Love (Seal),
J. A. Thomasson (Seal).

Personally subscribed and sworn to before me,
this the 16th day of December, 1911.

A. L. Fair
Clerk Superior Court,

North Carolina.
Cherokee County.

In the Superior Court,

It is therefore considered and adjudged by the Court that the said paper writing, and in every part thereof, is the last Will and Testament of Elijah Truitt and Isaac Truitt deceased, and these with the foregoing examination and this certificate are ordered to be recorded and filed. This the 16th day of December, 1911.

A. L. Fair
Clerk Superior Court.

Commonwealth of Massachusetts
Middlesex, ss.
Probate Court,
I Charles J. McIntire, Esq., First Judge of the Probate Court within and for the County of Middlesex, hereby certify that William E. Rogers, whose signature is appended to the annexed certificate and attestation is the Registrar and proper certifying officer of said Court, and has, by law, the custody of the seal and all the records, books, documents, and papers of or appertaining to said Court and that said certificate and attestation are in due form, and entitled to full faith and credit.
In witness whereof, I have hereunto set my hand and the seal of said Court, this twenty fourth day of January in the year of our Lord one thousand nine hundred and twelve,
Charles J. McIntire,
First Judge of Probate Court.

I William E. Rogers, Registrar of the Probate Court for said County of Middlesex, do hereby certify that Charles J. McIntire, whose name is subscribed to the above certificate, is the first judge of said Probate Court, duly appointed, sworn, and qualified and that the signature of said judge to said certificate is genuine.
In witness whereof, I have hereunto set my hand and the seal of said Court, this twenty fourth day of January in the year of our Lord one thousand nine hundred and twelve,
Wm E. Rogers
Registrar of Probate Court.

Commonwealth of Massachusetts
Middlesex, ss.
Probate Court,
I William E. Rogers Registrar of the Probate Court for said County of Middlesex, hereby certify that the custody of the seal and all the records, books, documents, and papers of or appertaining to said Court, hereby certifying the papers hereto annexed to be true copies of papers appertaining to said Court and are filed on of record in the office of said Court, to-wit: - The Will, Petition, Citation, Sherr allowing said Will, Bonds, Letters of Appointment of Executors, Petition Sherr, Bonds and Letters of Appointment of Trustees.