

thereof is the last will and testament
of the said H. R. Dickson deceased
and the same is ordered to be recorded
given under my hand at office
in Murphy on this the 30th day of April
1875 J. T. Wells Secy

Record of wills

North Carolina Cherokee County

I J. M. Dickson of the County and State aforesaid,
being of sound mind, but considering the uncertainty
of my earthly existence, do make and declare this
my last will and testament

First my Executor hereinafter named shall give
my body a decent burial suitable to the wishes of
my friends and relation and pay all funeral expen-
ses together with all my just debts out of the
first moneys which may come into his hands
belonging to my Estate

Second - I give and devise to my beloved wife
A. E. Dickson and my children by her all my
estate, real, personal and mixed (except that
hereinafter mentioned and specifically dis-
posed of) to have and share alike for and during
the widowhood of my said wife, and upon the
marriage or death of my said wife then to my
children as aforesaid and their heirs, share and
share alike

Third - It is my will and desire that my Executor
hereinafter named convey in fee simple to H. E.
Apley wife of Jas. E. Apley and her heirs a certain
Town lot in the Town of Murphy County and State
aforesaid known as lot No 11 and when A. E. Apley
now lives upon settlement and payment to my
Executor the balance of what may be found due
me or my estate

Fourth - It is my will and desire that my Executor
in his discretion sell and convey my interest
or shares in the Town of ~~Murphy~~ lot in the town
of Murphy County and State aforesaid and
where J. M. Dickson now lives, it being lot No 10
my said Executor to give to the family of
J. M. Dickson the preference to purchase the same
and the proceeds of said sale, I give and de-
vise as in second clause of this will provided

Fifth - I hereby constitute and appoint my
trustee Brother A. E. Apley my lawful Executor
to do intents and purposes to execute this my
last will and testament according to the
true intent and meaning of the same

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and every part and clause thereof being
sith- I hereby constitute and appoint my
beloved wife Guardian of my children
to take care of and preserve my estate
for them
In witness whereof, I J M Dickey do
hereunto set my hand and seal this 1st
day of November 1890
Signed J M Dickey

signed, sealed, published and declared
by the said J M Dickey to be his last will
and testament in the presence of us, who at
his request and in his presence do subscribe
our names as witnesses thereto
R A Alkin
F P Apley

State of North Carolina, ss In the Superior Court
Cherokee County
A bare purporting to be the last will and
Testament of J M Dickey deceased, is exhibited
before me the undersigned, Clerk of the Superior
Court for said County by R A Alkin, the
Executor therein named, and the due execution
thereof by the said J M Dickey by the oath
and examination of F P Apley and R A Alkin
the subscribing witnesses thereto, who being
duly sworn I do depose and say, and each
for himself depose and say, that he is a
subscribing witness to the paper writing now
shown him, purporting to be the last will and
Testament of J M Dickey, that the said
J M Dickey in the presence of the deponent
subscribed his name at the end of said paper
writing, which is now shown as aforesaid, and
which bears date of the 1st day of November
1890. And the deponent further saith,
that the said J M Dickey the ~~deponent~~ testator
aforesaid did at the time of subscribing his
name as aforesaid, declare the said paper
writing to be subscribed by him, and

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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~~ said 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 J M 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
Signed F P Apley
R A Alkin

Solemnly sworn and subscribed this 14th day
of January 1891 before me
J L Watts
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
every part thereof is the last will and Testa-
ment of J M Dickey deceased.
Let the said will, together with the probate,
be recorded and filed
This 14 day of January 1891
J L Watts
Clerk Superior Court