

North Carolina
Cherokee County

Thomson Marshall Cox, who died on the 4th day of March, 1909, at the residence of W.R. Graves in Cherokee County, North Carolina, and in the presence of the said W.R. Graves and Thomas Graves, being at the time of sound mind and disposing memory and in his last illness, made the following disposition of all his personal property and effects:

It was the said Cox's desire and request made in the presence of the said W.R. Graves and Thomas Graves that John H. Sutherland and W.R. Graves be the Executors of his Will: That said Sutherland and Graves pay his funeral expenses, discharge all debts against him collect all moneys which may or should be coming to him the said Cox, from any source whatsoever, and that all personal property of whatever kind or nature, be the said Thomson Marshall Cox, give and bequeath the same to the said John H. Sutherland and W.R. Graves to the exclusion of all other persons whatsoever.

This the 9th day of March 1909 A.D.

Witness as at last.

(Signed) W.R. Graves
Thomas Graves

W. H. Akey

North Carolina, Cherokee County. In the Superior Court

A paper writing, purporting to contain the muniment will of Thomson Marshall Cox, deceased, and which is in words and figures following, to-wit:

North Carolina, Cherokee County

Thomson Marshall Cox, who died on the 4th day of March, 1909, at the residence of W.R. Graves, in Cherokee County, North Carolina, and in the presence of the said W.R. Graves and Thomas Graves, being at the time of sound mind and disposing memory and in his last illness, made the following disposition of all his personal property and effects:

It was the said Cox's desire and request made in the presence of said W.R. Graves and Thomas Graves that John H. Sutherland and W.R. Graves be the Executors of his Will, that said Sutherland & Graves pay his funeral expenses, discharge all debts against him, collect all moneys which may or should be coming to him, the said Cox, from any

source whatsoever, and that all personal property of whatever kind or nature, be the said Thomson Marshall Cox, give and bequeath the same to the said John H. Sutherland and W.R. Graves to the exclusion of all other persons whatsoever.

This the 9th day of March A.D. 1909.

It is testified for probate in open Court by John H. Sutherland and W.R. Graves the Executors therein named, and it is further proved by the evidence of W.R. and Thomas Graves two competent and credible witnesses, that the said Thomson Marshall Cox in his last illness, at the residence of the said W.R. Graves, when he last resided for the last four months, and when he was of sound mind and disposing memory, and in their presence, did make a muniment will, and did in said will bequeath his personal property to the persons and in the manner mentioned in said writing, and that the said witnesses were specially required by the said Thomson Marshall Cox to bear witness thereto.

And it is also proved by the said witnesses that the said Thomson Marshall Cox died on the 4th day of March, 1909, and that the said muniment will was reduced into writing as aforesaid on the 9th day of March, 1909, and it further appears that the Sheriff of Cherokee County cannot serve process upon the heirs and next of kin, because they are not to be found in the County of Cherokee, causing upon them to appear and contest said will if they should think proper. It is therefore adjudged that the said paper writing doth contain the muniment will and testament of the said Thomson Marshall Cox, as to his personal estate, and the same is to be recorded and filed.

This the 27th day of April 1909.

A. A. Fain
Clerk Superior Court
Cherokee County North Carolina