

State of North Carolina, Cherokee County.

I Wiley Phillips of the County and State aforesaid being of sound but considering the uncertainty of my earthly existence do make this my last will and testament first my full heirs, burial and funeral into the dust out of this world. Collected second. I give and devise to my beloved wife Mary some third of all my land to be sold off as prescribed by law for widows property. Also all my personal property.

Third. The remainder of my property to be equally divided between my son John Phillips and all my daughters and grand daughters Joseph Phillips (now deceased) my son, A. J. Phillips being left out he having received more than his share of my estate by having the use of my farm and fire mill for two years and free access to the timber which he used and sold to great damage to the farm to other with 100 acres of land and amount he took off at sale of my property.

Fourth. I hereby constitute and appoint my trusty friend J. H. Welch my executor to all intent and purposes to execute this my last will and testament according to the true intent and meaning of the same in every part and clause thereof touching and securing where to all other wills and testaments made by me heretofore.

I hereby assign my body to the grave and my spirit to God who give it.

In testimony whereof I the said Wiley Phillips do hereunto set my hand and seal this 13th day of Dec 1899.

Attest
J. E. Easley
C. H. Welch

Wiley Phillips - (Seal)

State of North Carolina, Cherokee County, SS

I am the Superior Court a paper purporting to be the last will and testament of Wiley Phillips deceased is exhibited before me the undersigned, Clerk of the Superior Court for said County by J. H. Welch, the executor therein mentioned and the execution thereof by the said Wiley Phillips in the oath and examination of J. E. Easley and C. H. Welch the undersigned witnesses thereto who being duly sworn, both depose and say, and each for himself depose and say, that he is a subscribing witness to the paper writing now before him, purporting to be the last will and testament of Wiley Phillips that the said Wiley Phillips in the presence of this deponent subscribed his name at the end of said paper writing which is now before a sworn, and which was taken at the 13th day of December, 1899.

Said the deponent further saith, that the said Wiley Phillips the executor aforesaid, did at the time of subscribing his name as aforesaid before the said deponent subscribe his name, and exhibited to him 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 of the deponent's subscribing his name as an attesting witness thereto, as aforesaid, the said Wiley Phillips 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 than deponent say, not.

Subscribed and sworn to this
the 15th day of Jan. 1900
J. W. Loomis
Clerk Superior Court

J. E. Easley, Clerk
C. H. Welch, Seal

April Carolina, In the Superior Court
Charles Cannon, & In the Superior Court

It is therefore considered and adjudged
by the Court that the said paper writing and
long part thereof is the last Will and
Testament of Henry Phillips deceased. Let the
said Will together with the probate be entered
and filed.

This the 15th day of January 1844

J. M. Hancock
Clerk of the Court