

Ashe County, N. C. lying on the waters
of Whitson Branch a tributary of the north
fork of New River joining the banks of
Whitson Fork. H. C. Bagnell and others, heirs
of and out of the body of the said
side of the Peter Field, deceased. The conditions
of this will are that it is to be equally divided
according to valuation, and, among the
to have the place where the mother of
take notice that I hold this land as long
as I live. If there is any mineral found on
the above described land it is to be equally
divided among my five living named daugh-
ters. If there is any property left at my
death per and, should a husband or wife be
equally divided among all my heirs, his
surviving, whereof I the said, William C
Phelps do hereto set my hand and
seal. This the 27th day of Feb. 1894.
William Phelps. (seal)

The foregoing, signed, sealed, read, publish-
ed, and attested, by the said H. C. Phelps
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.
Witness } H. C. Bagnell.
 } Wm. H. Phelps.

North Carolina } In the Superior Court.
Ashe County. }
This day personally came
before me, H. C. Phelps, Clerk of the Superior
Court of said county, H. C. Phelps, a citizen
and resident of said County of N. C. and of the
being duly sworn, deposed and says that he
is personally acquainted with H. C. Bagnell
one of the subscribing witnesses to the last
will and testament of H. C. Phelps, aged,
that the said H. C. Bagnell the subscrib-
ing witness, aforesaid is a non-resident of
this State, and resides in the State of

Virginia, and that he knows the hand-
writing of the said H. C. Bagnell being
himself being well, and that the
signature to the end of the said paper
signifying purporting to be the last will
and testament of the said H. C. Phelps
is the genuine signature and in the
genuine handwriting of the said H. C.
Bagnell, and further that he is not
satisfied. Leo H. Phelps.
Done and, subscribed before
me this Feb. 24th 1894.
H. H. Gentry
C. J. C.

The last Will and Testament of James Mash.
I James Mash of Ohio township of the
County and State aforesaid, being of sound
mind and memory, and in full health
considering the uncertainty of my earthly
existence do make and declare this my last
will and testament in manner and form
following, that is to say, First, that my
executors herein named shall provide for
my body decent burial, suitable to the
rank of my relatives and friends, and
pay all my funeral expenses, together with
my just debts, burials and expenses
of up to one half of that may yet come
into his hands as executor or trustee of my
estate.
Item 1st. I give and devise to my beloved wife
Leahy, all my land and the stock and
other part of New River where I now live
with all my possessions during her natural life,
and all the stock and other which is thereat to
have, and to be for herself and minor
children.
Item 2nd. I will give and bequeath to my eldest son
P. W. Mash, and Hannah Mash

one hundred and twenty six acres of land
the place where P. R. Mash now lives, to
be divided equally between the two, but
P. R. Mash and Hamilton Mash are to
pay fifty dollars a piece, which makes
a hundred dollars to my daughters
equal divided and each of the two
sons mentioned to have and hold forever
in fee simple.

Item 3rd.

I have and bequeath to my other three sons,
Charles Mash, Jesse Mash, and Robert
Mash, all the balance of my lands in
to the order of the river my lot, joined
with the said land mentioned. To my wife
equal divided among the three, the one for
the death of my wife, mine, but equal
Charles Mash, Jesse Mash, and Robert
Mash are to pay fifty dollars a piece,
which makes \$150 to my daughters to
which said money is to be divided equal
among all of them.

But as for my dear P. R. Mash, Hamilton
Mash, and Charles Mash are to pay interest
on their fifty dollars a piece, to the money
until the death of their mother, then after
with the interest to be paid and interest
the said money may use the land where
they now live, as they have done here before,
till the death of their mother, then they
may divide the land equal, that is
the last to be to Charles Mash, Jesse Mash
and Robert Mash.

Item 4th.

For my will is that my beloved wife is to
have all my big sheep, whatever it may
be, and all my hounds and catches
I have had, whatever it may be, to use as
her own until her decease, to be
divided equally among all my lawful heirs.
For my will is that the fifty dollars
which each one of my two sons is to pay
be divided equally between all my daughters
after the death of their mother.
Now, therefore, there are three minor heirs.

Jesse Mash, Robert Mash, and Rhoda
Mash, now there for my will and desire is
that my wife, mine, for hereby appointed
and constituted executors of the will of my
three children, to have and to hold of the
said and guardianship both of their
respective persons and estates until
the said children shall severally arrive
at the full age of thirteene.
And lastly I do hereby say, testify and
appear, my two sons P. R. Mash, and
Charles Mash, my two daughters, to all
whom it may concern, to certify that
my last will and testament according
to the true intent and meaning of the
same, and every part and clause
thereof, hereby do hereby and declaring
afterly and full of all other wills and testaments
by me here before made, in
witness whereof I have said James Mash
do hereunto set my hand and seal
this 15th day of January, A. D. 1893

James Mash (seal)

Signed, sealed, published
and declared by the said
James Mash to be his last
will and testament in the
presence of us whose names
he requested, and in our presence
do subscribe our names as
witnesses thereto.

W. L. B. 7511
James W. B. 7511

The will of James Mash of Ohio, to-wit:
that the said James Mash do hereby
North Carolina, made and declared by
him on the 15th day of January, 1893, at
his own house, after the reading of
has used for the last six years past,
and in his last sickness in the presence

one hundred and twenty six acres of land
the place where P. R. Mash now lives, to
be divided equally between the two, but
P. R. Mash and Hamilton Mash are to
pay fifty dollars a piece, which makes
a hundred dollars to my daughters
equal divided and each of the two
sons mentioned to have and hold forever
in fee simple.

Item 3rd.

I have and bequeath to my other three sons,
Charles Mash, Jesse Mash, and Robert
Mash, all the balance of my lands in
to the order of the river my lot, joined
with the said land mentioned. To my wife
equal divided among the three, the one for
the death of my wife, mine, but equal
Charles Mash, Jesse Mash, and Robert
Mash are to pay fifty dollars a piece,
which makes \$150 to my daughters to
which said money is to be divided equal
among all of them.

But as for my dear P. R. Mash, Hamilton
Mash, and Charles Mash are to pay interest
on their fifty dollars a piece, to the money
until the death of their mother, then after
with the interest to be paid and interest,
the said money may use the land where
they now live, if they have come here to go,
till the death of their mother, then they
may divide the land equal, that is
the last to be to Charles Mash, Jesse Mash
and Robert Mash.

Item 4th.

For my will is that my beloved wife is to
have all my big sheet, what money I may
be, and all my household and furniture
I have had, as far as I may be, to use as
her own until her decease, to be divided
equally among all my lawful heirs.
For my will is that the fifty dollars
which each one of my two sons is to pay
be divided equally between all my daughters
after the death of their mother.
Now, therefore, there are three minor heirs.

Jesse Mash, Robert Mash, and Rhoda
Mash, now there for my will and desire is
that my wife, mine, for hereby appointed
and constituted executors of the will of my
three children, to have and to hold of the
said and guardianship both of their
respective persons, and estates until
the said children shall severally arrive
at the full age of thirteene.
And lastly I do hereby say, testify and
appear, my two sons P. R. Mash, and
Charles Mash, my two daughters, to all
whom it may concern, to certify that
my last will and testament according
to the true intent and meaning of the
same, and every part and clause
thereof, hereby do hereby and declaring
after my full and free will and test
amendment by me hereupon made, in
witness whereof I have said James Mash
do hereunto set my hand and seal
this 15th day of January, A. D. 1893

James Mash (seal)

Signed, sealed, published
and declared by the said
James Mash to be his last
will and testament in the
presence of us whose names
he requested, and in our presence
do subscribe our names as
witnesses thereto.

W. L. Beecher
James W. Brown

The public James Mash of Ohio, to go
with the county of Ohio and State of
North Carolina, made and declared by
him on the 15th day of January, 1893, at
his own house, after the reading of
his will, for the last and sole purpose,
and in his last sickness in the presence

Persons who were especially required by him to bear witness thereto and have hereunto subscribed their names as witnesses, my self is the said deceased appeared in the presence of the witnesses whose names are hereunto subscribed with the intention that the same should stand for and be his last will and testament and in the said James Mash told the witnesses, or some of them to bear witness that such was his last will. Jan. 5th, 1893. A. L.

W. L. Burgess.
James M. Brown.

State of North Carolina. In the Superior Court
Aske County

I, A. Baker, having to be the last will and testament of James Mash, deceased, as exhibited before me the undersigned Clerk of Superior Court for said County to W. L. Burgess and J. M. Brown, the subscribing witnesses thereto and the due execution thereof to the said James Mash, by the said witnesses, namely W. L. Burgess and J. M. Brown, the subscribing witnesses thereto who being duly sworn, doth depose and say, each of each, for himself, depose to and say, that the is a subscribing witness to the paper purporting to be the last will and testament of James Mash, by the said James Mash, in the presence of the said deceased, subscribed his name at the end of said paper, purporting which is not signed as aforesaid and which bears date of the 5th day of Jan. 1893, and the deceased further said that the said James Mash, the testator, aforesaid did at the time of subscribing his name as aforesaid declare the said paper purporting to be his last will and testament to be his last will and testament

and thus depose and say that he subscribes his name at the end of said will as an attesting witness thereto and at the request and in the presence of said testator, that the deceased further said that at the said time, when he, said testator, subscribed his name to the said last will as aforesaid, and at the time of the deceased subscribing their names as attesting witnesses thereto as aforesaid, the said James Mash was of legal mind and memory, of full age to execute a will, and was not under any restraint to the knowledge, information or belief of the deponent, and further these deponents say not.

W. L. Burgess.
J. M. Brown.

Specially sworn and subscribed
this 17th day of March, 1894. before me.
H. R. Gentry.
C. L. G.

North Carolina. In the Superior Court.
Aske County
It is therefore considered, and adjudged by the Court that the said paper purporting to be the last will and testament of James Mash, deceased, let the same be together with the probate be recorded and filed.
This 17th day of March, 1894.
H. R. Gentry.
C. L. G.