

subscribe our names as witnesses thereto
Witness

J. V. Goodman
J. C. Tomlinson

Codried.

State of North Carolina, Ashe County.

This February the 19th A.D.
one thousand nine hundred and two. Codicille
of Wm St Phillips in connection with my last Will
and Testament, Whereof instead of one yoke of oxen
and three milch Cows as previously willed to my wife
Ellen Phillips I now will her two Cows and two
horses one of sd horses my son George is to have to use
but not to trade until he is 21 years of age then the
sd horse to be his own to use as he pleases. The other
horse willed to my wife if left after she is gone I
want my son Walter to have. The property willed
to my daughter Dora I want held for her until she
is twenty one years old unless she marries sooner.
I want the increase of the property left to my wife
& children if any more than is needed on the place
to be traded by one of the executors viz J. F. Dil-
lard & the proceeds to go to the use of the family as I
have given Julia Phillips forty dollars I now give
her fifteen dollars more making in all fifty
five dollars. The property willed to my wife
Ellen Phillips I now give J. F. Dil-
lard power to assist her in repairing, changing or disposing
of & to see that the same goes to the use of the
family

Signed sealed and delivered in the presence
of us.

Test.

J. D. Baker
J. M. Dillard

Wm St Phillips (decd)

State of North Carolina } In the Superior Court
Ashe County }

A paper purporting to be the last
Will and Testament of Wm St Phillips, deceased, is
exhibited before me the undersigned Clerk of the

Elzy Phillips, the executors therein mentioned and the due
execution thereof by the said Wm St Phillips is proven by the
oath and examination of J. C. Tomlinson one of the subscribing
witnesses thereto; who being duly sworn doth 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 Wm St Phillips, that the said Wm St Phillips 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 6 day of July 1898

And the deponent further saith: That the said Wm St Phillips
the testator aforesaid, did at the time of subscribing his name
as aforesaid declare the said paper writing so subscribed by
him, and exhibited to be his last Will and Testament, and
the 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 time of the de-
ponent's subscribing his name as an attesting wit-
ness thereto, as aforesaid, the said Wm St 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 this deponent saith, not

J. C. Tomlinson

Sworn & subscribed, this 24 day
of Dec. 1903, before me.

A. S. Elzy, Clerk Superior Court.
By W. Johnson D.C.

North Carolina, In the Superior Court,
Ashe County }

A paper writing purporting to be the
last Will and Testament of Wm St Phillips, deceased
is exhibited for probate in open Court by J. F. Dil-
lard and Elzy Phillips, the executors therein
named; and it is thereupon proven by the
oath and examination of J. V. Goodman that
J. V. Goodman, one of the subscribing witnesses
thereto is dead & is not to be called.

by the oath and examination of the said J. V. Goodman that he is well acquainted with the handwriting of the said J. V. Goodman, having often seen him write, and that the name of the said J. V. Goodman subscribed as a witness to the said Will, is in the handwriting of the said J. V. Goodman. And it is also proved by the oath and examination of J. C. Tomlinson that he is acquainted with the handwriting of Wm H Phillips the testator therein named, having seen him sign his name to said Will, and that the name of the said Wm H Phillips, the testator, is in the handwriting of the said Wm H Phillips.

J. V. Goodman

J. C. Tomlinson

Sworn to and subscribed before me

This 24th day of Dec. 1903

A. S. Eller, Clerk

Per W. Johnson D.C.

State of North Carolina In the Superior Court,
Ashe County {

A paper, purporting to be a Codicil to the last Will and Testament of Wm H Phillips, deceased, is exhibited before me, the undersigned, Clerk of the Superior Court for said County, by J. D. Dillard and Elzy Phillips, the executors therein mentioned, and the due execution thereof by the said Wm H. Phillips, is proved by the oath and examination of J. D. Baker and W. M. Dillard 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 a Codicil to the last Will and Testament of Wm H Phillips, that the said Wm H Phillips in the presence of the deponent subscribed his name or acknowledged same at the end of said paper writing, which is now shown as aforesaid, and which bears date of the 19th day of Feb. 1902.

And the deponent further saith, that the said Wm H Phillips, the testator aforesaid, did at the time of subscribing his name as aforesaid, declare the

said paper writing so subscribed by him and exhibited to be a Codicil to his last Will and Testament, and this deponent did thereupon subscribe his name at the end of said Codicil, 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 Codicil to his last Will as aforesaid, and at the time of the deponent's subscribing his name as an attesting witness thereto, as aforesaid, the said Wm H 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 these deponents say not.

J. D. Baker

J. D. Dillard

Sworn to and subscribed, this 24th day of Dec. 1903, before me

A. S. Eller, Clerk of the Superior Court.
Per W. Johnson D.C.

North Carolina In the Superior Court,
Ashe County {

It is therefore considered and adjudged by the Court that the said paper writing and every part thereof is the last Will and Testament and Codicil thereto of Wm H Phillips deceased, Let the said Will and Codicil thereto, together with the probate be recorded and filed this 24 day of Dec. 1903

A. S. Eller,

Clerk of the Superior Court.