

State of North Carolina in The Superior Court
Ashe County

A Letter subscribing to be the last will and Testament
of William Childers deceased is exhibited before
me the undersigned clerk of the Superior
court for said County by R. J. Johnson
one of subscribing witnesses therein mentioned
and the due execution thereof by the said
William Childers by the oath and examination
of Albert M. Childers & R. J. Johnson witnesses
thereof who being duly sworn doth depose
and say and each for himself depose
and swear that he is a subscribing witness
to the Letter writing now shown him
subscribing to be the last will and Testament
of William Childers that the said Letter
in the presence of this deponent subscribed
his name at the end of said paper writing
which is now shown as a true and true
which bears date of the 23rd day of November
1878

And the deponent further saith that the
said William Childers the Testator aforesaid
did at the of subscribing his name as
aforesaid declare the said paper writing to
subscribed by him and exhibited 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
and this deponent further saith that at
the said time when the said Testator
subscribed his name to the said last will
as aforesaid and at the time of the
deponent subscribing his name as an attesting
witness thereto as aforesaid the said William Childers
was of sound mind and memory of full age
& executed a will and was not under any
restraint to the knowledge information or belief
of this deponent and further these deponents

do attest

Albert M. Childers
R. J. Johnson

Personally shown and subscribed this 23rd day
of Dec 1893 before me
J. B. Gentry
C. C. Co.

Last Will and Testament of William C. Phipps.

North Carolina, Ashe County.
I, William C. Phipps, of the aforesaid County
and State, being of sound mind but considering
the uncertainty of my earthly existence
do make and declare this my last will and
Testament. First, I give and bequeath to my
widow a safe house and garden, and my
mill buildings where I now live. The will is
that my son Lee provide for my wife Rachel
during her natural life and until she
remarries my widow also that my widow has
my cow and cow pasture, and pure wood.
Second, I give and bequeath to my son, Lee C.
Phipps, all my land in the township of
Ashe County, joining the lands of J. G.
Carbone. I give and bequeath to the
tip of the ridge at the M. Grady place
thence with the tip of the ridge south east
course to a pair of bars, thence south west
with a fence, so far to have of eight acres
on the part of poor the Peter W. Gentry
and land, then with M. C. Gentry's line
to the church corner, thence with L. C. Phipps
to J. G. Osborn line, it being the land where
I now live on, I make notice that I hold pos-
session as long as I live, I witness whereof
I, the said William C. Phipps, do hereunto
set my hand and seal this 27th day of
Feb. 1891

Wm C. Phipps. (Seal)

The foregoing signed, sealed and published
and attested by the said William C.
Phipps to be his last will and Testament

in the presence of us who ab. his request
and in his presence do subscribe our names
as witnesses thereto.

Witness: J. C. Byrnes.
J. H. Phipps.

State of North Carolina In the Superior Court
Ashe County

A paper purporting to be the last will
and testament of H. C. Phipps, deceased, is
submitted to me, the undersigned Clerk of
the Superior Court for said County, by H. C.
Phipps, and the due execution thereof by
the said H. C. Phipps, by the oath of the
attestation of H. C. Phipps, one of the witnesses
thereof, who being duly sworn, doth depose
and say, and does for himself depose
and say, that he is a subscribing witness
to the paper writing purporting to be the
last will and testament of
H. C. Phipps, that the said testator in the
presence of this defendant subscribed his
name at the end of said paper writing
which is now shown as a probate, and
which bears the date of the 27th day of Feb.
1894. And the defendant further saith that
the said H. C. Phipps, the testator aforesaid
did at the time of subscribing his name as
aforesaid and on the paper writing pro-
scribed by him, and intended to be his
last will and testament, and that he depose
did thereon subscribe his name at the
end of said will, as an attesting witness
thereto, and at the request and call of the
presence of said testator. And the de-
fendant 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 defendant subscribing
his name as an attesting witness thereto
as aforesaid, the said H. C. Phipps was

A sound mind and memory, of full age
to execute a will and was not under any
restraint to the knowledge of the parties
to this defendant. And further that
he depose to say not. J. H. Phipps

Specially sworn and subscribed
this 24th day of Feb. 1894. before
me

H. C. Byrnes
C. J. 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 of H. C. Phipps, deceased,
let the said will together with the
probate be recorded and filed.
Thos. 24th day of Feb. 1894.
J. H. C. Byrnes
C. J. C.

North Carolina. Ashe County.

J. William C. Phipps, of the aforesaid
County and State, being of sound mind
and considering the uncertainty of my
earthly existence do make and declare
this my last will and testament
I give and bequeath to my daughter
Anna, wife of Alexander Young, also to
my daughter Julia, wife of Capt. Jackson,
also my daughter Emma, wife of
J. Creek Richardson, also my daughter
Mary, wife of R. B. Reedy, also my
daughter Mary, wife of Robert Parfiter, all
parcel of land in Glassy Creek Township

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 sons named & un-
named. If there is any property left at my
death per and should a person be left to be
equally divided among all my heirs, as
before, 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 out of that may first 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 hold for herself and minor
children.
Item 2nd. I will give and bequeath to my eldest
son F. W. Mash, and Hannah Mash