

State of North Carolina

Brennan's Co. County

In the Superior Court.

A paper purporting to be the last Will and Testament of Alex. Gallaway deceased, is exhibited before me, the undersigned, Clerk of the Superior Court for said County, by Rebecca Jane Gallaway the executrix therein mentioned and the due execution thereof by said Alexander Gallaway, by the oath and examination of O. B. McNeill and J. W. Swanwick, who being duly sworn, doth depose and say, and each for himself depose and swear, that he is a subscribing witness to the paper writing now shown him, purporting to be the last Will and Testament of Alexander Gallaway, that the said Alexander Gallaway in the presence of their deponent subscribed his name at the end of said paper writing, which is now shown as aforesaid, and which bears date of the 12th day of June, 1895.

And the deponent further saith, that the said Alexander Gallaway the testator aforesaid, did at the time of subscribing his name as aforesaid to the said paper writing to subscribe by him and exhibited to be his last Will and Testament, and the deponent doth 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 said time when the said testator subscribed his name to the said last Will as aforesaid and at the time of the deponent's subscribing his name as an attesting witness thereto, as aforesaid, the said Alexander Gallaway 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 depose.

O. B. McNeill

J. W. Swanwick

Personally sworn and subscribed,
this 12th day of January, 1896.
before me.

C. P. Harp, C. C.

North Carolina.

Brennan's Co. County

In the Superior Court.

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 Alexander Gallaway, deceased.

Let the said Will, together with the probate, be recorded and filed. This 13th day of January, 1896.

C. P. Harp

Clerk Superior Court.

I, Alexander Gallaway of the County of Brunswick, and State of North Carolina, hereby revoking all former wills by me made, do make this my last will, and testament, in manner following. That is to say: I direct that my just debts be paid with all convenient speed.

All of my estate, real, personal, and mixed, I give, devise and bequeath unto my children, viz:

Rebecca, Eva Evangelina, Thomas Neil, Mary Elizabeth, John Wesley, and my Grand Daughters, Mattie Niles, and their heirs forever, to be divided equally among them.

It is my will and I order and direct that my wife Rebecca Jane Gallaway, hold in trust, for said children, and Grand Child, all my estate, real, personal, and mixed, until they shall attain twenty one year of years age, and that she use such portion of the interest, and produce, as shall be just and proper for the education and support of my children, and Grand Child, Mattie Niles and support of herself provided, that said Rebecca Jane Gallaway, shall continue to be my widow; but if she should marry, then, and in that case, it is my will and I direct that she no longer have any interest in or control over my estate.

It is my will, and I direct, that when my eldest child attain twenty one year of age, she be given her portion of my estate, and that as soon as each of my other children and Grand Child, Mattie Niles, shall attain his or her majority, he or she be given his or her portion of my estate, and that in case of the death of either of said children, or my Grand Child, Mattie Niles, my estate be equally divided among the survivors. I Appoint James Brew, and my wife during her widowhood, Guardians to each of my children during their minority; and I direct that neither be required to give bonds for their fidelity as such Guardians.

I constitute and appoint J. P. Riggs the executor of this my last will and I direct that he be not required to give bonds.

I witness whereof I the said Alexander Gallaway have caused my hand and seal, this 12th day of June, Eighteen hundred and Ninety Five.

Alexander Gallaway (Seal)

Then and there signed, sealed, published and declared by the said Alexander Gallaway as and for his last will and testament in presence of us, who at his request, in his presence, and in presence of others have hereunto subscribed our names as witnesses.

O. B. McNeill

J. W. Swanwick