

No. 647

STATE OF NORTH CAROLINA
BRUNSWICK COUNTYIN THE SUPERIOR COURT
BEFORE THE CLERKLAST WILL AND TESTAMENT
OF
WILLIAM ASBURY ROURK

A paper writing purporting to be the last will and testament of W. E. Doshier, deceased, is exhibited before me, the undersigned, clerk of the Superior Court for said county, by Mrs. Nellie Doshier the executrix therein mentioned, and the due execution thereof by the said W. E. Doshier is proved by the oath and examination of Prince O'Brien and Martha B. Willis the subscribing witnesses thereto, who, being duly sworn, do 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 the last will and testament of W. E. Doshier; that the said W. E. Doshier, in the presence of this deponent, subscribed his name at the end of said paper writing now shown as aforesaid, and which bears date of the 29th day of February, 1944.

And the deponent further saith that the said W. E. Doshier 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 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 the 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 attesting witness thereto, as aforesaid, the said W. E. Doshier 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.

Prince O'Brien
Martha B. Willis

Severally sworn and subscribed, this 8 day of January, 1951, before me.

S. T. Bennett
Clerk Superior Court

NORTH CAROLINA
BRUNSWICK 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 W. E. Doshier deceased and the same, with the foregoing examination and this certificate, are ordered to be recorded and filed.

This 8 day of January, 1951.

S. T. Bennett
Clerk Superior Court

STATE OF NORTH CAROLINA
COUNTY OF BRUNSWICK

In The Name of God, Amen

I, W. E. Doshier of the County of Brunswick in the State of North Carolina, being of sound and disposing mind and memory, but considering the uncertainty of this my earthly existence, do make, publish and declare this to be my last will and testament, in manner and form following and none other, that is to say:-

Item One. My executrix hereinafter named shall give my body a decent burial according to the wishes and desires of my friends and relatives and pay all funeral expenses together with all my just debts out of the first moneys coming into her hands and belonging to my estate.

Item Two. I give, devise and bequeath unto my beloved wife, Nellie Doshier, all of my property, real, personal and mixed, and of whatsoever kind and nature and whatsoever situate to do with as she pleases and in fee-simple, forever.

Item Three: I do hereby appoint my beloved wife, Nellie Doshier as executrix of this my last will and testament, she to serve without bond, to carry out the provisions of the same, according to its true intent and meaning, hereby revoking and declaring utterly void all other wills heretofore made by me.

In Testimony Whereof, I said W. E. Doshier, have hereunto set my hand and seal, this the 29th day of February, 1944.

W. E. Doshier (SEAL)

Signed, sealed, published and declared by W. E. Doshier, to be his last will and testament in the presence of us, who at his request and in his presence and in the presence of each other, do subscribed our names as witnesses thereto.

Prince O'Brien, Witness
Martha B. Willis, Witness

I, WILLIAM ASBURY ROURK, being of sound and disposing mind and memory, do hereby make, publish and declare this to be my last Will and Testament, hereby revoking all other wills and codicils by me at any time heretofore made.

FIRST: I direct that my funeral expenses and just debts be paid as soon after my decease as may be conveniently done.

SECOND: All the rest, residue and remainder of my property and estate, I give, devise, and bequeath, absolutely, to my wife, GERTRUDE McDONALD ROURK and I hereby nominate, constitute and appoint her sole Executrix of this my last Will and Testament and I direct that she shall not be required to give any bond or security for the faithful performance of her duties, or make any accounting to any Court, as such Executrix.

THIRD: In the event, however, that my said wife shall predecease me, or that she and I shall die in, or as the result of, a common disaster, I direct that all the said rest, residue and remainder of my property and estate, after the payment of my just debts and funeral expenses, shall be divided into as many equal shares as I shall have children of mine surviving me and I give, devise and bequeath each of such equal shares to my Trustee, hereinafter named, IN TRUST NEVERTHELESS, to hold one such share in a separate trust for each surviving child of mine, and to invest and reinvest the same and keep the same invested and to collect and receive the rents, interest, income and profits thereon, hereinafter together referred to as the "income", and to pay the net income from each such separate share, quarterly, to the Guardian hereinafter named, of my said children, for the use, maintenance and education of each such child, respectively, for whom such share is held, until such child shall attain the age of twenty-one years. Whereupon, the principal of such share held for such child, as it shall then consist, and all surplus income accrued thereon and not then expended, shall be paid to such child attaining the age of twenty-one years, free of all trust. Upon the request of the Guardian, hereinafter named, I hereby authorize and direct my said Trustee to pay over to the said Guardian out of the principal and accrued income of each such separate share, a sum not exceeding one thousand dollars annually for the use and education of such child for whom such share is held, while, and so long as, such child shall be attending a College or a University and shall not have attained the age of twenty-one years. In the event, however, that any such child of mine shall die before attaining the age of twenty-one years, I direct that the principal of such share, held for such child, as it shall then consist, and all the surplus income accrued thereon and not then expended shall upon the death of such child, be and become the property of the then surviving child or children of mine, in equal shares and shall thereupon be distributed and paid to such surviving child or children equally and free of all trust.

FOURTH: In the event that my said wife shall predecease me, or that she and I shall die in, or as the result of, a common disaster, I nominate, constitute and appoint my friend, JAMES E. BRYAN, Executor of, and Trustee under, this, my Last Will and Testament, and sold Guardian of the persons and the properties of my children, during their respective minorities, and I direct that he shall not be required to give any bond or security for the faithful discharge of his duties as such Executor, Trustee or Guardian. I direct that any and all income and principal received by him as such Guardian shall be used for the sole use, maintenance and education of such children, respectively, during their respective minorities.

FIFTH: I authorize and empower my said Executor and Trustee to sell, or otherwise dispose of any or all of my property or estate, real or personal, at public or private sale, at such times and on such terms and conditions as he shall deem best or proper, and to execute, acknowledge and deliver, all conveyances, deeds, leases, writings and transfers thereof and to invest and reinvest in any stocks, bonds, securities, or other property or investments which in his judgment are safe and for the best interest of my estate.

SIXTH: Except as hereinabove set forth, I have made no provision, in this my Last Will and Testament, for any child or children of mine, because I am confident that my said wife, if she survives me, will provide for them and educate them to the best of her ability.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my seal this 18th day of June, 1942.

for William Asbury Rourk (SEAL)

Subscribed, sealed, published and declared by WILLIAM ASBURY ROURK, the above named Testator as and for his Last Will and Testament, in our presence, and we, at his request, in his presence and in the presence of each other have hereunto subscribed our names as attesting witnesses this 18th day of June, 1942.

Albert A. Springs
Edna C. Webb
Jason Ammons

residing at Myrtle Beach, S. C.
residing at Myrtle Beach, S. C.
residing at Myrtle Beach, S. C.