

the presence of said testator. And this deponent further 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 deponent's subscribing his name as attesting witness thereto, as aforesaid, the said Rose B. McKinney was of sound mind and memory, of full age to execute a Will, and was not under any duress, to the knowledge, information or belief of this deponent. And further these deponents say, not

sworn and subscribed,
this 28th day of June, 1926,
before me.

E. E. Davis

Clerk Superior Court.

Clyde H. Garrett
Oliver B. Garrett.

North Carolina
Cherokee County

} ss. In the Superior Court.

It is therefore considered and adjudged by the court that said paper writing and every part thereof is the last Will and Testament of Rose B. McKinney, deceased. Let said Will, together with the probate, be recorded and filed.

This 28th day of June, 1926.

E. E. Davis
Clerk Superior Court.

Filed June 28th, 1926.
Recorded July 1st, 1926.

North Carolina,
Cherokee County.

Will of Betty Martin.

I, Betty Martin, of the County and State above written, being of sound mind and memory, but feeble in bodily health, and being aware of the uncertainties of life, do make, publish and declare this to be my last will and testament, and I do hereby revoke my and all wills heretofore made by me and do hereby this to be my will concerning the disposition of my property:

First: I desire that all my just debts be paid and my funeral expenses paid out of the first moneys that shall come into the hands of my executor.

Second: It is my will and purpose that all of the right, title and interest, both real and personal, that I own in the estate of John D. Abbing-ton, deceased, said estate being composed of one residence and lot in the City of Browley, Imperial County, California, and also one five acre ranch located outside of said City of Browley, Imperial County, California, be disposed of as follows:

1st. To my daughter Alice B. Hall I give and bequeath the sum of \$100.00, (One Hundred Dollars), said sum to be paid out of the moneys derived from the sale of my share in the estate of John D. Abbing-ton as above set out. It is my desire that this sum of money be paid to my daughter Alice B. Hall alone and that she use this money for her own personal benefit and for no other purpose.

and. To Abbie Mathews I bequeath the sum of \$100.00, (One Hundred Dollars), to be paid out of the moneys derived from the sale of my share of said estate of John D. Abbing-ton, deceased, as above set out.

3rd. I devise and bequeath all of the

balance of my share in said estate of John D. Abington, deceased, above referred to, unto my son Bryan Martin and my daughter Betty Lloyd to be divided equally between them, including property of any description, both real and personal, that may constitute the balance of my share in said estate above referred to, but this property is given to my son Bryan Martin and my daughter upon the condition that they take care of

Bettie Martin

and provide for the wants of my husband J. R. Martin in case he should survive me.

Third: I nominate and appoint my son Bryan Martin executor of my will, and I authorize him to sell real estate and personal property and make title deeds thereto without an order of court and to all things else in the administration of my estate that is expressly or impliedly required for the full and complete carrying out of the provisions hereinbefore set forth and it is my will that he be allowed to serve as executor without making or providing any bond or any surety while he shall serve as executor under the powers of this will.

Fourth: This will is made with the knowledge that I have other children and relatives but it is my purpose that the property mentioned in this will shall go to none other than those above set out.

In Testimony Whereof I have hereunto set my hand and seal and have written my name at the bottom of each of the foregoing two pages, on this the 10th day of July, 1826.

Bettie Martin (Seal)

Signed, sealed, Published, and Declared

by the said Betty Martin as and for her last will in the presence of us who at her request, in her presence, and in the presence of one another signed our respective names as subscribing witnesses.

F. O. Christopher
Murphy, N.C.
Lucy Lloyd
Murphy, N.C.
Ralph Moody
Murphy, N.C.

Witnesses.

Bettie Martin.

North Carolina
Cherokee County.

In the Superior Court,
Before the clerk.

A paper writing purporting to be the last will and testament of Bettie Martin, deceased, is exhibited before me, the undersigned clerk of the Superior Court for Cherokee County, North Carolina, by Bryan Martin, the executor therein named and mentioned, and the due execution thereof by the said Bettie Martin is proved by the oath and examination of F. O. Christopher of Murphy, N.C., Lucy Lloyd of Murphy, N.C., and Ralph Moody of Murphy, N.C., the witnesses thereto, who, each being duly sworn, do depose and say, and each for himself and herself depose and say, that he and she are subscribing witnesses to the paper writing now shown him and her, purporting to be the last will and testament of Bettie Martin: that the said Bettie Martin in the presence of these deponents, and each of them subscribed her name at the end of said paper writing and at the bottom of the page of each sheet of said paper writing now

shown as aforesaid, and which bears date of the 15th day of July, 1926.

And these deponents further say and each for himself and herself says that the said Bettie Martin the testatrix aforesaid, did, at the time of subscribing her name as aforesaid declared the said paper writing so subscribed by her and exhibited to be her last will and testament, and these deponents and each for himself and herself did there upon subscribe his or her name at the end of said will, as attesting witnesses thereto, and at the request and in the presence of the said testatrix.

And these deponents further say and each for himself and herself say that at the said time when the said testatrix subscribed her name to the said last will as aforesaid, and at the time these deponents subscribed his and her name as attesting witnesses thereto as aforesaid, the said Bettie Martin was of sound mind and memory, of full age to execute a will and was not under any restraint to the knowledge or belief of these deponents and to the knowledge, information or belief of each one of them.

And further these deponents say not.

F. O. Christopher
Lucy Lloyd
Ralph Moody

Severally sworn and subscribed, this 11th day of September, 1926, before me.

E. E. Davis.
Clerk Superior Court, Cherokee County,
North Carolina.

North Carolina,
Cherokee County.

In the Superior Court.
Before the Clerk

After examining F. O. Christopher, Lucy Lloyd and Ralph Moody subscribing witnesses to the paper writing purporting to be the last will and testament of Bettie Martin, deceased, said examination being made upon the oath of said witnesses, it is therefore ordered, considered and adjudged by the Court that the said paper writing, and every part thereof, is the last will and testament of Bettie Martin, deceased, and the same, with the foregoing examination and this certificate, are ordered to be recorded and filed.

This the 11th day of September, 1926.

E. E. Davis
Clerk Superior Court, Cherokee County,
North Carolina.

Filed Sept. 11, 1926.

Recorded Sept. 23, 1926.