

State of North Carolina }
Cherokee County.

I, Rose C. McKinney, 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:

I give and devise to my beloved wife Adela McKinney, all my property, both real and personal, the personal to do with as she sees fit, but the real property only for her natural life, and at her death to go to Enoch Penland and his wife Ada Penland.

In the event that my beloved wife shall die before me then all the said property of which I may be possessed at that time shall go to said Enoch Penland and his wife Ada Penland in fee simple.

The above devise to said Enoch Penland and his wife Ada Penland is contingent, however, upon the fact that said devisees shall take care of me and my wife as long as we both live, provide us with the necessary comforts of life and at our death to give us a decent burial at their own expense. In the event that said Enoch Penland and his wife Ada Penland fail to do this then said property shall be divided equally among my next of kin.

I hereby appoint my friend H. M. Whitaker as my executor, to see that the above provisions are carried out, he to serve without bond. My said executor is satisfied that my wishes have been carried out then to deed said land to said legatee.

In witness whereof, I, the said Rose C. McKinney do hereunto set my hand and seal, this 15th day of December, 1925.

Witness: C. H. Garrett

Rose C. McKinney
his mark

Signed, sealed, published and declared by the said Rose C. McKinney 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

C. H. Garrett
Olive B. Garrett.

State of North Carolina } ss. In the Superior Court.
Cherokee County.

A paper writing purporting to be the last Will and Testament of Rose C. McKinney, deceased is exhibited before me, the undersigned, clerk of the Superior Court for said county, by H. M. Whitaker the executor therein named, and the due execution thereof by the said Rose C. McKinney is proved by the oath and examination of C. H. Garrett and Olive B. Garrett, 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 the last Will and Testament of Rose C. McKinney; That the said Rose C. McKinney, in the presence of this deponent, subscribed his name at the end of said paper writing which is now shown as aforesaid, and which bears date of the 15th day of December, 1925. And this deponent further saith, that the said Rose C. McKinney 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, at the request and in

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 C. 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 C. 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