

- Fourth, my will and desire is, that all the Residue of my Estate (if any) after the death of my beloved wife Angelina Mashburn be sold by my Executor or his Successor and the debts owing to me (if any) Collected. If there should be any Surplus over and above the Payment of debts, expenses Legacies that said surplus shall be equally divided and paid over to my following named Children, Orrville Mashburn, Alice Peck, Mary Carross, Charlie Mashburn, Luina Mashburn, Binnie Dockery.
- Fifth, I hereby constitute and appoint my son Orrville Mashburn my lawful Executor to all intents and purposes, to execute this my last will and testament, according to the true intent and meaning of the same and every part and Clause thereof, hereby revoking and declaring utterly void all other wills and Testaments by me heretofore made. In witness whereof I the said W. M. Mashburn do hereto set my hand and seal, This 25th day of Sept 1929.

W. M. Mashburn.

Signed, Sealed, Published and declared by the said W. M. Mashburn 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 subscribe our names as witnesses thereto.

Witnesses,

Hill Dockery

J. E. Carter

G. A. Hambree.

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

A paper writing purporting to be the last will and Testament of Carry J. Holloway, deceased, is exhibited before me, the undersigned, Clerk of the Superior Court for said County, by ^{the executor} therein mentioned, and the due execution thereof by the said Carry J. Holloway is proved by the oath and examination of G. R. Porter and L. M. Ellis, 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 Carry J. Holloway; that the said Carry J. Holloway, in the presence of this deponent, subscribed her name at the end of said paper writing, which is now shown as aforesaid, and which bears date of the 14th day of June, 1930.

And this Deponent further saith, that the said Carry J. Holloway the testatrix aforesaid, did, at the time of subscribing her name as aforesaid, declare the said paper writing so subscribed by her, and exhibited to be her 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 testatrix. And this deponent further saith that at the same time when the said testatrix subscribed her 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 Carry J. Holloway was of sound mind and memory, of full age to execute a Will, and was not under

any restraint, to the knowledge, information and belief of this deponent: And further these deponents say not.

Severally sworn and subscribed,
This 18th day of July, 1930, before
me.

O. C. Hyatt
Clerk Superior Court.

G. R. Porter.
L. M. Ellis.

North Carolina } ss. In the Superior Court.
Cherokee 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 Garry J. Holloway, deceased. Let said Will, together with the probate, be recorded and filed.

This 18th day of July, 1930.

O. C. Hyatt,
Clerk Superior Court.

North Carolina.
Cherokee County.

I, Garry Jethrow Holloway, 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. My executor hereinafter named, shall give my body a decent burial, suitable to the wishes of my friends and relatives and pay all of my funeral expenses, together with all of my just debts out of the first moneys coming into his hands belonging to my estate.

Second, I give and bequeath to my only child and beloved daughter Elsie Holloway, all of my property of each and every kind, whether real personal or mixed,

including my household and kitchen furniture, money on deposit in bank, certificates of deposits, Notes, accounts or any and all assets of every kind and nature,

Third, I hereby constitute and appoint my trusty friend Will D. Whitaker, my lawful executor to all intents and purposes, to execute this my last will and testament according to the true intent and meaning of the same, and every part and clause thereof.

Fourth. It is my further will and request that my executor, heretofore named shall qualify as Guardian for my said daughter Elsie Holloway, and to disburse such portions of my said estate to her as may be to her best interest from time to time, to the end that she may have the necessary care and protection as may seem just and proper to my said Executor.

Fifth. It is my further will and request that my said executor shall not be required to execute a bond as either Executor and Guardian, thereby saving to my said daughter this unnecessary expense.

In witness whereof I, the said Garry Jethrow Holloway, do hereunto set my hand and seal, This the 14th day of June, 1930.

Garry J. Holloway, sub.

Signed, sealed and declared by the said Garry Jethrow Holloway, to be her last will and testament in the presence of us, who at her request, and in her presence, and in the presence of each of us, do subscribe our names as witnesses thereto.

G. R. Porter Seal.
L. M. Ellis Seal.

Recorded July 18, 1930.