

W. W. ^{his} ~~x~~ Ledford Seal
mark.

Signed and sealed in our presence and we have witnessed the same in the presence of each other and of the Testator the day and year first above written.

Witness W. L. Garren
Witness W. A. Carter

Recorded Oct. 27-1931.

J. E. Keener, C. S. C.

Last Will and Testament of David W. Swan.

I, David W. Swan, of The County of Cherokee and the State of North Carolina, being of sound mind and disposing memory, but considering the uncertainty of my earthly existence, do make, ordain, publish and declare this to be my Last Will and Testament:

First: I Will that my wife and my two executors hereinafter named pay all my funeral expenses after my death, together with all my just debts, out of the first money coming into their hands belonging to my estate;

Second: I give, devise and bequeath to my beloved wife, Katherine Swan, during her natural life, all the real estate and interest in real estate and all the personal property of every kind and description where-ever situated, of which I may be seized and possessed at the time of my death, and after her death, to my beloved children, jointly, their heirs and assigns in fee simple forever, share and share a like.

Lastly: I hereby make, constitute and appoint my friends, John E. Coburn and Robert B. Slaughter, my lawful executors to all intent and purpose to execute this my Last Will and Testament: according to the true intent and meaning of the same and every part and clause thereof.

Reposing full faith and confidence in the integrity and business ability of my executors above named to administer upon my estate, it is my will and desire that they be allowed to qualify as my executors without giving the bond required by law.

David W. Swan (Seal)

David W. Swan

The foregoing instrument was subscribed, sealed, ordained, published and declared by David W. Swan as and for his Last Will and Testament in our presence and in the presence of each of us, and we at the same time, at his request, in his presence and in the presence of each other, hereunto subscribe our name and residence as attesting witnesses on this the 11th day of October in the year of our Lord One Thousand Nine Hundred and Thirty.

R. C. Andrews, Andrews, N. C.
G. Rozendale, Andrews, N. C.

North Carolina } In the Superior Court
Cherokee County } Before the Clerk

In the matter of the Last
Will and Testament of David
W. Swan, deceased.

The paper writing hereto attached and purporting to be the Last Will and Testament of David W. Swan, deceased, is exhibited before the undersigned, Clerk of the Superior Court of Cherokee County, by Robert B. Slaughter and John E. Coburn, executors therein named, and thereupon the following proof thereof is taken by the oath and examination of R. C. Andrews, of Andrews, North Carolina, one of the subscribing witnesses thereto.

North Carolina
Cherokee County.

R. C. Andrews, being duly sworn, deposes

and says that he is a subscribing witness to the said paper writing now shown him, purporting to be the Last Will and Testament of David W. Swan and that he saw David W. Swan execute this writing as his Last Will and Testament, and that affiant attested it in the presence and at request of said David W. Swan, deceased; and that at the time of its execution said David W. Swan was, in affiant's opinion, of sound mind and disposing memory. Affiant further swears that G. Rozendale, the other subscribing witness to said Will, signed the same as a witness in the presence of affiant, and that affiant saw him sign the same; and that said G. Rozendale is now residing out of the State of North Carolina.
R. C. Andrews

Subscribed and sworn to before me, this
the 5th day of Dec. 1931.

J. E. Keener
Clerk Superior Court
Cherokee County

And thereupon it is considered and adjudged by the Court that the said paper writing and every part thereof is the last will and testament of David W. Swan, deceased, and it is ordered that the same, with the foregoing examination and this certificate, be recorded and filed.

This the 5th day of December 1931.

J. E. Keener,
Clerk Superior Court
Cherokee County N. C.

Recorded this 7th, Dec. 1931.

J. E. Keener, C. C. C.