

Last Will and Testament of E. J. Walkup, deceased.

State of North Carolina
Union County

I, E. J. Walkup of Union County and State aforesaid being of sound mind and memory, but considering the uncertainty of my earthly existence do make and declare this my last will and testament, in manner and form following, that is to say:-

First That my executor (hereinafter mentioned) shall provide for my body a decent burial, suitable to the wishes of my relations and friends, and pay all funeral expenses and for tomb stones for myself and W. W. Walkup together with my just debts, howsoever and to whomsoever owing out of the moneys that may first come into his hands as a part or parcel of my estate.

2^d I give and bequeath out of the moneys on hand, to M. L. Davis One hundred Dollars and to Sarah R. Ghant Fifty Dollars, and the ballance to be equally divided between Ralf. J. Belk, Daisey Walkup Willie Walkup and William Miller

3^d My will and desire is that all the balance of my personal property of whatever kind shall be sold and the proceeds equally divided between Ralf. J. Belk, Daisey Walkup, ^{Willie Walkup} and William Miller. And lastly I do hereby appoint William Miller 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

erty of whatever kind shall be sold and the proceeds equally divided between Ralf. J. Belk, Daisy Walkup ^{Miller} and William Miller. And lastly I do hereby appoint William Miller 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, and in case William Miller fails to act then I appoint in his stead Ralf. J. Belk. In witness whereof, I the said E. J. Walkup do hereunto set my hand and seal, this 28th day of December, A.D. 1892.

E. J. Walkup. *Seal*

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

W. H. Yarbrough
M. H. Simpson

State of North Carolina, }

Union County, ss. In the Superior Court.

A paper purporting to be the Last Will and Testament of E. J. Walkup, deceased is exhibited before me, the undersigned, Clerk of Court for said County, by William Miller, the Executor therein mentioned, and the due execution thereof by the said E. J. Walkup is proven before me by the oath and examination of W. H. Yarbrough and M. H. Simpson the subscribing

witnesses thereto; who being duly sworn, doth depose and say, each for him-
self, that he is a subscribing witness to the paper-writing now shown him,
purporting to be the Last Will and Testament of E. J. Walhup; that the
said E. J. Walhup in his presence subscribed her name at the end of
said paper-writing and which bears date of the 28th day of December,
1892; that the said E. J. Walhup did at the time of subscribing her name
as aforesaid declare the said paper-writing to be her Last Will and
Testament, and that he 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, that at the time the said testator sub-
scribed her name to the said Last Will as aforesaid, and at the time he
subscribed his name as a witness thereto, the said E. J. Walhup 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 the
deponent. It is therefore adjudged that the said paper-writing
and every part and clause thereof, is the Last Will and Testament of
E. J. Walhup, deceased and ordered that the same be recorded
and that Letters of Administration with the Will annexed be issued
to M. Davis; William Miller and Ralf J. Belk both refusing
to qualify as Executor