

who signed the same in our presence and at his request we have signed the same as witnesses in the presence of each other

W. B. McCollum
Jno. D. Woody

State of North Carolina } In Probate Court
Bladen County 17 Nov. 1870.

A paper writing purporting to be the last will and testament of Jesse B. Wiggins, deceased, is exhibited before me the undersigned Judge of Probate in and for said county by Malcom McWood, the executor therein named, and the due execution thereof by the said Jesse B. Wiggins by the oath and examination of W. B. McCollum & John D. Woody, the subscribing witnesses thereto who being duly sworn doth depose and say, 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 Jesse B. Wiggins that the said Jesse B. Wiggins in the presence of the deponent subscribed his name at the end of said paper writing which is now shown as aforesaid & which bears date on the day of — A.D. 18 — and the deponent further saith that the said Jesse B. Wiggins 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 the 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 & in the presence of the testator. And the deponent further saith that at the same time when the said testator subscribed his name to the said last will as aforesaid & at the time deponent subscribed his name as an attesting witness thereto as aforesaid the said Jesse B. Wiggins was of sound mind and memory of full age to execute a will & was not under any restraint to the knowledge information or belief of this deponent & further these deponents say not.

Solemnly sworn and subscribed this 17th Nov 1870

D. Blue, Judge
of Probate

Jno. D. Woody &
W. B. McCollum

In the name of God amen.
I, Elime Mears of the County of Bladen and State of North Carolina being of sound mind and disposing memory, blessed be God for the same and knowing the uncertainty of my earthly existence, do make, constitute, appoint, publish and declare this my last will and testament.
Item first: I give and bequeath my home place of land containing two hundred & fifty acres whereon I now live to my nephew and niece Elime Mears and Frances Mears, son and daughter of my brother John Mears, saving, excepting and reserving the same to my beloved wife Charlotte Mears for and during the term of her natural life and at her death to go to the said Elime and Frances as above directed in equal share forever.

Item second: I give and bequeath unto my nephew and niece John W. Ellis and Penelope Ann Mariah Ellis my back place of land lying on the Wilmington, Charlotte and Rutherford railroad, purchased from George McKee as will appear by deed from said George McKee to myself, containing two hundred and forty-five acres according to plat made by D. B. McKeithan, to the said John W. and Penelope Ann Mariah in equal shares forever.

Item third: I give and bequeath unto my beloved wife Charlotte Mears my negro fellow Jack together with all my estate and property of every kind and description and the right and privilege of collecting, receiving and using and giving full discharges for any debts or money that may be due to me at my death, to hold, use and enjoy all such estate and property for and during the natural life of my said wife, and it is my will and desire that the residue that may be left and remaining at the death of my said wife should go to my legal heirs in a course of distribution according to the laws of North Carolina.

Item fourth: I constitute and appoint John W. Ellis and Malcom McLeod to be my executors to this my last will and testament.

In witness whereof I have hereunto set my hand and seal this the 5th day of June in the year of our Lord one thousand eight hundred and sixty and published and declared in the presence of Thos. M. Kelly, and F. M. Wooten as witnesses to the same who at my request have signed as such.

Elihu Mears (Seal)

Witnesses: We the undersigned at the request of Elihu Mears, and in his presence and in the presence of each other have witnessed the due execution of this said will and hereunto subscribed our names as such.

Thos. M. Kelly.
F. M. Wooten.

Codicil.

In view of the changed and altered condition of the country since making the above will I now add this codicil and declare that it is my will and desire that Jack Mears, now a freedman and once my servant, should have laid off and allotted to him out of my back land on which he now lives fifty acres of land to be laid out adjoining the lands of J. W. Baldwin and to include the house where he now lives. I make no other change and still confirm the foregoing as my last will and testament this October 1870.

Elihu Mears (Seal)

Jno. D. Currie
E. J. McLeod (Witnesses Nov 3, 1870)

State of North Carolina } In Probate Court
Bladen County } 15th April 1871.

A paper writing purporting to be the last will and testament of Elihu Mears deceased is exhibited for probate by Malcom McLeod + Jno. W. Ellis, the executors therein named, and was duly proven by the oath and examination of F. M. Wooten + Thos. M. Kelly, and the due execution of the codicil was duly proven by the oath and examination of Erander J. McLeod and John D. Currie the subscribing witnesses thereto. The said will bearing date 5th June 1860 + the codicil bearing date 3rd Nov. 1870. These deponents further said that the said testator was at the time of signing the above said will and codicil 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 deponents and further these deponents say not. Severally sworn and subscribed this 15th day of April 1871 before me
D. Blue, Judge of Probate
Thos. M. Kelly F. M. Wooten, J. D. Currie, E. J. McLeod.

In the name of God Amen.

I John Perry of the county of Bladen and State of North Carolina, 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 that my Executor (hereinafter named) shall provide for my body a decent burial and pay all my funeral expenses out of the moneys that may first come into his hands as a part or parcel of my estate, also discharge and pay all