

477

COPY

I, Benjamin F. Stone, of Chesterfield County, Virginia, do make this my last Will and Testament, hereby revoking all former wills or codicils by me at any time hereto made.

1. I direct that my just debts and funeral expenses be paid as soon after my death may be conveniently done.

2. I give and bequeath to my wife, Maude Lee Stone, all of my my intimate personal effects and my household and kitchen furniture, and I direct that no inventory or appraisal be had of such.

3. All of the rest and residue of my property, of every sort, kind and description, whether real, personal or mixed, howsoever held and wheresoever situated I give, devise and bequeath to my hereinafter named Executor to be by it held and disposed of for the following purposes and upon the following trusts:

(a) My said executor as such Trustee shall invest the said Trust Estate in what it may deem good and income bearing securities and maintain the investment thereof, changing the forms of investment from time to time as it may deem wise, and shall dispose of the principal and income of said trust estate as follows: 1. My said executor as such Trustee shall pay to my said wife, Maude Lee Stone, the sum of One hundred Fifty (150.00) Dollars per month so long as she shall live, and the said monthly payment shall be made either from the principal or income of said trust estate. I furthermore desire and hereby authorize my executor to pay any hospital bills or any special medical attention bills which may arise by reason of any serious illness that my said wife may have during the continuance of this trust.

(b) Upon the death of my said wife, I direct my said executor and trustee to pay all her funeral expenses, and then should there by any balance left in this said trust estate, I direct that the said balance be distributed among my brothers and sisters then living and my said brothers and sisters then living shall share and share alike.

(c) I hereby empower my said executor will full authority to make sale of any or all of my estate whether real, personal or mixed, howsoever held and wheresoever situated, either publicly or privately, at such times and places as it may see fit, and upon such terms as it may seem wise, and to give all necessary evidences of title thereto, whether by deed, bill of sale or otherwise, and the purchaser or purchasers shall not be required to look to the application of the purchase price. My said executor is hereby authorized to do such other things as may be necessary and expedient in order to carry into effect the foregoing provisions of my will.

I hereby nominate, constitute and appoint the Virginia National Bank of Petersburg, Petersburg, Virginia, executor of this my last will and testament.

In witness whereof, I have hereunto set my hand in the County of Chesterfield, State of Virginia, this 20 day of December, 1928.

Benjamin F. Stone (Seal)

Attest: Everett L. Mann
W. E. Poole
W. Hal Payne.

Signed, acknowledged, published and declared as and for his last will and testament by the testator, Benjamin F. Stone, in the presence of us who, at his request, in his presence and in the presence of each other, all four being present together at the same time, have hereunto signed our names as attesting witnesses in the County of Chesterfield, State of Virginia, this 20 day of December, 1928.

Everett L. Mann
W. E. Poole
W. Hal Payne

VIRGINIA: In the Clerk's Office of the Circuit Court of Chesterfield County, Nov. 9, 1933.

This day there was presented before the Clerk of said Court, in his office and offered for probate, a paper writing bearing date the 20 day of December, 1928, and purporting to be the last Will and Testament of Benjamin F. Stone, who died October 23, 1933, a resident of Chesterfield County; and the due execution thereof according to law having been fully proved by the testimony under oath of Everett L. Mann and W. Hal Payne, two of the subscribing witnesses thereto (W. E. Poole, the other subscribing witness, having departed this life), the said writing is admitted to probate and record as and for the true last Will and Testament of the said Benjamin F. Stone, deceased.

And thereupon the Virginia National Bank of Petersburg, Petersburg, Virginia, acting by W. Hal Payne, its Conservator, declined to qualify as executor under its appointment as such in said will; whereupon, on the motion of Mrs. Maude Lee Stone, by Counsel, Philip Freeman was appointed Administrator with the will annexed of the said will, and the said Philip Freeman thereupon, with the Fidelity and Deposit Company of Maryland (acting by Walter M. Payne, its attorney in fact), as surety, entered into and acknowledged a bond in the penalty of the Thousand Five Hundred Dollars, conditioned for the faithful discharge of his duties as such administrator, and he further qualified as such by taking the oaths prescribed by law.

And it is ordered that B. B. Wells J. William Dance, Lewis Levitt, F. W. Bushong, or any three of them, after being duly sworn for the purpose, appraise the personal estate of the said Benjamin F. Stone, deceased, and return their appraisement to the commissioner of Accounts of this Court as the law directs.

Witness, Philip V. Cogbill, Clerk of the said Court, this 9th day of November, 1933.

Philip V. Cogbill, Clerk

STATE OF VIRGINIA
COUNTY OF CHESTERFIELD

TO-WIT:

I, Philip V. Cogbill, Clerk of the Circuit Court of the County of Chesterfield, do hereby certify that on the 9th day of November, 1933, the Will of Benjamin F. Stone was duly proven and admitted to probate in the Clerk's Office of the Circuit Court of the aforesaid County of Chesterfield, and that Philip Freeman thereupon qualified as Administrator with the will annexed of the estate of the said Benjamin F. Stone, and that the foregoing is a true copy of the said Will and of the order of probate thereof, the same being recorded in Will book 35, Page 58, of the said Clerk's Office.

In testimony whereof, I have hereto set my hand and annexed the seal of the said Court, this 2nd day of April, 1940

Philip V. Cogbill, Clerk

STATE OF VIRGINIA
COUNTY OF CHESTERFIELD,

TO-WIT:

I, J. G. Jefferson, Jr., Judge of the Circuit Court of the County of Chesterfield, hereby certify that Philip V. Cogbill, Clerk, whose name is signed to the foregoing certificate, is, and was at the time of signing the same, Clerk of the said Court, duly qualified; that his attestation is in due form of law; that his signature is genuine, and all his official acts entitled to full faith and credit.

Given under my hand, this 2nd day of April, 1940; and under the seal of the said Court:

J. G. Jefferson Jr., Judge.

STATE OF VIRGINIA
COUNTY OF CHESTERFIELD,

TO-WIT:

I, Philip V. Cogbill, Clerk of the Circuit Court of the County of Chesterfield, do hereby certify that the Honorable J. G. Jeffe son, Jr., whose name is signed to the foregoing certificate, is and was at the time of signing same, Judge of the said Court, duly qualified.

Given under my hand, this 2nd day of April, 1940, and under the Seal of the said Court:

Philip V. Cogbill, Clerk

STATE OF NORTH CAROLINA
COUNTY OF BRUNSWICK

IN THE NAME OF
GOD, AMEN.

I, TALLIE THARP WATTS, of said state and county, being of sound mind and disposing memory, but considering the uncertainty of earthly existence, do make, publish, and declare this my Last Will and Testament.

FIRST: I give and devise the home located on Lord Street, Southport, N. C., including the house and real estate belonging to the lot and any other lands that I may own at the time of my death, together with the household goods, kitchen furniture and other personal belongings in the house, unto my beloved daughters, Lucy Watts White and Susie Mercedes Watts, share and share alike, in fee simple forever.

SECOND: I give and bequeath the motor boat, "Sea Girl", together with the equipment belonging to said boat unto my beloved son, Thomas Hulon Watts, and I have deposited this day the sum of \$275.00 of my money in the Waccamaw Bank & Trust Company to be applied in the making of the last payment due on the purchase of the said boat, title to same to go to the said Thomas Hulon Watts.

THIRD: I give and bequeath that motor boat, "E. M. Lewis", Together with the equipment belonging to said boat unto my beloved son, Samuel W. Watts, Jr., title to be made to him.

FOURTH: I give and bequeath that certain motor boat, "Eva Mae", unto Lucy Watts White as trustee, for the purpose of making a sale of the said boat, she advising with my two sons, and if not sold then that she operate the same, advising with my two sons, and divide equally the net proceeds from any earnings or from the sale of said boat, to my four children or those that represent them. It being my pleasure that the said boat be sold as early as possible after my death and the money so divided if not needed in the payment of debts, or expenses incident to my sickness, death and burial.

FIFTH: I give and devise all money that may be in the bank or that may be on hand at the time of my death unto my executrix hereinafter named, to be applied first on the payment of any just debts or any expenses incident to my sickness, death and funeral and the remainder of said funds to be equally divided between my four children, named in this will, or those that represent them.

SIXTH: It is my wish that if my beloved son Samuel W. Watts, Jr., desires to remain in the home herein devised to my two daughters with my two said daughters, that he shall share monthly with them a one-third part of the living expenses of the family as well as the up-keep of the home, otherwise to be at their will and pleasure.

SEVENTH: I hereby constitute and appoint my daughter, Lucy Watts White, executrix of this, my Last Will and Testament, to execute the same according to its true intent and meaning to all intents and purposes, she to serve without bond, and I hereby revoke and declare utterly void all other wills and testaments by me heretofore made.

IN WITNESS WHEREOF, I, the said Tallie Tharp Watts, do hereunto set my hand and seal, this 21st. day of May, 1940.

Tallie Tharp Watts (SEAL)

Signed, sealed, published and declared by the said Tallie Tharp Watts, 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 other, do subscribe our names as witnesses thereof.

C. Ed. Taylor
Helen Dean Sutton
W. H. Walker

STATE OF NORTH CAROLINA
BRUNSWICK COUNTY

IN THE SUPERIOR COURT
BEFORE THE CLERK

A paper-writing purporting to be the last Will and Testament of Tallie Tharp Watts deceased, is exhibited before me, the undersigned, Clerk of the Superior Court for said county, by Lucy Watts White the executrix therein mentioned, and the due execution thereof by the said Tallie Tharp Watts is proved by the oath and examination of C. Ed. Taylor, Helen Dean Sutton and W. H. Walker, the subscribing witnesses thereto, who being duly sworn do 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 Tallie Tharp Watts; that the said Tallie Tharp Watts, 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 21, day of May, 1940.

AND THE DEPONENT FURTHER SAITH, That the said Tallie Tharp Watts 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 her name as attesting witness thereto, as aforesaid, the said Tallie Tharp Watts 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 this deponent; And further these deponents say not.

Severally sworn and subscribed, this 18 day of July, 1940, before me.

M. B. Watkins
Assistant Clerk Superior Court.

C. Ed. Taylor
W. H. Walker
Helen Dean Sutton

STATE OF NORTH CAROLINA
BRUNSWICK COUNTY

IN THE SUPERIOR COURT.

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 Tallie Tharp Watts deceased, and the same, with the foregoing examination and this certificate, are ordered to be recorded and filed.

This 18, day of July, 1940.

M. B. Watkins
Assistant Clerk Superior Court

5-22
501

IN THE NAME OF GOD AMEN. I, G. L. Vincent, of the Town of Emporia, Greenville County, Virginia, do make this my last will and testament, as follows:

1. FIRST: I desire that my body may be decently buried, without needless expense.

2. SECOND: I direct that all my just debts be paid as soon after my decease as conveniently may be, and to that and charge my whole estate, real and personal, with the same.

3. THIRD: After the payment of all debts chargeable against my estate, burial expenses, costs of administration and taxes, I bequeath to my wife, E. C. Vincent, one third of the proceeds of the sale of all my personal estate, to be her own absolutely, and I also devise and bequeath to my wife, E. C. Vincent, a one third interest in such real estate as I may own at the time of my death, wheresoever located for and during the term of her natural life, subject to the rights granted to my hereinafter named Executors and Trustees to manage and sell the same. I herein declare that my said wife, E. C. Vincent, already owns all furniture, household goods, chinaware household linens, books paintings and utensils of every sort, contained in our home, located on Main Street, in the Town of Emporia, Virginia, but in order to avoid any misunderstanding, I hereby bequeath to her any right I may have in such furniture household goods, chinaware, household linens, books paintings and utensils of every sort, together with provisions and supplies of every kind contained in our said home. I also bequeath to her any automobiles I may own at the time of my death.

4. FOURTH: All the rest and residue of my estate, of every kind and description whether real, personal or mixed, I devise and bequeath subject to the provisions hereinafter set out in this clause, and also in the FIFTH clause of this my will, to my ten children, as follows: (1) Helen V. Potter, of Washington, D. C., (2) G. L. Vincent, Jr., of Emporia, Virginia; (3) Louise Dalton, of Richmond, Virginia; (4) Eugenia Atkinson, of Emporia, Virginia; (5) Virginia Vincent, (6) Mary William Vincent, (7) Martha Vincent, (8) Margaret Vincent, (9) Gene Thomas Vincent, and (10) Ruth Vincent, all of the last named being residents of the Town of Emporia, Virginia; share and share alike. The gifts and devises in this clause shall be subject to this provision, namely: It being my desire that as among themselves all of my children shall share equally in my estate, and as I have given to each of my four oldest children, Helen V. Potter, G. L. Vincent, Jr., Louise Dalton and Eugenia Atkinson, in the way of college education or otherwise, at least the sum of FIVE THOUSAND DOLLARS (\$5000.00), I direct that each of the said four children be charged with the sum of FIVE THOUSAND DOLLARS (\$5000.00), as an advancement. Such sums as I have advanced to other children, or may advance between this time and the date of my death, as each child attends college or receives any substantial gift, I direct be likewise charged to each child as an advancement by my Executors, and the decision of my Executors as to the amount of such advancement, or advancements, shall be absolutely binding on each of my children. No charge of more than FIVE THOUSAND DOLLARS (\$5000.00) shall be made against any child as such advancement.

5. FIFTH: My hereinafter named Executors are given full power and authority to sell or convert; any stocks, bonds, or other personal property I may own into money; to rent, lease or sell any real estate that I may own at the time of my death, at either public or private sale, and on such terms as they may deem best for my estate; to collect, settle or compromise any debts due me, or my estate, and as my estate is liquidated it is my wish and desire that my said Executors pay over to my said wife, E. C. Vincent, one third of the net value of my personal estate, one third of the net income from any of my real estate, and when and as my real estate is sold she is to be paid the commuted value of her one third interest for life therein, according to the annuity tables provided by the laws of Virginia. My said Executors shall likewise pay to each of my children who have attained the age of twenty-eight years, his or her proportionate part of my estate. The residue of my net estate, after the payment of the devises and bequest to my said wife and such of my children as shall have attained the age of twenty-eight years, I devise and bequeath to the Trustees hereinafter named, in trust to hold, manage and invest the same for such of my children as shall be under twenty-eight years of age, and then to pay to each child as he or she attains the age of twenty-eight years, his or her proportionate part of my estate, as set out above. While I contemplate that each of my children will receive from life insurance policies sufficient amounts for their education and maintenance while under age, and until they become twenty-eight years of age, yet I give full power and authority to my said Trustees in their discretion to pay to the guardian of each child who is a minor, or to each child after he or she becomes twenty-one years of age, but before reaching twenty-eight years of age, such proportionate part of his or her income as in their discretion may be necessary for such purpose. It is my further desire that if any of my said children shall die under twenty-eight years of age, leaving issue, such issue shall take the parent's share, but if such child of mine should leave no issue, his or her share shall go to his or her surviving brothers and sisters, the issue of any deceased brother or sister to take the parents share.