

And J M Israel late Deputy Clerk of the
Superior Court of Brunswick County,
being duly sworn depose and say, that he has
made diligent search in said office and has
found when the will of Joshua Roberts was
produced in open Court for probate
(see minute of County Court Minute docket)
and that he cannot find either the will or
any thing purporting to be the said will
though he has diligently searched in
said office for the same, nor has he after
such diligent search been able to find
either the will or any minute thereof
except as stated, entered of record in
said office

I, J M Israel being further sworn
depose that he has also searched diligently the
Will Books in said office and cannot find
entered thereon any where the said will, but
that in the will Book where said will should
have been recorded there is a part of the
same cut or torn out and is lost and
destroyed

Thomas O Roberts
Clerk Blackstock
J M Israel

Subscribed and sworn to before me
This March 22nd 1887

W J Reynolds
Clerk Superior Court

Rufus M Johnsons Will

A paper writing purporting to be the last
Will and Testament of Rufus M Johnson
decd is exhibited before me the undersigned
Judge of Probate for Mecklenburg County, by
Cecelia M Johnson in the following words
and figures My

I Rufus M Johnston, Concerning
of my extreme physical Condition and
knowing that even in the highest degree
of health the vicissitudes of human life
are uncertain, with an intellect clear
and unclouded, do make this my last
will and testament. After the expense of my
burial shall have been provided for accord-
ing to the test of my dear wife I
request that all my debts be paid

If my estate should sustain no serious
loss within two years after my death I desire
my executrix to give to my dear Sister
Martha M Johnston, Two Thousand Dollars
or such other sum as her discretion she
may think proper

This provision is made for my sister
Martha on account of her crippled
Condition. Then any one of my Brothers
or Sisters, Upon the partial division of the
Estate of my Father in law Robert Latta
in July 1869 I received certain Bank
and Rail Road Stocks as trustee of my wife
and her child or children, These bonds
and stocks will appear from the partial
Settlement, which was recorded in the
Office of Secretary of State in Columbia
South Carolina, My wife, her child or
children will hold them according to the
will of her Father Robert Latta

All the balance of my estate, property, rights
chooses in action &c I leave, give bequeath
to my wife Cecelia J Johnston and
son Latta M Johnston to be equally
divided between them, when the said Latta

attains the age of twenty five years, all said Property is to remain undivided and in the hands of my Executrix until my son shall become twenty one years old, subject to her entire and absolute Control, sole disposition investment or reinvestment with Power to convey by deed or otherwise all Plantations and lands by proper conveyances hereby enumerated, The home place near Columbia about 84 acres known as the former residence of my Father in law the late Robert Latta and which was purchased by me from the Executors of his estate, also a small tract of woodland back of the home place just described containing about 29 1/2 acres purchased at the same time from the Executors of my Father in law's estate, also a plantation 7 miles from Albany in Oconee County Georgia containing about 1250 acres and purchased by me from Charles Mallory, also a farm one mile and a half from Asperville in Rutherford County, North Carolina known as the Swannanoa Hill place containing about 366 acres purchased by me from William McJesson, also one half of an undivided interests in a plantation jointly owned by the late Ed J Arthur and myself containing about 1567 acres said plantation lies about five miles south of Columbia and is better known as the J. De Bohl plantation After my son Latta attains majority the Executrix and trustee of his estate may give him a sufficient portion of his estate to commence and carry on any business she may deem proper and suitable for him to engage in the expense of schooling boarding, clothing &c of my son Latta as well as all the expense

of his Mother Cecilia L Johnston are to be paid out of the undivided joint estate in the hands of my Executrix at her discretion and without her being accountable to the said Latta or any one else for said expenditures, I further authorize my Executrix to pay to Carter Johnston our old and faithful servant such an annuity as she deems proper from said joint estate

I hereby designate and appoint my true and devoted wife Cecilia L Johnston Executrix of this my last will and testament and invest her with ample discretion to execute its provisions, I also appoint her Trustee of all the estate of my filial and dear son Latta B Johnston

In witness whereof I hereunto set my hand and seal this 15th April 1869

Test
J. J. Brown
W. J. Hayes

Refus M Johnston Seal

And the due execution thereof by the said Refus M Johnston by the oath and examination of John L Brown and W J Hayes the Subscribing witnesses, who to who being duly sworn doth depose and swear that he is a Subscribing witness to the paper written now shown him purporting to be the last will and testament of Refus M Johnston, that said Refus M Johnston in the presence of the deponents signed said paper writing which is now shown as aforesaid and which bears date on the 15th day of April 1869 and the deponents further swear that the said Refus M Johnston the Testator aforesaid died at the time of Subscribing his name aforesaid declare the said paper writing so Subscribed by

him and exhibited to be his last will and testament and the deponent did then upon subscribe their names at the end of said will as attesting witnesses thereto and at the request and in the presence of the said testator and deponent, further faith that at the time when the said testator subscribed his name to the said last will as aforesaid and at the time of the deponent, subscribed their names as attesting witnesses thereto as aforesaid the said Rufus M Johnston was of sound mind and memory, of full age to execute a will and was not under any restraint to the knowledge or belief of these deponents and further these deponents say not

J L Brown (Seal)
W J Hayes (Seal)

Severally sworn to and subscribed this 10th day of May 1869

E A Osborne
Judge of Probate

Whereupon the said Cecilia L Johnston the executrix herein named was duly qualified in conformity to Law and Letters Testamentary issued to her
E A Osborne
Judge Probate

State of North Carolina
Mecklenburg County

J. J. M. Morrow
Clerk of the Superior Court in and for the County and State aforesaid do hereby certify that the foregoing is a full true and perfect copy of the last Will and testament of Rufus M Johnston deceased now on file in my office
In testimony whereof I

have hereunto set my hand and seal of said Court at office in Charlotte N C this 26th day of January 1867

(Seal)

J M Morrow
Clerk Superior Court

Last Will and Testament of Hiram B Burnham

In the name of God Amen

I, Hiram B. Burnham of the Town of Bangor, County of Franklin and State of New York, being of sound mind and memory and considering the uncertainty of this life do therefore make, ordain, publish, and declare this to be my last Will and Testament, That is to say, First after all my lawful debts are paid and discharged, I give and bequeath to my wife Emma Maria Burnham (\$2000,) two thousand dollars out of amount now in the Peoples National Bank, Malone New York. To my youngest son Louis Hiram Burnham (\$1000,) one thousand dollars out of same Bank. To my eldest son Walter A. Burnham, my interest in my life policy off \$1000, one thousand dollars Republican Co. of Pittsfield Mass. And I do further bequeath to my son Louis Hiram (\$2000) Two thousand dollars out of my interest in House property in Asheville N.C. To my eldest son Walter A. Burnham the remainder of my interest in Asheville House property, N.C. which is (\$425,) four hundred and twenty five dollars, also to Walter A. my building lot property at Asheville N.C. which is (\$450) Four hundred and fifty dollars. The remainder of which is a lot, on Mill property of (\$4000,) in Asheville N.C. \$200, in savings Bank in Ansonia Connecticut and my interest in a Chas. Mtg against E R Bapts off \$195.00 and all other undisposed of property, to be divided equally between the two sons and my wife Emma