

North Carolina,
Lenoir County.

I, John M. Collins, being of sound mind and memory, but considering the uncertainty of my earthly tenure, do make and declare, this my last will and testament in manner and form following, viz:

First—That my executor hereinafter named, shall provide for my remains a decent burial, and such tombstone or monument as may be suitable to the wishes of my relatives and friends, and pay all my funeral expenses, and all my just debts, if any there shall be, out of the moneys first coming into his hands as part and parcel of my estate.

Second—I leave to my grand son, Zebulon Vance Sutton, my town lot with all improvements thereon, in the town of Kinston, N.C. No. 305 on the South side of Caswell St. adjoining the old Church lot; also town lot in the town of Kinston, N.C. on the North side of E. Caswell Street No. 71 1/2 with all improvements thereon; also town lot in La Grange, N.C. No. 15 in block 2 fronting 50 feet on James Street and running back 190 feet; also town lot in La Grange, N.C. No. 11 in block 3 fronting 50 feet on James Street and running back 180 feet. To have and to hold all these town lots and improvements during his natural life, and, at his death, to his legal heirs in fee simple.

I also give Mattie Sutton, wife of Zebulon Vance Sutton, for the benefit of her husband, her 2 1/2 Sutton Children, and heirs (the dividends from which may be applied to paying taxes, repairs and repairs, or otherwise as she deem best, or the same may be turned into other property if she and her heirs think it best to do so) Twelve (12) shares of Preferred stock in the "Orion Knitting Mills" in Kinston N.C.

Third— I give and devise to my daughter, Mary Beaton, my town lot on the east side of Green Street, adjoining M. J. Roney, R. A. Mayhew and Hollie E. Bailey, with all the improvements thereon including the five pieces of land between my brick building and Hollie E. Bailey's building purchased by me from C. Bailey and wife Hollie E. Bailey June 20th A.D. 1901. I also give my daughter, Mary Beaton, my town lots with all improvements thereon, on Tiffany Avenue deeded to me by J. R. Clark, Daniel and wife on the 3rd day of June 1903, and by Bardenia B. Simmons on the 17th day of October, 1903 and the western half of lot deeded to me by J. R. Clark, Daniel and wife

on the 2nd day of April 1904, being 20 feet on Tiffany Avenue and 105 feet on King Street extensions. I also give and devise to my daughter, Mary Beaton, all of my other real and personal property consisting of first town lots. It is my wish and desire that J. O. Beaton (having abandoned his wife and children for several years, and having failed and refused to furnish them any support or maintenance) shall have no part or lot, no interest, right or benefit, whatsoever in any property hereby or heretofore given my daughter Mary Beaton, nor shall he have at any time, any voice or influence in the division of the same among her children, but it is my desire that my daughter Mary Beaton shall have and hold all the aforesaid real estate, to her the said Mary Beaton, individually, during her natural life, and at her death, to her children in fee simple; and that she shall have the power, by her last will and testament, to divide all the aforesaid real estate among her children in just such manner and portions as she may desire, as though it was hers, or deeded to her in fee simple.

I also give my said daughter Mary Beaton, Twenty Shares (20) of Preferred stock in the Kinston Cotton Mills and ten (10) shares of the Common stock in the Orion Knitting Mills.

Fourth— I give and devise my grand daughter Etta Beaton, my house and lot on the North side of Washington Street, No. 206, being 52 feet front, running back 180 feet, the house being one story in the town of Kinston N.C. Also in the town of Snow Hill, three town lots, Nos. 8, 9 & 10 in block No. 1, making a plot of land on the corner of Warren Street and Suggs Avenue 150 feet square. I also give my said grand daughter Ten (10) shares of stock in the "Kinston Cotton Mills" (Common).

Fifth— I give and devise to my grand daughter Pauline Walsh, my house and lot on the North side of Washington Street, No. 208, in the town of Kinston N.C. having 48 feet front, running 150 feet, the house being two story. Also in the town of Snow Hill N.C. two town lots Nos. 19 & 20 in block No. 2, making a plot of land on the corner of Warren St. & Suggs Avenue 100 feet on Suggs Avenue and 150 feet on Warren St. Also one Corner lot in the town of La Grange N.C., fronting on Railroad Street 50 feet, and on Forbes Street 190 feet, being Lot No. 1 in Block No. 2. I also give to my said grand daughter, Pauline Walsh, Ten (10) shares of stock in Orion Knitting Mills, Common stock.

The real estate given to my two grand daughters Etta

Helen and Pauline Walsh is hereby given to them in full and forever.

Sixth - I give and devise to my son Plato Collins, my son, born the last day of June 1884, in the town of Kingston, N.C., adjoining Mrs. Elizabeth Ball and Dr. H. T. Ball, with all improvements thereon, also lot with improvements thereon known as the "Diller lot" on the corner of Laurel & Independence streets; also the eastern half of the lot deeded to me by J. H. McDaniel & wife on the 2nd day of April 1904, being 20 feet on Triumvir Avenue and running 105 feet in a westerly direction; also one lot or parcel of land deeded to me by J. A. Linn on the 1st day of March 1906, fronting ten feet on Triumvir Avenue and running back in a westerly direction 105 feet; also town lot No. 8 in block No. 3 fronting 40 feet on Vernon Avenue, Kingston, N.C., being the lot deeded to me by J. E. McKey & wife on the 2nd day of Dec 1907; also town lot No. 9 in Block No. 3, on Vernon Avenue, Kingston, N.C., being the lot deeded to me by J. W. Grainger & wife on the 1st day of October 1908; also five town lots in the town of Benton, N.C., purchased by me from the "Hub Land Company" on the 2nd day of March 1909, per record in Reg. of Deeds office, Davidson County, N.C. Book 64 page 442; also my two grave lots in Chapelwood cemetery, reserving space on the right of my last wife's grave for my burial, and space on the R. L. Collins lot for the burial of the remains of my sister Amanda. I also give my said son my son's dog, Gold Watch, and all my furniture and other effects now situated in his residence; also the share of stock in the "National Bank of Kingston", five shares in the "North Loan & Real Estate Co.", and four shares in the "Orion Mining Mills". (Common stock.)

Seventh - I give and bequeath to my beloved sister Amanda Ogden, two hundred and fifty dollars, if she survives me; and if she does not survive me, then to be paid to my grand son "Belle's" son.

I hereby appoint and constitute my son Plato Collins, my executor, to execute and carry out all the provisions of this, my last will and testament, according to the true intent and meaning of the same, and every part and clause thereof; and it is my desire and request

that he shall take immediate charge of my estate, without bond, and that he shall collect all moneys due my estate, pay all my debts, if any there shall be, and all gifts devise and bequests, great and family monument, as he deems right and proper, and appropriate to his own use all residue of personal property of whatever kind.

It is my will and desire, that my dear and only son, Plato, not only for the respect he ought to cherish for a deceased father and Mother and his wife and children; but that he may avoid the seemingly impending doom of a lost soul, shall just comply with one simple request from the best friend that he has ever had on earth, and that is; Refrain from the use of intoxicating liquors. Try it, and you will be a man among men, and an Angel in Heaven, no doubt.

I hereby revoke and declare void all other wills and testaments by me heretofore made.

John W. Collins, Seal.
Signed, sealed, published and declared by the said John W. Collins, to be his last will and testament in the presence of us, who at his request and in his presence, and in the presence of each other, do subscribe our names as witnesses thereto, this 25th day of September 1909.

Ruby L. Allover
H. D. Stanley

North Carolina,
Lenoir County.

In the Superior Court,
January Term, 1911.

In the matter of The Last Will
and Testament of John W. Collins
deceased.

Judgment

This Cause coming on to be heard for the probate of the proper writing propounded by Plato Collins as the Last Will and Testament of John W. Collins deceased before the undersigned judge and the jury, and the jury having answered the issue "Yes each and every part thereof as appears from the record therein."

Now, therefore, it is ordered and adjudged and

decreed that the said paper writing dated the twenty fifth day of September, 1909 and back and every part thereof is the last will and testament of John W. Collins, deceased, and that the same be recorded as such as provided by law, and that the cost herein be paid by the estate thereof out of the estate of said John W. Collins, deceased, to be paid by the clerk of this Court.

R. B. Peebles
Judge Presiding.

North Carolina,
Lenoir County.

In the Superior Court.
March Term, 1911.

In the Matter of the Last
Will and Testament of John
W. Collins, deceased.

Order.

This Cause coming on to be heard and, this Court having rendered an order in this Cause at the January Term, 1911, ordering the issuance of two Alias Citations for Ethel Hjelvesten and husband, Edgar Hjelvesten, citing them to show Cause, if any they have, why the paper writing dated the twenty fifth of September, 1909, and propounded by Plato Collins as the last will and testament of John W. Collins, deceased, is not the last will and testament of said John W. Collins, deceased, or be forever barred and that this Court did thereupon issue Citations in accordance with said order, returnable before the undersigned at Kinston, N.C., on the thirteenth day of March, 1911, the same being the first day of the March Civil Court, 1911, and that said Citations were personally served on said Ethel Hjelvesten and husband, Edgar Hjelvesten, by the Sheriff of Wayne County, N.C., more than ten days prior to said return day, and that the said Ethel Hjelvesten and husband Edgar Hjelvesten failed to show any Cause whatsoever why said paper writing propounded as above stated is not the last will and testament of John W. Collins, deceased, and, it further appearing to the Court that said paper writing has heretofore been solemnly probated;

Now, Therefore, it is ordered, decreed and adjudged that the said paper writing dated the twenty fifth day of

September, 1909, and propounded by Plato Collins as the last will and testament of said John W. Collins, deceased, such and every part thereof.

It is further ordered and adjudged that this Court in rendering its judgment at January Term, 1911, inadvertently by reference to said will as dated the twenty fifth day of May, 1909, whereas the correct date of said will is the twenty fifth day of September, 1909, and the said judgment is hereby corrected accordingly, and the clerk of this Court, or his deputy, is directed to correct said judgment and the record thereof accordingly; and it is ordered that this correction take effect as of the date of the original judgment, which is recorded in Minute Booklet No. page 61.

It is further ordered that the cost of this proceeding be paid by Plato Collins, Executor of the last will and testament of John W. Collins, deceased, out of said estate as a proper disbursement therein.

R. B. Peebles
Judge Presiding.

North Carolina,
Lenoir County.

L. E. Kennedy, Deputy Clerk of Superior Court of Lenoir County do hereby certify that the foregoing is a true and perfect copy of the Last Will and Testament of John W. Collins, deceased, and the probate thereof in solemn form in the Superior Court in said County at the January and March Terms 1911, of said Court.

See Minute Booklet No. pages 55-66 and in Record of Wills Book "C" pages 1-14.
Witness my hand and official seal, this 26th day of August, 1911.

(Official Seal)

L. E. Kennedy
Deputy Clerk of Superior Court.

Filed & Recorded Sept 8th 1911.

T. C. Ward
Clerk