

Meigs County In the Supr Court  
In the matter of the will of J. M. Mullins  
J. M. Mullins

J. M. Mullins being duly sworn, doth say:  
That J. M. Mullins, late of said County, is dead, having  
first made and published his last will and testament;  
and that of said J. M. Mullins is one of the executors  
named therein & that the other is dead.

Further that the property of the said J. M. Mullins  
consisting of Personal and real property, is worth  
about \$1000.00 so far as can be ascertained at the  
date of this application; and that Collina Mullins  
Thomas L. Mullins Martha E. Mullins Lydia Keown  
J. D. Mullins Edward R. Mullins John F. Mullins J. D.  
Mullins Delilah Jane Lowe and Mary J. Hodson all  
residing in said County, except Mary J. Hodson  
J. D. Mullins, Son & Delilah Jane Lowe are the parties  
entitled under said will to the said property  
Sworn to and subscribed before  
me this 3rd day of March 1873 Thomas L. Mullins  
C. L. Hodes J. J.

I Jesse M. Mullins of the County of Meigs, and  
State of North Carolina, being of sound mind and  
memory, but considering the uncertainty of my earthly  
existence, do make, ordain and declare this my last  
will and testament in manner and form follow-  
ing: That is to say, first that my executors (herein after  
named) shall provide for my body a decent burial,  
suitable to the wishes of my relatives and friends, and  
pay all funeral expenses, together with my just debts  
if there should be any standing against me at my  
decease, which by law they may be bound to pay;  
out of the money that may first come into their  
hands as part or paid of my estate.

Item 1st I give and devise, to my beloved wife Collina  
Mullins the whole tract of land on which I now  
live to be hers, during her natural life of widowhood  
and after her death & marriage, then the same to be  
equally divided between my children: viz.  
Thomas L. Mullins Martha E. Mullins, Lydia Keown

J. D. Mullins Edward R. Mullins & John M. Mullins, and they  
to agree between, and among themselves, either to sell the  
said lands & premises, and divide the proceeds of such sale  
or to divide the same said lands by lots among them-  
selves. Item 2nd It is my will and desire that of my personal estate,  
after leaving my beloved wife Collina Mullins whose support  
according to law; that the remainder thereof be sold and  
the proceeds of such sale shall be equally divided amongst  
all my children including the three of my first family, namely  
J. D. Mullins, Delilah Jane Lowe and Mary J. Hodson.

And lastly I do hereby nominate, constitute and  
appoint my beloved son J. D. Mullins and my esteemed  
and trustworthy friend, W. B. Ballou 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 all other wills & testaments by me heretofore  
made.

In witness whereof I the said, J. M. Mullins do  
hereunto set my hand and seal this day of  
March 1873 J. M. Mullins

J. M. Mullins  
Will  
J. D. Mullins  
Exr

signed, sealed, published and  
declared by the said J. M. Mullins  
to be his last will and testament in  
presence of us, who at his request  
and in his presence do subscribe  
our names as witnesses thereto  
James B. Ballou  
Geo. Boygins

Added to the foregoing Will  
Whereas I Jesse Mullins, have made my last will & testament  
bearing date 1873 and have thereby made sundry devises  
& bequests according to the then existing circumstances of my  
estate. I have changed and I do by this Writing change  
the said Will & testament by this Writing which I declare  
to be a Codicil thereto and to be construed as a part thereof  
I now I will and desire that the interest conveyed to  
J. D. Mullins in the set of said will be changed with  
the sum of forty dollars & interest from this date to be  
paid to the share devised and bequeathed to Edward  
R. Mullins whose name occurs in the same item  
In testimony whereof I hereunto set my hand & seal

this 25<sup>th</sup> day of February 1881

Signed sealed, published & declared  
by the said Jesse Mullins to be  
a Codicil, or part of his last will &  
testament in presence of us, or at  
his request this presence & no  
presence of each other & subscribed  
our names as witnesses

J. D. Wright

J. H. Harris

J. H. Mullins

North Carolina & In Superior Court  
Montgomery County & before the Clerk

A paper writing purporting to be the last  
will and testament of J. M. Mullins deceased is  
exhibited for Probate by J. H. Mullins the surviving  
executor thereof named; and it is thereupon  
found by the Court and examination of the  
said paper writing that Geo. Caggie being a subscribing  
witness thereto is dead and it is also  
found by the Court and examination of  
J. D. Wright that James B. Ballard the other  
subscribing witness thereto is also dead  
and it is further proved by the Court  
and examination of the said J. H. Mullins  
that he is well acquainted with the handwrit-  
ing of the said Geo. Caggie having often seen  
him write and that the name of the said  
Geo. Caggie subscribed as a witness to  
the said will is in the hand writing of the  
said Geo. Caggie. And it is also proved  
by the Court and examination of the said  
J. D. Wright that he is well acquainted with  
the hand writing of the said James B. Ballard  
having often seen him write and that  
the name of the said James B. Ballard  
subscribed as a witness to the said will is  
in the hand writing of the said James B. Ballard  
and upon the paper following the foregoing  
will is a paper writing purporting to be  
a Codicil to said will bearing date  
the 20<sup>th</sup> day of February 1881 and the  
execution thereof by the said J. M.

J. H. Mullins  
Will

J. H. Mullins  
Exr

Mullins by the said and a declaration of  
the said J. H. Mullins and J. D. Wright the said  
Codicil witness thereto being duly sworn and  
deposed and say and each for himself to  
the said paper writing now shown to him  
purporting to be a Codicil to the last will  
and testament of the said J. M. Mullins that  
the said J. M. Mullins in the presence of this  
deponent subscribed his name at the end of said  
paper writing which is now shown as given  
and which bears date as aforesaid and  
deponent further says that he is of  
J. H. Mullins the testator of aforesaid will at the  
time of subscribing his name as aforesaid declare  
the said paper writing as subscribed by him  
and exhibited to be a Codicil to his last will  
and testament and that his deponent did  
thereupon subscribe his name at the end  
of said Codicil as an attesting witness  
thereto and at the time and no disproof  
of the said testator and this deponent further  
says that at the time when the said testator  
subscribed his name to said Codicil as  
aforesaid and at the time of his deponent  
subscribing his name as an attesting witness  
thereto as aforesaid the said J. H. Mullins was  
of sound mind and memory of full age to  
execute a will and was not under any undue  
influence or knowledge of information or belief of the  
deponents and further these deponents say  
not

Sworn & subscribed J. H. Harris  
his 21<sup>st</sup> day of Feb 1881 J. D. Wright  
J. H. Mullins

North Carolina

Montgomery County & In the Sup. Court

It is therefore considered and adjudged  
by the Court that the said paper writing and  
Codicil and every part thereof is the last will  
and testament of J. M. Mullins deceased  
and the same with the foregoing will

and this certificate are ordered to be  
recorded and filed  
this 3<sup>rd</sup> March 1880 C. C. Rodolph

Montgomery County: In the Probate Court  
Before C. C. Rodolph

In the matter of the will of  
Richmond Smith

T. J. Smith being sworn doth say  
that Richmond Smith late of said County  
in deed, having first made and published  
his last will and Testament; and that he is  
the executor named therein but remains  
further that the property of the said Richmond  
Smith consisting of personal and real  
estate is worth about \$1000.00 so far as  
can be ascertained at the date of this  
application; and that Mary Ann Smith  
George Holmes, Jennie Mary, Richmond  
Colville and Alexander Stanley Phillips are  
the parties entitled under said will  
to the said property  
two to each subscribed  
before me this 1<sup>st</sup> day  
of November 1880  
C. C. Rodolph

I Richmond Smith of the County of Montgomery  
and State of North Carolina having advanced  
to an advanced age and knowing the  
certainty of death and the uncertainty of  
life and being of sound mind and mem-  
ory do make publish and declare the  
following to be my last will and Testament  
It is my desire after paying my burial  
expenses that my executor pay off and  
fully discharge all my just debts  
It is my will and desire that my  
beloved wife Mary Ann Smith shall  
have all the property both real and  
personal which I now own or may  
hereafter acquire for the time of her  
and no longer.

But upon the second marriage of my wife (if she  
should marry after my death I will and desire  
that my beloved children to wit George Holmes, Jess. May  
Richmond and Alexander Smith shall have and  
enjoy the remainder of my estate both real and personal  
at the death or marriage of my said wife.

It is my will and desire that my beloved daughter  
Mary Phillips shall remain where she now resides  
and enjoy the portion of the premises free of rent  
and without molestation, that she has been accustomed  
to enjoy.

I do now make constitute and appoint my  
beloved wife Mary Ann Smith and my beloved and  
trustworthy son James M. Smith my lawful executor and  
executrix to carry out, perform and execute this  
my last will and Testament according to my desires  
as above expressed.

Given under my hand and seal this February  
the 17<sup>th</sup> A.D. 1880

R. Smith (20)

The within lineations  
both real and personal,  
was made before the reading  
and signing

Attest  
B. K. Hurley  
Notary Public

State of North Carolina  
Montgomery County

ss. In the Probate Court  
A paper purporting to be the last will and  
Testament of Richmond Smith deceased, is exhibited  
before me, the undersigned, Judge of Probate for said  
County, by T. J. Smith one of the executors therein men-  
tioned and the due execution thereof by the said Richmond  
Smith by the oath and examination of Elias H. Hurley  
& W. F. Robertson the subscribing witnesses thereto who being  
duly sworn, doth depose and say and each for himself  
deposes and saith that he is a subscribing witness  
to the paper exhibiting now shown him, purporting to  
be the last will and Testament of Richmond Smith that  
the said Richmond Smith in the presence of the above  
named subscribing witnesses at the end of said paper  
writing, which is now shown as aforesaid, and  
which bears date the 17<sup>th</sup> day of February, 1880

Wm. of  
Richmond Smith

J. J. Smith &  
Mary A. Smith  
Ex & Ex

Will of  
Richmond Smith

W. J. Smith &  
M. A. Smith  
Ex & Ex