

In re The Last Will and Testament
of Josiah Collins, deceased.

In the Superior Court
of Washington County, N.C. } Before the Clerk.

Affidavit.

F. R. Johnston, W. H. Stubbs and John M. Bateman,
being duly sworn, each each for himself say: That he has examined
the copy of the last will and testament of Josiah Collins, deceased now
in the possession of Arthur Collins, one of the sons of the said Josiah
Collins, and which said copy is recorded in a book and certified
under the hand of W. F. Sanderson, Clerk of the Court of Pleas
and Quarter Sessions of Washington County, North Carolina, and each
of the above affiants doth for himself say that he is familiar with
the handwriting of the said W. F. Sanderson, Clerk as afore-
said having often seen him write, and having seen many instruments
written by him, and each of the affiants doth for himself say that
he has examined the said copy so exhibited by said Arthur Collins
and he doth verily believe said paper writing purporting to be a
copy of the last will and testament of Josiah Collins, deceased,
and every part of said instrument including the order of probate,
the statement of the qualification of Mary Collins as executrix and
the inventory thereto attached, and also including the Clerk's
certificate under his hand that the said will and inventory are
true copies, as well as the will itself, is in the handwriting
of the said W. F. Sanderson.

And each of said affiants doth certify that he is not
related by blood or marriage to the said Josiah Collins, deceased,
and that he hath no interest whatever in any of the property
left by the said Josiah Collins.

In witness whereof the said affiants have hereunto set
their hands this 19th day of January, 1912.

F. R. Johnston,
W. H. Stubbs,
John M. Bateman.

Sworn and Subscribed to before me
this 19th day of January, 1912,

C. W. Ambrose,
Clerk Superior Court

In re Last Will and Testament of
Josiah Collins, deceased,

In the Superior Court of
Washington County, N.C. } Before the Clerk,

It appearing to the Court and being found as a fact that about the
year 1875 all wills and records in this County, all books containing records
of the same and all indexes thereto were destroyed by fire, together with all
papers in the office of the Clerk of the Superior Court pertaining in any
way to wills and testaments and records thereof, and the paper hereafter
set out purporting to be a true copy of the last will and testament of
Josiah Collins, deceased, probated by the proper Court of Washington
County at May Term 1866, and ordered recorded by the said Court,
signed by W. F. Sanderson, Clerk said certified copy being entirely in the
handwriting of W. F. Sanderson, Clerk and being certified by said Clerk
as a true copy under his hand, and it being made to appear to the
Court, and the Court finding as a fact that every part of said certified
copy, including the will itself, the order of probate, the inventory and the
certificate that it is a true copy, is in the handwriting of the said W. F.
Sanderson, as testified to by three disinterested witnesses, who testify
that they are familiar with the handwriting of the said W. F. Sanderson,
and that they have examined said certified copy and verily believe that
each and every part thereof, including the will itself, the order of
probate, the inventory and the certificate as to its being a true
copy, are in the handwriting of said W. F. Sanderson, and the Court
being satisfied of the genuineness of said paper.

It is ordered, adjudged and decreed that the said paper-
writing is a certified copy of the last will and testament of
Josiah Collins, deceased, and that it be recorded in this office.

It is further adjudged that the original of which said paper
is a certified copy was actually probated in the Court of
Pleas and Quarter Sessions of Washington County as the last will
and testament of said Josiah Collins, deceased, and as such
was actually recorded in the proper office and in legal effect
was operative in every respect as the last will and testament
of the said Josiah Collins, and

It is therefore adjudged and decreed that the certified
copy hereafter set out be spread upon the records of this
Court in the proper will book and that it shall operate in
every respect as fully as the original record thereof
could have done.

The certified copy of the said paper-writing is in words
and figures as follows:

(over)

In re The Last Will and Testament
of Josiah Collins, deceased, }

In the Superior Court
of Washington County, N.C. } Before the Clerk.

Affidavit.

F. R. Whitson, W. H. Stubbs and John M. Bateman,
being duly sworn, each each for himself say: That he has examined
the copy of the last will and testament of Josiah Collins, deceased now
in the possession of Rufus Collins, one of the sons of the said Josiah
Collins, and which said copy is recorded in a book and outfiled
under the hand of W. F. Sanderson, Clerk of the Court of Chancery
and Quarts Sessions of Washington County, North Carolina, and each
of the above affiants doth for himself say that he is familiar with
the handwriting of the said W. F. Sanderson, Clerk as afore-
said having often seen him write, and having seen many instruments
written by him, and each of the affiants doth for himself say, that
he has examined the said copy so exhibited by said Rufus Collins
and he doth verily believe said paper writing purporting to be a
copy of the last will and testament of Josiah Collins, deceased,
and every part of said instrument including the order of probate,
the statement of the qualifications of Mary Collins as executrix and
the inventory thereto attached, and also including the Clerk's
certificate under his hand that the said will and inventory are
true copies, as well as the will itself, is in the handwriting
of the said W. F. Sanderson.

And each of said affiants doth certify that he is not
related by blood or marriage to the said Josiah Collins, deceased,
and that he hath no interest whatever in any of the property
left by the said Josiah Collins.

In witness whereof the said affiants have hereunto set
their hands this 19th day of January, 1912.

F. R. Whitson,

W. H. Stubbs,

John M. Bateman,

Sworn and subscribed to before me
this 19th day of January, 1912.

C. W. Ansbrown,

Clerk Superior Court.

In re Last Will and Testament of
Josiah Collins, deceased,

In the Superior Court of
Washington County, N.C. } Before the Clerk,

It appearing to the Court and being found as a fact that about the
year 1875 all wills and records in this County, all books containing records
of the same and all indexes thereto were destroyed by fire, together with all
papers in the office of the Clerk of the Superior Court pertaining in any
way to wills and testaments and records thereof, and the paper hereafter
set out purporting to be a true copy of the last will and testament of
Josiah Collins, deceased, probated by the proper Court of Washington
County at May Term 1886, and ordered recorded by the said Court,
by the said W. F. Sanderson, Clerk, said certified copy being entirely in the
handwriting of W. F. Sanderson, Clerk and being certified by said Clerk
as a true copy under his hand, and it being made to appear to the
Court, and the Court finding as a fact that every part of said certified
copy, including the will itself, the order of probate, the inventory and the
certificate that it is a true copy, is in the handwriting of the said W. F.
Sanderson, as testified to by three disinterested witnesses, who testify
that they are familiar with the handwriting of the said W. F. Sanderson,
and that they have examined said certified copy and verily believe that
each and every part thereof, including the will itself, the order of
probate, the inventory and the certificate as to its being a true
copy, are in the handwriting of said W. F. Sanderson, and the Court
being satisfied of the genuineness of said paper.

It is ordered, adjudged and decreed that the said paper-
writing is a certified copy of the last will and testament of
Josiah Collins, deceased, and that it be recorded in this office.

It is further adjudged that the original of which said paper
is a certified copy was actually probated by the Court of
Chancery and Quarts Sessions of Washington County as the last will
and testament of said Josiah Collins, deceased, and as such
was actually recorded in the proper office and in legal effect
was operative in every respect as the last will and testament
of the said Josiah Collins, and

It is therefore adjudged and decreed that the certified
copy hereafter set out be spread upon the records of this
Court in the proper will book and that it shall operate in
every respect as fully as the original record thereof
could have done.

The certified copy of the said paper-writing is in words
and figures as follows:

(over)

Josiah Collins Will.

This is the last Will and Testament of Josiah Collins of the County of Washington in the State of North Carolina.

First I leave under the control and management of my dearly beloved wife, Mary Collins, my entire estate of every kind and description, with full and absolute power and authority to her, to use, occupy, possess and manage the same, without being accountable to any person or persons whatever, and I also give her full and absolute power and authority to give, sell, exchange or dispose of the same, or any part thereof and from time to time, to give so much and such parts thereof, to any one or more of my children, as she may deem necessary and proper; and should she not dispose of the same in her life time, I give her absolute power and authority to bequeath and devise the same, by a last will and testament in such manner as to her may seem proper.

Should my wife die without having disposed of my estate by a last will and testament or otherwise, then and in that event I give to my son, Josiah Collins my plantation known as the Somerset place, lying on Lake Scuppernon or Lake Phelps intending, to include therein, all the lands that I own, lying between the said Lake and Scuppernon River, adjoining on the west the lands devised to Ann D. Collins by her grand father, Josiah Collins, the lands of Noah Phelps, Jesse Sawyer, Wm. Latimer, the lands belonging to the heirs of Emory Spence, and also including on the east Dutch Fork Creek, and adjoining also the lands belonging to Daniel Stodley and the lands that belonged to the late Ebenezer Pittsburg, not including by the foregoing description to include the other lands that I own lying on the said Lake, together with all the slave houses, mills, cattle, sheep and hogs, Machinery, tools, farming implements and utensils of every kind and description, employed upon, or used in connection with the said farm; and I also give to my said son all my house-hold and kitchen furniture of every kind and description, my carriages and other vehicles, my saddles, harness and gear, all of which property, both realty and personally, together with all my other estate in North Carolina and elsewhere and with all the income and profits of the same, I direct to be valued by three disinterested persons, having no interest in the same, to be appointed by the Justices of the Court of Pleas and Quarter Sessions of said County; and in making said valuation, I authorize said Commissioners to act upon evidence furnished by experts, affidavits or otherwise that may be satisfactory to them;

And as to one half of the value of all the property which I have given to my said son, Josiah Collins, by this my last will and testament I direct him to pay the same to my other children in two equal annual payments with interest from the time that said valuation shall be made, so that the whole amount shall be paid off at the expiration of two years from the time of making the said valuation; and with the view of securing the payment of the same, I charge the entire estate which I have hereby given my said son, with the payment of the amount that he may have to pay my other children, Provided Nevertheless, and I hereby declare that the foregoing devise and bequest to my said son Josiah Collins, is made subject to the following conditions, that is to say:

First: If the property which I have given to my said son shall by the valuation to be had as aforesaid, be ascertained to be equal in amount to one half only, or less than one half of my entire estate, then and in that event, I give to my said son, to him and his heirs all the aforesaid property free from all incumbrances whatever, and I also discharge and release him from the payment of any amount whatever to my other children; And secondly;

If, by the valuation to be had of my estate as aforesaid, the property which I have given to my said son, Josiah Collins, shall be ascertained to amount to less than a child's part of my entire estate, then in addition to the property which I have given him, I also give him so much of the residue of my estate as will make his share of my estate equal in value to the shares or estates of my other children.

Secondly, As to all the residue of my estate of every kind and description, I give the same to all my children, except my son, Josiah Collins, subject to the provisions and conditions mentioned and specified in the first clause or section of this my will.

Thirdly; Should my son, Josiah Collins, conclude not to take the property which I have given him, subject to the incumbrances, with which it may be encumbered (and it is not my design or purpose to impose upon him any duty or obligation to accept the same) then and in that event I give the whole of my estate, of every kind and description, equally to be divided among all my children, share and share alike, to them and their heirs forever.

I hereby declare that by the disposition which I have made of my estate, it is not my wish or purpose to control or limit my wife in the exercise of the discretion which I have confided to her, or of the power and authority which

Isiah Collins Will.

This is the last Will and Testament of Isiah Collins of the County of Washington in the State of North Carolina.

First I leave under the control and management of my dearly beloved wife, Mary Collins, my entire estate of every kind and description, with full and absolute power and authority to her, to use, occupy, possess and manage the same, without being accountable to any person or persons whatever, and I also give her full and absolute power and authority to give, sell, exchange or dispose of the same, or any part thereof and from time to time, to give so much and such parts thereof, to any one or more of my children, as she may deem necessary and proper. And should she not dispose of the same in her life time, I give her absolute power and authority to bequeath and devise the same, by a last will and testament in such manner as to her may seem proper.

Should my wife die without having disposed of my estate by a last will and testament or otherwise, then and in that event I give to my son, Isiah Collins my plantation known as the Somerset place, lying on Lake Scuppernon or Lake Phelps intending to include therein, all the lands that I own, lying between the said Lake and Scuppernon River, adjoining on the west the lands devised to Ann D. Collins by her grand father, Isiah Collins, the lands of Noah Phelps, Jesse Sawyer, Mary Talum, the lands belonging to the heirs of Dumphy Spruell, and also binding on the east South Fork Creek, and adjoining also the lands belonging to Daniel Woodley and the lands that belonged to the late Ebenezer Pettigrew; not intending by the foregoing description to include the other lands that I own lying on the said Lake, together with all the slave houses, mills, cattle, sheep and hogs, Machinery, tools, farming implements and utensils of every kind and description, employed upon, or used in connection with the said farm; and I also give to my said son all my house-hold and kitchen furniture of every kind and description, my carriages and other vehicles, my saddles, harness and gear, all of which property, both realty and personally, together with all my other estate in North Carolina and elsewhere and with all the income and profits of the same, I direct to be valued by three disinterested persons, having no interest in the same, to be appointed by the Justices of the Court of Pleas and Quarter Sessions of said County; and in making said valuation, I authorize said Commissioners to act upon evidence furnished by experts, affidavits or otherwise that may be satisfactory to them;

And as to one half of the value of all the property which I have given to my said son, Isiah Collins, by this my last will and testament I direct him to pay the same to my other children in two equal annual payments, with interest from the time that said valuation shall be made, so that the whole amount shall be paid off at the expiration of two years from the time of making the said valuation; and with the view of securing the payment of the same, I charge the entire estate which I have hereby given my said son, with the payment of the amount that he may have to pay my other children, Provided Nevertheless, and I hereby declare that the foregoing devise and bequest to my said son Isiah Collins, is made subject to the following conditions, that is to say:

First: If the property which I have given to my said son shall by the valuation to be had as aforesaid, be ascertained to be equal in amount to one half only, or less than one half of my entire estate, then and in that event, I give to my said son, to him and his heirs, all the aforesaid property, free from all incumbrances whatever, and I also discharge and release him from the payment of any amount whatever to my other children; And secondly;

If, by the valuation to be had of my estate as aforesaid, the property which I have given to my said son, Isiah Collins, shall be ascertained to amount to less than a child's part of my estate, then in addition to the property which I have given him, I also give him so much of the residue of my estate as will make his share of my estate equal in value to the shares or estates of my other children.

Secondly, As to all the residue of my estate of every kind and description, I give the same to all my children, except my son, Isiah Collins, subject to the provisions and conditions mentioned and specified in the first clause or section of this my will.

Thirdly; Should my son, Isiah Collins, conclude not to take the property which I have given him, subject to the incumbrances, with which it may be encumbered (and it is not my design or purpose to impose upon him any duty or obligation to accept the same) then and in that event, I give the whole of my estate, of every kind and description, equally to be divided among all my children, share and share alike, to them and their heirs forever.

I hereby declare that by the dispositions which I have made of my estate, it is not my wish or purpose to disturb or limit my wife in the exercise of the discretion which I have conferred to her, or of the powers and authority which

I have given to, and confirmed upon him in the first clause or section of this my will,

Fourthly, I hereby nominate, constitute and appoint my wife Mary Collins, the executrix of this my last will and testament, and testamentary guardian to my children; And in the event of her death, I appoint my son Josiah Collins, the executor of this my will and testamentary guardian of my other children.

In testimony whereof I have hereunto set my hand to this my last will and testament this 11th day of January 1847,
Josiah Collins.

Signed by the testator, as and for his last will & testament in the presence of us who in his presence have hereunto subscribed our names as attesting witnesses thereto.

U. S. Dub. Revenue
Stamps nine & a half
dollars

The words on the First Page "on the first" "the last" and "other" on the last page were introduced before signing.

Aug. Moore
W. C. Warren

State of North Carolina, } Court of Chancery & Superior Sessions
Washington County, } May Term 1846.

There was the foregoing a paper writing purporting to be the last will and testament of Josiah Collins deceased is exhibited for probate in open Court by Mary Collins the executrix therein named and it is thereupon proven by the oath and examination of Henry A. Gilliam that Augustus Moore one of the subscribing witnesses thereto is now dead, and it is also proved by the oath and examination of the said Henry A. Gilliam that William C. Warren the only other subscribing witness is a resident now of the state of Virginia. And it is further proved by the oath and examination of the said Henry A. Gilliam that he is well acquainted with the handwriting of the said Augustus Moore having often seen him write, and that the name of the said Augustus Moore subscribed as a witness to the said will is in the handwriting of the said Augustus Moore, and it is further proved by the oath and examination of the said Henry A. Gilliam that he is well acquainted with the handwriting of the said William C. Warren having often seen him write and that the name of the said William C. Warren subscribed as a witness to the said will is in the handwriting of the said

William C. Warren.

It is therefore considered by the Court that the said paper-writing and every part thereof is the last will and testament of the said Josiah Collins and the same is ordered to be recorded and filed.

Teste H. F. Sanderson, Clerk.

Mary Collins comes into Court and qualifies as executrix of the will of Josiah Collins deceased.

Teste H. F. Sanderson, Clerk.

An Inventory of the Personal Property of Josiah Collins deceased, which came into the hands of Mary Collins his executrix, Cash in his private money, \$5659.³⁰

- | | | |
|--------------------------------|---|-----------------------|
| Chair & seat | 1 | Leupboard |
| 1 Gold pencil | 4 | Sellers |
| 1 set Gold Studs | 1 | Large Water Bucket |
| 6 pr Linen Shirts | 2 | Foot Licks |
| 6 pr cotton Pillow Cases | 2 | Looking Glasses |
| 4 Damask Table Cloths | 2 | Trunks |
| 1 pr Pillows | 4 | Screw Frames |
| 2 Bed Spreads | 1 | Pictus Frame |
| 3 Blankets | 2 | Fenders |
| 10 Bed Sheets | 1 | Rot Broken furniture |
| 16 Wash Stands | 1 | Basin |
| 3 Dressing Tables | 1 | Rot Silver (566 g.) |
| 7 Bureaus | 1 | Rot Books & Pamphlets |
| 7 Wash Stands | 2 | pr Auditions |
| 3 Dresses | 1 | Orn |
| 1 Ward robe | 1 | Barometer (Brown) |
| 1 Crub | 1 | Paragon Lamp " |
| 1 Cest | 3 | Sofas |
| 12 Tables | 3 | T. C. O. (?) |
| 1 Stand (Marble Top) | 1 | Elegers |
| 12 Mahogany chairs | 2 | What nots |
| 19 Commodes | 1 | Musiv Stand |
| 2 Family Portraits | 1 | Worked Screens |
| 11 Pictures | 1 | Hot Rack |
| 1 Rot Engravings | 6 | Flower stands |
| 1 Secretary | 1 | pr Globes |
| 4 Book Cases (Mahogany) | 1 | Chair & Compar |
| 4 " " (Pine) | 4 | Rustic chairs |
| 6 pr Shovel & Traps Supporters | 2 | Iron Sofas |
| 1 School Desk | 2 | Iron Bars |
| | 4 | Nailers |

(over)

Inventory of Josiah Collins' Personal Property, (Contd)

1 pr Brought Candles Sticks	1 Rot old Flap sack
2 " " " "	1 Thrashing Machine
1 Refrigerator	5 Wagons
3 P. Slips	1 ox Cart
1 Stone	3 old Horse Carls
1 Spring Board	3 Grind stones
1 Rot Broken Harness	1 Rot old Cart wheels
1 " " Old Lamps	1 Old Horse Box
1 " " Wire	1 Rot Hubs
1 Set Candles Holders	1 Carr planter
1 Rot Old Axes	2 Horse Raters
2 Oxen	1 Set Blacksmiths Tools
1 Rot Hogheads	1 Set Carpenters "
1 " " Old Hoes	1 Caray Box
1 " " Raters	1 pr Carry Box wheels new
1 " " Buis Hooks	2 Old Whet Drills
2 Old Stones	1 Garden Roller
1 Set. Plastic Paris	1 Barouch & Harness
1 Rot Old Ploughs	1 Rockaway & Harness
1 " " Scoops	1 Wagon (Mountain)
1 " " Forks	1 " " (Pea Green)
1 " " x Cut same	1 Flat
1 Rot Old Shovels	1 pr Balancers
1 Rot Wheel Timber	2 1/2 Bus Measures
1 Rot Old Iron	1 Rot Hogs
1 " " Brass	1 Rot Sheep
3 Iron Pots	8 Woke Slins
1 Rot Whip Saws	20 Hitch Cows
1 " " Trace Chains	1 Rot Cattle
1 " " Old Harness	1 " " Old Mill Slins
1 Fire Engine & hose &c.	3 Cows Bars
1 Rot Ox Chain	1 Log Chain
1 Old Straw Cutter	1 Bush pulley and
1 Rot Swings Trees	1 Rot Old humpung
1 " " Ox Yokes	36 Hubs
1 " " Old Harrows	3 Horses
6 Wheat Fans	189 negroes

Goods Debts

1 Note of J. F. Cain \$500, due 1st Jan'y, 1866 payable in Confid. money 1/4 only due	\$ 125.00
1 Note of J. F. Cain \$465, due 1st Jan'y 1865 payable in Confid. money	
(over)	\$ 465.00

Inventory of Josiah Collins' Personal Property, (Contd)

1 Note of E. Althia Collins \$600 due Mar. 20th 1854	\$ 600.00
1 " " " " \$1400, due 24th Jan'y 1863 subject to credit \$57.34/100 1st Feb. 1853.	\$ 712.64
1 Note of W. A. Littlejohn \$15.25/100 7 Apl. 1861	15.25
1 Note of W. A. Littlejohn & A. C. Stewart \$200, with interest from 22nd Jan'y, 1857	200.00
1 Note of W. Wardman, D. G. Coward & Royal Saliman \$250, due 19th Nov. 1860, subject to credit of \$50, 19th Nov. 1860.	200.00
1 Note Jesse Sawyer \$175, due from 23rd May 1857.	175.00
1 " Rev. A. C. Watson \$57, without interest payable in gold	57.00
- Doubtful Debts -	
1 Note of John Thompson \$3400, due from 1st Jan'y 1856 subject to credit of \$207, 1st Jan'y 1857	3243.00
1 Note Joshua Stearns \$50, due July 20,	50.00
1 " J. M. Rogers \$50, due from 25 Apl. 1861	50.00
1 " W. A. Owen \$400, due 1st Jan'y 1866 in Confid. money 1/4 only due 1/100	100.00
1 " Jos. G. Bacon due 1st Jan'y 1866, 1/4 Bll. Cms. to be delivered in Hillsboro	
1 " S. Crawford 1st Jan'y 1866 1/2 Bll. Cms. to be delivered in Hillsboro	
Notes in hand of W. A. Owen from sales of Purchable property at Henry Stearns	
- Worthless Debts -	
1 Note of J. A. Marock \$50, due 30th June 1851	50.00
1 " " " " \$20, " 21 Apl. 1852	20.00
1 " " W. M. Collins \$210, " 1 Jan'y 1855	210.00
1 " " J. T. Hassel \$15, " 19 Aug. 1858	15.00
1 " " Ellsbury Ambrose \$25, " 24 Sept. 1844, subject to following credits \$25, 29 Nov. 1844, \$15-26 Jan'y 1848, \$262, 15th Feb. 1850.	
1 Note H. F. Brown \$50, Oct. 19th 1844	50.00

State of North Carolina
Washington County.

Personally appeared before me D. G. Coward one of the Justices of the Peace in and for the County aforesaid this 16th day of November 1866, Mrs. Mary Collins executrix of Josiah Collins dead, and maketh oath that the foregoing is a true and correct inventory of the personal property of her testator that has come into her hands as executrix.

(Signed) Mary Collins

D. G. Coward J. P.

I hereby certify that the above is a true copy.
(over) W. F. Sanderson Clk.

Upon inspection of the above copy certified under the hand of the said W. F. Sanderson, Clerk of said Court.

It is ordered, adjudged and decreed that the said certified copy is in all respects a true, complete and perfect copy of the last will and testament of Josiah Collins, deceased, which was proven according to law and ordered recorded and which was, in fact, actually recorded in the will book in the office of the proper Court in Washington County, N.C. in the year 1866, and that the books containing the same and the original papers on file in the office were destroyed by fire when the Clerk's office was burned about 1875.

That said certified copy shown as above with the orders hereto attached by recorded in the proper will book in the office of the Clerk of the Superior Court of Washington County to operate as fully in all respects as the original will and record of probate could have done.

Done at my office in Plymouth, North Carolina, this 19th day of January, 1912.

C. W. Ansbauer,

Clerk Superior Court of Washington Co.

In re Last Will and Testament
of Mary Collins, deceased. }

In the Superior Court of
Washington County, N.C. } Before the Clerk,

F. R. Johnston, H. H. Stubbs and John M. Bateman
each being duly sworn, doth for himself depose and say that he knows the handwriting of J. A. Melson, who was Clerk and Judge of Probate for the said County of Washington during the year 1872, that he has seen the said J. A. Melson write, and also has seen papers known to be in the handwriting of the said J. A. Melson, that he has examined the certified copy of the will of Mary Collins deceased, now in the possession of Arthur Collins his son, who was executor of said will, and affiants doth each for himself say that all the said certified copy of the said last will and testament, including the will proper, the codicil and the order of probate are each and all in the handwriting of the said J. A. Melson to the best of Affiants' knowledge and belief, and each of the above affiants doth further say that he is not related by blood or marriage to the said Mary Collins, and hath no interest in any property devised by the will of the said Mary Collins.

In Witness Whereof said affiants have hereunto set their hands this 19th day of January, 1912,
(over)

F. R. Johnston
H. H. Stubbs
John M. Bateman

Sworn and subscribed to before me,
this 19th day of January 1912,

C. W. Ansbauer,
Clerk Superior Court,

In re Last Will and Testament of
Mary Collins, deceased. }

In the Superior Court of
Washington County, N.C. } Before the Clerk,

It appearing to the Court and being found as a fact that about the year 1875 all records and wills in the County of Washington, N.C. all books containing records of the same, and all indexes thereto were destroyed by fire, with all papers in the office of the Clerk of the said Court and pertaining in any way to wills and testaments and records thereof, and the paper hereinafter set out purporting to be a true and exact copy of the last will and testament of Mary Collins, deceased, probated in the proper Court of Washington County on September 27th, 1872, and ordered recorded by said Court to wit by J. A. Melson, Clerk and Probate Judge, said paper writing being properly certified by said Clerk and Probate Judge as a true copy under his hand and seal of office annexed thereto, and in addition thereto it being proven to the Court by the testimony of three disinterested witnesses that said certified copy and each and every part thereof, including the will proper, the codicil and the order of probate is in the handwriting of J. A. Melson who was at that time Clerk and Probate Judge of said County; and the Court being satisfied of the genuineness of said paper,

It is ordered, adjudged and decreed that the said paper writing is a certified copy of the last will and testament of Mary Collins and that it be recorded in this office.

It is further ordered that the original of which said paper writing is a certified copy, was actually probated by the proper Court as the last will and testament of Mary Collins, deceased, and as such was actually recorded in the proper office and in legal effect was operative in every respect as the last will and testament of Mary Collins, and it is adjudged and ordered that the certified copy hereinafter set out be spread upon the records of this Court in the proper will book and

that it shall operate in every respect as fully as the original thereof could have done.

The certified copy of said paper, writing is in words and figures as follows:

In the Name of God - Amen

I Mary Collins of the County of Washington and State of North Carolina, do set forth this my last Will and Testament, hereby revoking any Wills heretofore made by me.

I hereby give and bequeath to my son Arthur Collins all my estate real & personal absolutely & in fee simple, including every claim or balance due to me from any person or in any way whatever -

And I do hereby declare that I do not intend by this disposition any injustice to my other children but I think my son Arthur at this time more in need of what I may have to leave him than my other sons are.

In Testimony Whereof I do hereunto set my hand & seal this 22nd day of March 1869.

Signed Mary Collins, (Seal)

Witnesses

A. D. Patterson

Wm. M. Jones.

I hereby appoint Arthur Collins Executor of this my Will. Signed this 22nd March 1869.

Signed Mary Collins, (Seal)

Witnesses

A. D. Patterson &

Wm. M. Jones.

Washington County -

In the Probate Court,

I hereby certify that the foregoing is a true copy of Mary Collins will which was this day admitted to probate before the undersigned, after due notice and citation to Sarah Collins and George P. Collins, heirs at law of the said Mary Collins.

Given under my hand & seal of office at Plymouth N. C., September 27th 1872,

(Seal)

J. A. Nelson

Clk & Probate Judge.

(over)

Washington County -

In the Probate Court,

The State of North Carolina,

To all to whom these Presents shall come: - Greeting;

It being certified to the Undersigned, Judge of Probate for Washington County, that Mary Collins, late of said County, is dead, having made her last Will and Testament, which has been admitted to probate, (a true copy whereof is heretofore annexed), and Arthur Collins the Executor therein named, having qualified as such according to law;

Now, These are therefore to empower the said Executor, to enter in and upon all and singular the goods and chattels, rights and credits of the said deceased, and the same to take into possession, wheresoever to be found, and all just debts of the said deceased to pay and satisfy, and the residue of said estate to distribute according to the directions of said will.

Witness, my hand, and the seal of said Court, this 27th day of September, 1872.

(Seal)

J. A. Nelson, Clk.

Judge of Probate.

Upon inspection of said certified copy under the hand of the Clerk of the said Court, with the seal of said Court impressed thereon. It is ordered, adjudged and decreed that the said certified copy is in all respects a true, complete and perfect copy of the last Will and Testament of Mary Collins, deceased, which was proven according to law and solemn record, and which was, in fact, actually recorded in the proper will book in said office of the Superior Court of Washington County, N. C., in the year 1872, and that the book containing the same and the original paper on file in the office were destroyed by fire when the Clerk's office was burned about the year 1875; that said certified copy as shown above, together with the orders hereto attached be recorded in the proper will book in the office of the Clerk of the Superior Court of Washington County to operate as fully in all respects as the original will and record of probate could have done.

Done at my office in Plymouth, this 19th day of January, 1912.

C. W. Ansborn.

Clerk Superior Court,
Washington Co.