

And the Dependent further said that the said Joseph
Bassett at the testator's afore said did at the time of executing
his will as afore said declared the said paper writing as
subscribed by him and exhibited to be his last will and
testament and the Dependent 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 the said testator
And the Dependent further said that at the said time when
the said testator subscribed his name to the said will as
afore said And at the time of Dependent's subscribing his
name as an attesting witness thereto as afore said the
said Joseph Bassett 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 Dependent.
And further the Dependent Oath
Oathfully sworn
Subscribed this 19th
Day of Nov 1885 before
me J. S. Davenport
Clerk Superior Court

Superior Court Washington County
H. M. D.

Michael Phelps and Office Elizabeth Davenport
This cause coming on to be heard according to former order
upon plaintiff's Motion for judgment according to the prayer
of the complaint and it appearing to the court that each defendant
had duly answered with oaths and that Mrs. M. Phelps has
been appointed guardian ad litem of the infant
defendant Office D. did having no general or testimonial objection
to that the said Office D. has answered with copies of the same
complaint and has answered for her and it being further shown
as a fact and as adjudged that Joseph Phelps said last
will of the testator having a last will and testament which was duly
proved and recorded and was in substance as follows: That all of
his real personal estate was devised to his wife Office and Phelps
for her natural life and at her death the personal estate to his
daughter Mary Phelps and his lands being then and which he lived
and died adjoining the lands of Arthur Corbin, C. S. Alleged
James Edward Thayer & J. Davenport containing so much more
or less to said Phelps and upon the death of
either without child then to the survivor in fee simple
And that the said Office D. having no issue and none

and Phelps died leaving no issue and that the said Mary
Phelps afterwards Davenport died leaving no child except
the defendant Office Elizabeth Davenport and that the said Office D.
died of said Office Phelps in fee simple
And took a deed for the same land it being further shown as a
fact the records of the County together with the will of the said
testator have been destroyed and that no copy remaining it is declared
by the court that the will above set out is in substance the whole
will of Joseph Phelps and that this judgment be recorded upon the
record of wills in this County. I that the plaintiff pay the costs of
this action so that this judgment also be recorded among the
judgments in special proceedings and all the papers be then
filed.
J. S. Davenport Clerk Superior Court