

of this deponent
And further this deponent saith
"not"

John Spaulding Seal
Seem and subscribed
This 6 day of Oct 1879
W. H. H. Clerk
& Probate Judge

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Will of Geo H Hamilton

In the name of God amen

I Geo H Hamilton of Wake County State of North Carolina do make and ordain this my last will and Testament in manner and form following

1st I will and ordain that all my large debts be paid by my executors

2nd It is my will and desire that my wife Elvira shall keep possession of the home place known by the old Ray place containing 140 acres as long as she lives or her widowhood and then to my son Geo Hazy Hamilton as in hereinafter mentioned. Also I want my executors to leave as much stock and household and kitchen furniture and grain as they may think they need so she will have plenty and at her death or widowhood to be disposed off that is the personal property not the lands and the proceeds to be equally divided among my four children

I will to my son William H Hamilton the mill tract of land wherever he now lives containing two hundred and thirty acres (230) known as the Baker land except the portion hereinafter mentioned. Which I will to my son Rufus including the mill race field and upper meadow and woodland the balance of the tract to be my son Williams and also an undivided half of the tract of land known as the Hyatt tract containing two hundred and fourteen acres divided to me by Aron Hyatt. Also an undivided half of two tracts of one hundred acres each improved land on the East side of the Rocky Mountain. The other half to my son Geo H.

The lands I give to my son William H. I value at three thousand dollars to account for at a final settlement as I desire all shall be used in accordance with the above

Will of Geo H Hamilton continued

4th I will To my daughter Mary Jane Century and her heirs forever all my lands on the Water of the Saginaw containing about one hundred acres in four different tracts known as the Cleveland Camp tract, Eastern tract bought of Lucius Johnson & also the land I intend adjoining. I value the land I give To my daughter Mary Jane Century at fifteen hundred dollars.

5th I will To my son Rufus A Hamilton my Will the line To commence at the ford of the Creek running north along the road to the ford of the ditch called the Larn ditch that runs west of the present spring and then up said ditch opposite a white oak then by said white oak Harvins corner to corner of mine and Harvins side of turnpike then around the road field and upper meadow To Harvins Goodman's line then around with his line To state so as to include twenty acres wood land adjoining Harrison Goodman and Jacob Goodman then To the beginning at the ford of the Creek so as to include the house that Ben Geo lives in the road field upper meadow and the twenty acres of wood land laying south of the road that runs by Harrison Goodman. I value the lands and Will I give To my son Rufus A. at fifteen hundred dollars. I also give To my son Rufus two tracts of land on the Dutch Mountain one ~~known as~~ the first place divided To me by Jerry Ray containing one hundred and eight acres the other one hundred acres granted To me by the State (laying out and of first mentioned and adjoining.

6th I will To my son Geo H Hamilton & the heirs of my wife also my tract adjoining called

Will of Geo H Hamilton continued

the Rotasia tract containing seventy seven acres (77) also one half undivided of my Wyatt tract of land containing two hundred and forty ten acres. Also one half of the tract on Paddy Mountain containing one hundred acres each the other half of said lands I give To my son Geo as stated above

It is my desire that my son Geo H. will remain with his mother so long as she lives. I value the lands I give To my son Geo H. at three thousand dollars,

8th Those of my children that has not received as much as others at my death in lands and advancements as for my will and ^{my} looks will be paid in property or money. if not my Executors will sell of my personal property or lands not Willa and make them my four children or in case they are dead their heirs great allowing a competency To my wife.

I appoint my son William and mutual friend Wiley P Thomas my Executors of this my last Will and Testament

I revoke all former Wills made by me in Testimony whereof I hereunto set my hand and affix my seal this the 9th day of July in the year of our Lord one thousand eight hundred and seventy one (1871)

Geo H Hamilton

in all the lands I intend to bequeath To the heirs of all my children as I omitted to mention heirs in some of the bequests. July 9th 1871

Geo H Hamilton

Probate of the Will of Geo H Hamilton

North Carolina } In the Probate Court
Ashe County } Nov 1st 1879

In the Matter of }
Geo H Hamilton Will }

W P Thomas offers a paper
purporting for probate as the last will
and Testament of Geo H Hamilton who
died in this County on 28th Oct 1879
and the following evidence was given
before me in support of the paper writing
J W Loda after being duly sworn
says I am 45 years of age have
known Geo H Hamilton for near forty years
and know his hand writing. That in
the presence of W H Hamilton Geo H Hamilton
J C Horton W P Thomas A H Horton and
L C Gentry at the late residence of Geo H
Hamilton Decd I took the papers out of
a tin trunk some 4x5x10 inches
which was taken in my presence from
a desk in the dwelling house of the
late Geo H Hamilton that the papers
therein were his deeds grants and other
valuable papers belonging to the decd
and among them I found the ^{paper} now
offered for probate as the last will and
Testament of the said Geo H Hamilton
dec'd and the same is wholly in the
handwriting of the said Geo H Hamilton
dec'd

J W Loda
sworn to and subscribed before me
this 1st day of Nov 1879

W H Gentry Clerk
and Judge of Probate

Probate of Geo H Hamilton Will continued 63

A H Horton being sworn and examined in
relation to the said paper writing purporting
to be the last will and Testament of Geo H
Hamilton dec'd late of Ashe County dep'd
and says that he is a ~~resident~~ of Wilkes
County N.C. is forty seven years old that
he went to the late residence of the
said Geo H Hamilton dec'd on this day
in company with J W Loda W P Thomas
L C Gentry and James C Horton that after
arriving at the said late residence and while
he and J W Loda were examining the paper
of the said Geo H Hamilton dec'd that the
said J W Loda in his presence and in
the presence of W P Thomas and others
took out of a small tin box containing
deeds and other valuable papers the
paper writing now exhibited to him
purporting to be the last will and Testament
of the said Geo H Hamilton which bears
date the 9th day of July 1871

This said witness further deposes and
says that he has frequently seen the said
Geo H Hamilton write and thinks he
knows his hand writing and that to his
best knowledge the said paper writing now
shown him as aforesaid and every part
thereof is in the genuine hand writing
of the said Geo H Hamilton deceased

A H Horton
sworn to and subscribed before
me this 1st Nov 1879

W H Gentry Clerk
& Judge of Probate