

Will of Gideon Weaver

I Gideon Weaver of the county of Ashe and State of North Carolina being of sound mind and disposing memory do make and declare this my last will & testament in manuscript form following That is to say

I will that at my death my body be buried in a manner suitable to the wishes of my relations and friends and that all my just debts be paid out of the first moneys coming into the hands of Executors hereafter named. I give and bequeath all my real estate to my son Mitchell Weaver and my Grandson James C. Kolana to equally divide between the two shares & shares alike.

I give and bequeath my personal property to Mitchell Weaver and the children of my daughter Nancy Catherine Kolana and Jane Miller shares & shares alike. In the event that my son Mitchell Weaver should die without lawful heirs then and in that case my will is that all my property both real and personal be divided to the said Mitchell & to my Grandson David C. Kolana. I think it desirable that my Executors hereafter named shall upon my death appoint two disinterested free holders in this county to act as commissioners to divide the above named property between my legates as a lot named and in case of disagreement between said commissioners as to the valuation of said property then and in that case the above named legates shall have the right to choose a third person to act with the other two Commissioners and the said division of said commissioners shall be final and to which each of my heirs shall submit without appeal. I here by appoint my trusty friend Joseph O. Wilcox my executor to execute to all my intent and purposes this my last will and hereby revoking all other wills. Therefore by me made in testimony whereof I set my hand and seal this 10th day of April A.D. 1880. signed as and sealed in the presence of

J. H. Gidd
Quincy T. Neal

Gideon Weaver (Real)

State of North Carolina In the Probate Court.
Ashe County.

A paper purporting to be the last will and testament of Gideon Weaver deceased is exhibited before me the undersigned Judge of Probate for said county by Dr. Joseph O. Wilcox the Executor therein mentioned and the due execution thereof by the said Gideon Weaver by the oath & examination of Joseph H. Gidd & Quincy T. Neal the subscribing witnesses there to who being duly sworn depose and say each for himself deposes & saith that he is a subscribing witness to the paper writing now shown him & purporting to be the last will and testament of Gideon Weaver that the said Gideon Weaver in the presence of this deponent subscribed his at the end of said paper writing which is now shown as aforesaid and which bears date of the 10th day of April 1880.

And the deponent further saith that the said Gideon Weaver the testator aforesaid did at the time of subscribing his name as aforesaid declare the said paper writing so subscribed by him and is exhibited to be his last will and testament and this deponent 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 said testator and this deponent further saith that at the said time when the said testator subscribed his name to the last will and testament and at the time of the deponent subscribing his name as an attesting witness thereto as aforesaid the said Gideon Weaver was of sound mind and memory of full age & wrote a will and was not under any restraint to the knowledge information or belief of this deponent and further these deponents say not

Solemnly sworn and subscribed
this 20th day of Feb'y 1882.
J. H. Gidd
Quincy T. Neal
Probate Judge

J. H. Gidd (Real)
Quincy T. Neal (Real)