

H. L. Burgess

The Last Will and Testament of Hugh L. Burgess Decd.

I, Hugh L. Burgess of the County of Ashe and of the State of North Carolina Being weak in body and of sound mind and memory. Do make this my last Will and Testament. In manner and form following: My Will is that all of my just debts Dr. bills and Funeral expenses be paid out of the first money that comes into my Executors hands, and further my will is that my wife Jane Burgess have my Homestead and full control thereof during her natural life - My Will is that my daughter Laura Bell Burgess shall have a home at the homestead and access to land timber what she may need while she may remain single. My will is that my daughter Laura Bell shall have \$300 thirty dollars for a coll which I was to give her. My will is that my Executors shall keep up my mountain farm and deduct the expenses and divide the net proceeds among all of my heirs equally as it comes into said Executors hands - My Will is that my Wife Jane Burgess may have what stock on the farm that she may need - My Will is that my Executors shall collect all my debts and sell all my outside property and apply the proceeds for the maintenance of my Wife Jane and Daughter Laura Bell Burgess as they may need in judiciously. My Will is that if Joseph Srears shall remain with my wife until he is 21 Twenty one years old and behaves himself and mind then that my Executors shall buy him a common two year old horse Bridle and Saddle and a suit of Clothes. I hereby Appoint my son D. H. Burgess and my son in Law L. L. Lyon my trusty friends Executors to carry out the true intent of this my last Will. In witness Whereof the said Hugh L. Burgess has hereunto set my hand. This 18th of August 1898.

Attest
R. S. Miller
J. T. Ashley

H. L. Burgess

State of North Carolina In the Superior Court
Ashe County

A paper purporting to be the last will and Testament of H. L. Burgess deceased is exhibited before me the undersigned Clerk of the Superior Court for said county by L. Lyon and D. H. Burgess the executors therein mentioned and the due execution thereof by the said H. L. Burgess is proven by the oath and examination of R. S. Miller and J. T. Ashley the subscribing witnesses thereto. who being duly sworn both before and say and each for him self depone and saith that he is a subscribing witness to the paper writing now shown him purporting to be the last Will and Testament of H. L. Burgess that the said H. L. Burgess in the presence of this deponent subscribed his name at the end of said paper writing which is now shown as aforesaid and which bears date of the 18th day of August 1898. And the deponent further saith that the said H. L. Burgess the testator aforesaid did at the time of subscribing his name as aforesaid declare the said paper writing so subscribed by him and 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 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 said last Will as aforesaid and at the time of deponents subscribing his name as an attesting witness thereto as aforesaid, the said H. L. Burgess 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 deponent. And further these deponents say noh.

R. S. Miller
J. T. Ashley.

Severally sworn and subscribed this
3rd day of Oct 1898 before me
P. Blewins csc

% North Carolina In the Superior Court
Ashe County

It is therefore considered and adjudged by the Court that the said paper writing and ever part thereof is the last Will and Testament of H. L. Burgess deceased Let the said Will and together with the probate be recorded and filed This 3rd day of Oct. 1898. D. Blewins C.S.C.

H. L. Burgess

The Last Will and Testament of Hugh L. Burgess Decd.

I, Hugh L. Burgess of the County of Ashe and of the State of North Carolina Being weak in body and of sound mind and memory. Do make this my last Will and Testament. In manner and form following: My Will is that all of my just debts Dr. bills and funeral expenses be paid out of the first money that comes into my Executors hands, and further my will is that my wife Eare Burgess have my homestead and full control thereof during her natural life - My Will is that my daughter Laura Bell Burgess shall have a home at the homestead and access to land timber what she may need while she may remain single. My will is that my daughter Laura Bell shall have \$30⁰⁰ thirty dollars for a cloth which I was to give her. My will is that my Executors shall keep up my mountain farm and deduct the expenses and divide the net proceeds among all of my heirs equally as it comes into said Executors hands - My Will is that my wife Eare Burgess may have what stock on the farm that she may need - My Will is that my Executors shall collect all my debts and sell all my outside property and apply the proceeds for the maintenance of my wife Eare and daughter Laura Bell Burgess as they may need it judiciously. My will is that if Joseph Spears shall remain with my wife until he is 21 Twenty one years old and behaves himself and minds her that my Executors shall buy him a common two year old horse bridle and saddle and a suit of clothes. I hereby appoint my son D. H. Burgess and my son in Law L. E. Lyon my trusty friends Executors to carry out the true intent of this my last Will. In witness whereof I the said Hugh L. Burgess have hereunto set my hand. This 18th of August 1898.

Attest
R. L. Miller
J. T. Ashley

H. L. Burgess

State of North Carolina In the Superior Court
Ashe County

A paper purporting to be the last will and testament of H. L. Burgess deceased is exhibited before me the undersigned Clerk of the Superior Court for said county by L. E. Lyon and D. H. Burgess the executors therein mentioned and the due execution thereof by the said H. L. Burgess is proven by the oath and examination of R. L. Miller and J. T. Ashley the subscribing witnesses thereto, who being duly sworn both depose and say and each for himself depose and saith that he is a subscribing witness to the paper writing now shown him purporting to be the last Will and Testament of H. L. Burgess that the said H. L. Burgess in the presence of this deponent subscribed his name at the end of said paper writing which is now shown as aforesaid and which bears date of the 18th day of August 1898. And the deponent further saith that the said H. L. Burgess the testator aforesaid did at the time of subscribing his name as aforesaid declare the said paper writing so subscribed by him and 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 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 said last Will as aforesaid and at the time of deponents subscribing his name as an attesting witness thereto as aforesaid, the said H. L. Burgess was of sound mind and memory of full age to execute a Will and was not under any restraint to the knowledge or belief of this deponent. And further these deponents say no more.

R. L. Miller
J. T. Ashley.

Solemnly sworn and subscribed this
3rd day of Oct 1898 before me
P. Blewett csc

State of North Carolina In the Superior Court
Ashe County

It is therefore considered and adjudged by the Court that the said paper writing and every part thereof is the last Will and Testament of H. L. Burgess deceased and the said Will and together with the probate be recorded and filed This 3rd day of Oct. 1898. D. Blewett csc