

James P Waugh a citizen of Ashe County after being duly sworn deposes and says that I am seventy years of age and have known Geo H Hamilton for 45 years I am well acquainted with the hand writing of the said Geo H Hamilton have seen right often and that the aforesaid paper writing and every part thereof is in the genuine hand writing of the said Geo H Hamilton

J P Waugh
sworn to and subscribed before me
this 3rd Nov 1879

W H Gentry Clerk

+ Judge of Probate

State of North Carolina } See the Probate Court
Ashe County } Nov 8th 1879

upon the foregoing testimony the
aforesaid paper writing is admitted
to Probate as the Will and Testament
of the aforesaid Geo H Hamilton decd
and the same is ordered to be recorded

W H Gentry Clerk
+ Judge of Probate

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I Samuel Plummer of Ashe County and State
of North Carolina being of sound mind and
memory but considering the uncertainty of
my earthly existence do make and declare this
my last will and testament in manner and
form following that is to say:

That my Executor hereinafter named shall
provide for my body a decent burial suitable
to the wishes of my relations and friends
and pay all funeral expenses together
with my just debts however and to who
soever coming out of the money that may
first come into his hands as a part
or parcel of my Estate

Item I give and devise to my beloved wife
all the land on which I now live which
consist of two different and separate tracts
one known as the John Barnes tract the same
the old tract where I now live which the
two Barnes tracts of land is bounded as
follows to wit: Bounded on the East end
of the old home tract it is bounded with a
line made between myself and Sidney F
Michael to the top of a ridge to a line
formerly known as Myers and Thomas
Dravath line running with said line
course on the ridge to the extreme Northwest
end of said tract to the Barnes line and
corner then after starting from the
corner where the line of the old tract will
meet and strike the Barnes line run with
said line with the various courses and
distances to some rocks in what is called
the Barnes field then from said corner
running with a line of Jesse Plummer
made to him by me to the Creek and
corner of the same then down said
Creek and with said line to a corner in
H G Wathers line and the corner of Saper
R Plummer also thence with the Wathers
line so as to include all the lands belong
to me back to the Barnes line thence with

Samuel Plummer will continue
its various courses and distances so as
to include all that known as the Barnes
tract. To have and to hold to her the said
Mahaly Plummer for and during the
term of her natural lifetime in satisfaction
for and in lieu of her dower and thirds
of and in all my Real Estate.

Item 2-

I give and devise to my daughter Lucy
Plummer the tract of land which I now
live upon as the old tract and first
described separate from the John Barnes
tract for which she is to have possession
of at and after the death of my beloved
wife Mahaly Plummer.

Item 3rd

I will and devise that after my beloved wife's
death that the John Barnes tract of land
with the additional piece known as the
Camp Ground piece shall be sold to the
highest bidder and the money shall
be disposed of as follows.

First: that my son Joseph S Plummer shall
have two thousand and fifty dollars
and no more of my said estate. real or
personal property.

Second: that my son Geo S Plummer shall
have out of the said proceeds fifty dollars
and no more out of my real and personal
estate.

Fourthly I will of R Plummer fifty
out of my real and personal property and
no more as I have divided and paid
him heretofore.

After the above named sale is made of
said tract and parcels of land mentioned
and the money is collected and the former
payments is and has been made to the three
sons named I will and request and devise
that all the balance of my Estate shall be
equally proportioned and divided equally
between the three sons not mentioned
heretofore. To wit: my oldest son John C Plummer

my oldest daughter Rebecca Caldwell my youngest
daughter Mary Jane Hall

Item 1st

I further will and bequeath unto my beloved wife
all the household and kitchen furniture with
my farming tools and my interest in a
two horse wagon that belongs to me and
Asper R Plummer. These things I will
my wife to have and dispose of as she
pleases.

Item 1

It is further will that my Executor shall
collect my debts and make settlements and
pay all just and honest debts and if there
should be a deficiency in having money-
enough coming to me to pay off my debts
it shall be the duty of my Executor to advise
with my beloved wife as to what she had
rather would be sold and what could and
can be spared but from the farm and
so much of said property shall be sold
as will satisfy the out standing debts if
there be any after making all lawful
collections and paying over the same
and no more unless it is thought best by
the Executors and my wife Matilda Plummer.

And it is further will that the remains
of said property after paying off my debts
shall be my beloved wife her lifetime and
then sold as the personal property of my Estate
and disposed off with and as the tract of land is
to be above described.

And lastly I do hereby constitute and ap-
point my trusty friends To wit: J C Plummer and
William A Hall my lawful Executors to all
intents and purposes to execute this my last
will and Testament according to the true
and meaning of the same and every part
and clause thereof hereby revoking and
disclaiming all other wills and Testaments
by me heretofore made in witness whereof I
the said Samuel Plummer do hereunto set
my hand and seal this May 19th 1879

S Plummer

Samuel Plummer will continue
to various corners and distances so as
to include all that known as the Barnes
tract. To have and to hold To her the said
Mahaly Plummer for and during the
term of her natural life term in satisfaction
for and in lieu of her dower and thirds
of and in all my Real Estate.

Item 2-

I give and devise To my daughter Mary
Plummer the tract of land which I now
live known as the old tract and first
described separate from the John Barnes
tract for which she is to have possession
of at and after the death of my beloved
wife Mahaly Plummer.

Item 3rd

I will and devise that after my beloved wife's
death that the John Barnes tract of land
with the additional piece known as the
Camp Ground piece shall be sold to the
highest bidder and the money shall
be disposed of as follows.

First: that my son Joseph S Plummer shall
have two hundred and fifty dollars
and no more of my said estate real or
personal property.

Second: that my son Geo. H Plummer shall
have out of the said proceeds fifty dollars
and no more out of my real and personal
estate.

Thirdly I will if R Plummer fifty do
out of my real and personal estate and
no more as I have devised and paid
him heretofore.

After the above named sale is made of
said tract and parcels of land mentioned
and the money is collected and the former
payments is one has been made to the three
sons named I will and request and devise
that all the balance of my Estate shall be
equally proportioned and divided equally
between the three sons not mentioned
heretofore. To wit. My oldest son John C Plummer

Samuel Plummer will continue 67

my oldest son. Her Rebecca Caldwell my youngest
daughter Mary Jane Hall
Item 4

I further will and bequeath unto my beloved wife
all the household and kitchen furniture with
my farming tools and my interest in a
two horse wagon that belongs to me and
Asper R Plummer. These things I will
my wife to have and dispose of as she
pleases.

Item 5

It is further will that my Executor shall
collect my debts and make settlements and
pay all just and honest debts and if there
should be a deficiency in having money-
enough coming to me to pay off my debts
it shall be the duty of my Executor to advise
with my beloved wife as to what she had
rather would be sold and what could and
can be spared but from the farm and
as much of said property shall be sold
as will satisfy the out standing debts if
there be any after making all lawful
collections and paying over the same
and no more unless it is thought best by
the Executors and my wife Malinda Plummer
and it is further will that the residue
of said property after paying off my debts
shall be my beloved wife her Lippins and
then sold as the personal property of my Estate
and disposed off with and as the tracts of land is
to be above described.

And lastly I do hereby constitute and ap-
point my trusty friends To wit. J C Plummer and
William A Hall my lawful Executors To all
intents and purposes To execute this my last
will and Testament according to the true
and meaning of the same and every part
and clause thereof hereby revoking and
disclaiming all other wills and Testaments
by me heretofore made in witness whereof I
the said Samuel Plummer do hereunto set
my hand and seal this 14th day 1879

S Plummer

Samuel Plummer Will Continued

Sequea sealed published and declared by said Samuel Plummer to be his last will and Testament in the presence of us who at his request and in his presence do subscribe our names as witnesses thereto.

Jepu Duvall
John Brady

State of North Carolina } In Probate Court
Sole County }

A paper purporting to be the last will and Testament of Samuel Plummer deceased is exhibited before me the undersigned Judge of Probate for Sole County by John C. Plummer the Executor therein mentioned and the due execution thereof by the said Samuel Plummer by the oath and examination of Jepu Duvall and John Brady the subscribing witnesses thereto who being sworn doth 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 Samuel Plummer that the said Samuel Plummer 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 19th day of May 1879 and the deponent further saith that the said Samuel Plummer 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 thereto and at the request and in the presence of the said testator and this deponent further saith that at the same time when the said

Probate of Samuel Plummer's Will

testator subscribed his name to the said will as aforesaid and at the time of the deponent's subscribing his name as an attesting witness thereto as aforesaid the said Samuel Plummer 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 this deponent say not

Jepu Duvall Seal

sworn and }
subscribed this 6th day of }
Oct-1879 before me }
95 W. H. Hartley }
Probate Judge }