

Will of O. N. Hyatt.

I, O. N. Hyatt, of the County of Buncombe, in the State of North Carolina, impressed with the brevity of life and the certainty of death, being of sound mind and disposing memory, make, declare and publish this my last will, thereby revoking all former wills, which is to say - I give bequeath and devise all my personal and real estate as follows;

- I. It is my will and desire that my body be decently interred and that all necessary funeral expenses together with the cost of this will and having the same probated be first paid out of the proceeds arising from the sale of my personal property.
- II. I give and bequeath to my son James Alexander, and to my daughter Mary Rosannah, wife of George Kupper, each Ten Dollars, to be paid out of the first money in my Executor's hands, after all my just debts which are collectable by law, are paid, or they have been otherwise provided for, they will receive no more.
- III. I give and bequeath to my son John Henry and my daughter Sarah Demantha Elizabeth, all the remainder of my personal effects of whatever kind the same, (except beds and bed clothes) to be sold upon such time and terms as the Court may direct for the use and benefit of the said John Henry and Sarah D. E. after paying all lawful expenses.
- IV. I give, bequeath and devise to my son John Henry and to my daughter Sarah D. E. all that tract of land upon which I now live, known as a part of the old Hyatt tract on Neuse Creek as conveyed to me by Dorcia Hyatt, for reference see Deed of Conveyance Registered in the Register's Office in Buncombe County, North Carolina in Book No. 33, Page 790.

The said tract of land to be rented annually until my daughter Sarah D. E. is of age, the proceeds thereof to be divided equally between her and my son John H.

- V. I hereby appoint my brother John B. Munday, Executor of this my last Will for the purposes mentioned therein.

It is also my will and desire, that my Executor

shall pay the Tax or annually lined upon said tract of land out of the rents received and also pay Dorcia Hyatt, Fifty bushels of corn each and every year during her natural life.

In witness whereof I have hereunto signed and sealed this instrument and published the same as my last Will and Testament, in the presence of the subscribing witnesses. April 12 1880

Test
G. D. Bunker
James Humphill
R. B. Ballard

O. N. Hyatt (Real)
mark

State of North Carolina, }
Buncombe County, }⁵³ In the Probate Court.

A paper purporting to be the last Will and Testament of O. N. Hyatt deceased, is exhibited before me, the undersigned Judge of Probate for said County by John B. Munday the executor therein mentioned, and the due execution thereof by the said John B. Munday by the oath and examination of G. D. Bunker & R. B. Ballard the subscribing witnesses therein; who, being duly sworn, doth depose and say, and each for himself depose and swear, that he is a subscribing witness to the paper writing now shown him, purporting to be the last will and testament of O. N. Hyatt; that the said O. N. Hyatt in the presence of this defendant, subscribed his mark at the end of said paper writing, which is now shown as aforesaid and which bears date of the 12th day of April 1880.

And the defendant further saith, that the said Parthena A. Hyatt the testator aforesaid did at the time of making her mark as aforesaid, declare the said paper writing so subscribed by her and exhibited, to be her last Will and Testament and that defendant did then upon subscribe his name at the end of said Will as an attesting witness therein, and at the request and in the presence of the said testator. And this defendant further saith that at the said time when the said testator subscribed her name to the said last Will as aforesaid, and at the time of defendant subscribing his name as an attesting witness therein, or aforesaid the said O. N. Hyatt, was of sound mind and memory of full age & of legal age and

and was not under any restraint of the knowledge, information or belief of this defendant; And further this defendant says not.

Swornly sworn and subscribed } G. H. Peckham (Dea)
This 15th day of July 1882 before me } R. B. Ballard (Dea)
E. M. Kimball
Probate Judge

Will of Martha J. Lynch.

I, Martha Lynch in the County of Dancombe in the State of North Carolina, do hereby make, publish and declare this my last will and testament, hereby revoking and annulling all former wills by me at any time heretofore made.

Therefore I devise and bequeath unto my beloved husband John Lynch all my property, real, personal and mixed of every kind whatsoever, and whosoever the same may be situated, to be by him owned, used and enjoyed and disposed of in such manner as he may desire. And I hereby appoint my said husband John Lynch sole executor of this my last will and testament. In testimony whereof I have hereunto set my hand and affixed my seal this 15th day of October A.D. 1882.

Martha J. Lynch (Dea)

Signed, sealed, published and declared by the above named Martha J. Lynch as and for her last will and testament in the presence of us, who at her request and in her presence and in the presence of each other, have subscribed our names as witnesses thereto.

E. J. Astor.
J. H. Ellis.
J. C. Astor.

State of North Carolina }
Dancombe County, } ss. In the Probate Court.

A paper purporting to be the last Will and Testament of Martha J. Lynch deceased, is exhibited before me, the undersigned, Judge of Probate for said County, by John Lynch the executor therein mentioned, and the due execution thereof by the said Martha J. Lynch by the oath and examination of E. J. Astor & John C. Astor the subscribing witnesses thereto; who, being duly sworn, doth depose and say, and swear for himself respectively and severally that he is a subscribing witness

thereto the paper writing now shown him, purporting to be the last will and testament of Martha J. Lynch; that the said Martha J. Lynch in the presence of this defendant, subscribed his name at the end of the said paper writing which is now shown as aforesaid; and which bears date of the 15th day of October 1882.

And the Defendant further swears that the said Martha J. Lynch the testator aforesaid died at the time of subscribing her name as aforesaid, declared the said paper writing so subscribed by her and exhibited to be her last Will and Testament, and this defendant did thenupon 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 defendant further swears, that at the said time when the said testator subscribed his name to the said last Will as aforesaid and at the time of defendant subscribing his name as an attesting witness thereto, as aforesaid, the said Martha J. Lynch was of sound mind and memory, of full age & executed a Will, and was not under any restraint of the knowledge, information or belief of this defendant; And further this defendant says not.

Swornly sworn and subscribed } E. J. Astor (Dea)
This 26th day of Feb. 1882 before me } J. C. Astor (Dea)
E. M. Kimball
Probate Judge.

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