

Mrs Francis Hoke's Will

I make this my last will and Testament
1st I appoint R. F. Hoke M. H. Hoke H. H. Smith & M. B. Smith executors
of this my last will & Testament

2nd I give & bequeath to my son M. H. Hoke my house & lot on which I live
& the lots attached to and adjoining the same & also the lot in front
of my dwelling house together with my farm adjoining my dwelling house
& also adjoining the lands of W. A. McBee & the heirs of Sam^l Lander
containing about fifty acres

Item 3rd I will that my executors shall sell if necessary any property not
disposed of by this will either at public or private sale and give the
proceeds shall pay such debts as I may owe

4 I will the law library to Michael Hoke Smith

5th I will that the remainder of my estate shall be equally divided among
all of my children and that Augustus McLean Hoke son of George M.
Hoke shall receive under this clause of my will that part of my estate
which his father would have received had he been living at my death

6th I appoint R. F. Hoke Trustee of my grandson Augustus McLean Hoke to
receive & invest that part of my estate that shall be due my grandson
under this will, and that the said Trustee shall have full power to
invest the said funds as he shall deem proper, But if the said Trustee
should waste the said funds & lose the same or any part thereof that
he shall not be held responsible for such losses I also will that the
said Trustee shall have the same power to use the funds of my
Grandson as he shall see fit to invest the same in any manner that

he shall not be held responsible for such losses & also will that the said trustee shall have the ~~same~~ power to use the funds of my Grandson as he shall see fit and should my grandson die without children before he arrives at twenty one years of age then that part of my estate given to him shall go to my other children or their issue & hereby revoke all other wills made by me

Witness

Francis Hoke

G. F. Hoke

Francis Adams

Lincolnton Oct 8th 1867

Lincoln County in the Probate Court

A paper purporting to be the last will and testament of Francis Hoke deceased is exhibited before me the undersigned Judge of Probate for said County G. F. Hoke H. H. Hoke H. H. Smith & M. B. Smith the Executors therein named and the said execution thereof by the said Francis Hoke by the oath and examination of G. F. Hoke and Francis Adams the subscribing witnesses thereto who being duly sworn doth depose and say and each for him and herself depose and saith that they are subscribing witnesses to the paper purporting now shown him purporting to be the last will and testament of Francis Hoke in the presence of this deponent subscribed her name at the end of said paper writing which is now shown as aforesaid and which bears date on the 8th day of October 1868 and the deponents further saith that the said Francis Hoke the testator aforesaid did at the time of subscribing her name as aforesaid declare the said paper writing to be subscribed by her and exhibited to be her last will and testament and these deponents did thereupon subscribe

their names at the end of said will as attesting witnesses
request and in presence of the said testator and the defendant
saith that at the said time when the said testator subscribed
name to the said last will as aforesaid and at the time of the day
Francis Hoke now of sound mind and memory of full age to execute
a will and was not under any restraint to the knowledge of the
beliefs of these defendants say not

S. H. Hoke
Francis Adams

Solely sworn and subscribed
before me this 28th Oct 1864
S. P. Sherrill
Probate Judge

Lincoln County in the Probate Court

Personally appeared before me S. P. Sherrill
Francis Hoke and made oath that they are the joint Executors
of the estate of Mrs Francis Hoke deceased and that the estate
is worth in real and personal property five
thousand dollars and in personal property five
hundred dollars and Augustus M. Hoke are all into

Solely sworn and subscribed
before me this 26th Oct 1868

J P Sherrill

Probate judge

R F Hoke

Francis Adams

Lincoln County in the Probate Court

Personally appeared before me J P Sherrill

Probate judge for said County W W Smith M H Hoke R F Hoke

and made oath that they are the joint Executors
devisees legates of Mrs Francis Hoke deceased and that the estate
of Mrs Francis Hoke as near as can be ascertained is worth in real
estate three thousand dollars and in personal property five
hundred dollars that R F Hoke M H Hoke W W Smith M B Smith
Michael Hoke Smith and Augustus McLean Hoke are all interested
in the estate of Francis Hoke by being heirs at law of said
Francis Hoke deceased that Michael Hoke Smith is a minor
without a guardian and that Augustus McLean Hoke is a
minor with R F Hoke as his trustee appointed in the will
all of whom reside in Lincoln North Carolina

Oct 26th 1868

W W Smith

M H Hoke

R F Hoke