

Said S. J. Hamilton 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 not.

Sworn to and subscribed before me Feb. 22, 1897 at Davis N. Harris and sworn and subscribed this 8th day of April 1897 before me as to Lee N. Harris

Davis N. Harris
Lee N. Harris

J. B. Lewis, Clerk
Superior Court

Hamilton, S. J.
Will
L. M. Russell
Clerk

North Carolina
Newbern County
In the Superior Court
Before Clerk
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 S. J. Hamilton, deceased, and the same, with the foregoing examinations and this certificate, are ordered to be recorded and filed. This the 9th day of April 1897
J. B. Lewis C. S. C.

State of North Carolina
Newbern County

S. J. R. Livingston of the State and County of said being of sound mind but considering the uncertainty of my earthly existence do make and declare this my last will and Testament.

First: my executor hereinafter named shall give my body a decent burial suitable to the wishes of my friends and relatives and pay all expenses together with all my just debts and out of the first money that may come into their hands on his hands belonging to my estate.

Second Section: I give and devise unto my beloved wife Sallie E. C. Livingston my home and lot in Mt. Gilead containing three quarters of an acre and all that pertains thereto and at the end of her earthly existence I will bequeath to Lizzie L. Haywood wife of Allie O. Haywood she being my grand daughter. The Cornin Mills lot containing six and one quarter acres I also bequeath to my wife and at the end of her earthly existence to Lizzie L. Haywood Allie O. Haywood's wife.

The C. I. Creek place on Chucks Creek the rents of which I bequeath to my wife Sallie E. C. Livingston her lifetime. It contains 166 2/3 acres.

The tract in Richmond County on Alden Creek, waters of Little Mountain Creek near Posters Mill containing 126 acres I also bequeath the rents to my wife Sallie E. C. Livingston as long as her earthly existence and at her death those two places the C. I. Creek place on Chucks Creek waters of and the tract in Richmond County are to be sold or divided between Louisa E. Andrews, W. L. Andrews wife and Lizzie L. Haywood wife of Allie O. Haywood equally.

Livingston S. J. R.
Will
A. O. Haywood
Clerk

The old Jessie Heywood place on tract containing 250 acres more or less bequeath to Lizzie L. Heywood wife of Alie O. Heywood.

The H. T. Scarboro deed of trust I bequeath the proceeds of which to Louisa Ella Andrews wife of W. L. Andrews. The amount of which is about \$750 more or less.

The H. T. Green place deed of trust is to be sold and the proceeds divided between Louisa Ella Andrews and Lizzie L. Heywood equally, the amount of the trust is \$450 more or less.

The Agle place in Sutherland Springs township containing 100 acres I bequeath to Lizzie L. Heywood wife of Alie O. Heywood.

The Mortgage of A. E. Agle and wife on 56 acres of land I bequeath Louisa Ella Andrews wife of W. L. Andrews (adjoining Mrs. Rush). The H. E. DeBury and wife mortgage I bequeath the proceeds of which to my wife Sallie E. C. Livingston.

Livingston E. R.
Mill
A. O. Heywood
Exr

The J. B. Heywood entry containing six acres more or less and added to me by C. T. Green I bequeath to Lizzie L. Heywood wife of Alie O. Heywood.

The Cotton plantation on the Mechanic river containing 275 acres more or less the proceeds of which I give to my wife (one half of which is hers the other half is mine) as long as she lives and then one half of which I bequeath to Louisa Ella Andrews and Lizzie L. Heywood wife of Alie O. Heywood.

The George Graham Mortgage on 200 acres of land more or less for \$75.00 more or less is to be sold. The Dr. Whitley Mortgage of Hancock Stacey County North Carolina on 20 acres of land and some other land notes the amount of which is \$375.00 more or less.

The John Lyon mortgage on 25 acres more or less lying on Creek joining the Richerson lands in township in Montgomery County and also on two acres I bequeath

the above mortgage on John Lyon to Lizzie L. Heywood.

The C. W. Wasley mortgage on both places on both sides of the road leading from Edinboro to Ing containing acres more or less. The John T. Moore and wife and J. T. Moore and wife mortgage on 125 acres of land more or less for \$350.00 more or less. The proceeds or interest on the above deeds of trust on Dr. Whitley, C. W. Wasley and J. T. Moore I bequeath to my wife Sallie E. C. Livingston and at her death to be equally divided between Ella Andrews and Lizzie L. Heywood.

Livingston E. R.
Mill
A. O. Heywood
Exr

The W. L. Andrews and wife deed of trust on 50 acres of land more or less the amount of which is about \$35.00 dollars I bequeath to Louisa Ella Andrews his wife. The George and W. T. Bruton note the amount of which is about two hundred dollars more or less, and the J. E. Saunders and John L. Wall note amounting to about one hundred and twenty five dollars more or less. The judgment on the Superior Court docket against J. E. Saunders amounting to \$100.00 are hundred dollars more or less with a credit of twenty five dollars and to be collected by my executor and the interest on the proceeds I bequeath to my wife Sallie E. C. Livingston and the principal to be equally divided between Lizzie L. Heywood and Louisa Ella Andrews.

The E. F. DeBury and wife mortgage on the Levi Stacey place known as the Hyatt now containing 220 acres more or less. Also one fourth interest, their interest in the Edmund DeBury deceased, his grand father estate of 1410 acres of land more or less. Also a deed of trust on E. F. DeBury and wife on a lot of

five acres of land in Mt. Pleasant situated in the North Western part of the town on the turnpike, South West side of turnpike. Also an 800 forty acres of land in the township adjoining the lands of Alex. Thompson on the West of Clark's Creek, deeded to E. F. DeBury from W. G. DeBury Sr. The rents or interest of the above mortgages on E. F. DeBury's wife I bequeath to my wife Fannie E. C. Livingston during her lifetime and on her death to be collected and divided equally between Ella Andrews wife of W. L. Andrews and Lizzie L. Hayward wife of J. O. Hayward. I bequeath give to Lizzie L. Hayward 2 tracts of land in Ephraim Township, Montgomery Co. N. D. deeded by Joshua Hurley to me in Feb. 1896, containing 145 acres more or less. I also bequeath a tract of land near old Lawrenceville in Red Deer Township containing 1000 acres more or less, adjoining Jane Christian's land mine property and old Lawrenceville Town Lots. All other debts, notes, and accounts due me I direct that my executor shall collect and pay over to my wife Fannie E. C. Livingston. I give and bequeath to my wife Fannie E. C. Livingston all my household and kitchen furniture.

I hereby constitute and appoint J. O. Hayward my lawful Executor to execute this my last will and testament.

In witness whereof I the said E. F. R. Livingston do hereunto set my hand and seal this 26th day of May 1896.

E. F. R. Livingston (Seal)

Signed, sealed, published and declared by the said E. F. R. Livingston to be his last will and testament in presence of us who at his request and in his presence do subscribe our names as witnesses thereto.

C. W. Wooley

Livingston E. F. R.
Will
J. O. Hayward
Exr.

State of North Carolina Jss. In the Superior Court.
Montgomery County,

A paper-writing purporting to be the Last Will and Testament of E. F. R. Livingston, deceased, is exhibited before me, the undersigned Clerk of the Superior Court for said County, by J. O. Hayward the executor therein mentioned, and the due execution thereof by the said E. F. R. Livingston is proved by the oath and examination of C. W. Wooley the subscribing witness thereto: who being duly sworn doth depose and say, and 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 E. F. R. Livingston, that the said E. F. R. Livingston in the presence of this deponent, subscribed his name at the end of said paper-writing, now shown him as aforesaid, and which bears date of the 26th day of May 1896.

And the deponent further saith, that the said E. F. R. Livingston 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 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 deponent's subscribing his name as an attesting witness thereto, as aforesaid, the said E. F. R. Livingston was of sound mind and memory, of full age to execute

Livingston E. F. R.
Will
J. O. Hayward
Exr.

five acres of land in Mt. Pleasant situated in the North Western part of the town on the turnpike, South West side of turnpike. Also an 800 forty acres of land in the township adjoining the lands of Alex. Thompson on the West of Clark's Creek, deeded to E. F. DeBury from W. G. DeBury Sr. The rents or interest of the above mortgages on E. F. DeBury's wife I bequeath to my wife Fannie E. C. Livingston during her lifetime and on her death to be collected and divided equally between Ella Andrews wife of W. L. Andrews and Lizzie L. Hayward wife of J. O. Hayward. I bequeath give to Lizzie L. Hayward 2 tracts of land in Ephraim Township, Montgomery Co. N. D. deeded by Joshua Hurley to me in Feb. 1896, containing 145 acres more or less. I also bequeath a tract of land near old Lawrenceville in Red Deer Township containing 1000 acres more or less, adjoining Jane Christian's land mine property and old Lawrenceville Town Lots. All other debts, notes, and accounts due me I direct that my executor shall collect and pay over to my wife Fannie E. C. Livingston. I give and bequeath to my wife Fannie E. C. Livingston all my household and kitchen furniture.

I hereby constitute and appoint J. O. Hayward my lawful Executor to execute this my last will and testament.

In witness whereof I the said E. F. R. Livingston do hereunto set my hand and seal this 26th day of May 1896.

E. F. R. Livingston (Seal)

Signed, sealed, published and declared by the said E. F. R. Livingston to be his last will and testament in presence of us who at his request and in his presence do subscribe our names as witnesses thereto.

C. W. Wooley

Livingston E. F. R.
Will
J. O. Hayward
Exr.

State of North Carolina Jss. In the Superior Court.
Montgomery County,

A paper-writing purporting to be the Last Will and Testament of E. F. R. Livingston, deceased, is exhibited before me, the undersigned Clerk of the Superior Court for said County, by J. O. Hayward the executor therein mentioned, and the due execution thereof by the said E. F. R. Livingston is proved by the oath and examination of C. W. Wooley the subscribing witness thereto: who being duly sworn doth depose and say, and 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 E. F. R. Livingston, that the said E. F. R. Livingston in the presence of this deponent, subscribed his name at the end of said paper-writing, now shown him as aforesaid, and which bears date of the 26th day of May 1896.

And the deponent further saith, that the said E. F. R. Livingston 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 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 deponent's subscribing his name as an attesting witness thereto, as aforesaid, the said E. F. R. Livingston was of sound mind and memory, of full age to execute

Livingston E. F. R.
Will
J. O. Hayward
Exr.

a will, and was not under any restraint to the knowledge, information or belief of this department; and further this department says not.

Sworn and subscribed
this 30th day of July 1897.

J. D. Lewis

Clerk Superior Court

Q. N. Woolley

North Carolina In Superior Court
Montgomery County

A paper writing purporting to be the last will and testament of E. P. R. Livingston deceased is exhibited for probate in open court by A. O. Hayward the execution therein named; and it is thereupon

proved by the oath and examination of A. O. Hayward that the said will was found among the valuable papers and effects of the said E. P. R. Livingston after his death, said will being in said E. P. R. Livingston's safe; and it is further proved by the oath and examination of two disinterested, credible and competent witnesses, to wit John A. Lick and John A. McCulley that they are acquainted with the hand writing of the said E. P. R. Livingston having often seen him write and verily believe that the name of the said E. P. R. Livingston subscribed to the said will is in the hand writing of the said E. P. R. Livingston, and it is further proved by the evidence of the two last mentioned witnesses that the said hand writing is generally known to the acquaintances of the said E. P. R. Livingston.

Sworn to and subscribed before A. O. Hayward
me this 30th day of July 1897.

J. D. Lewis C. S. C.

North Carolina In the Superior Court
Montgomery County Before Clerk
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 E. P. R. Livingston, deceased and the same with the foregoing examinations and this certificate are ordered to be recorded and filed. This the 30th day of July 1897.

J. D. Lewis C. S. C.

Livingston E. P. R.
Will
A. O. Hayward
Exr.