

# Montgomery County.

I, Thaddeus Haywood, Exr. & June Haywood co-executor, do solemnly swear that I believe this writing to be and contain the last Will and Testament of William Haywood, Sr. deceased; and that we will well and truly execute the same by first paying his debts and then his legacies, as far as said estate shall extend, or the law will charge us; and that we will well and faithfully execute the office of an Executor & Co-executor agreeable to the trust and confidence reposed in us, and according to law; So help me God.

T. F. Haywood, Exr

J. Haywood, co-executor

Sworn to and Subscribed before me this 18<sup>th</sup>

Day of June, 1888.

H. R. Harris C. S. C.

I, William Haywood of Mt. Pleasant Township, County of Montgomery and State of North Carolina having arrived at and advanced age and being aware of the uncertainty of life and the certainty of death, and being of sound mind and memory, and wishing to indicate clearly the disposition I would have made of my effects after my death, I make public and declare the following to be my last will and testament. (To wit)

I will and bequeath to my beloved wife, Minnie Haywood a life estate in one undivided half of the tract of land on which I now reside said tract embracing two hundred and fifty two acres more or less, it being the same purchased by June Haywood, myself and Miles Haywood from A. W. Chambers, son and ex-cept-ee or heir acres sold by Man Haywood to F. Martin. Further, I bequeath to my wife a life estate in fifty acres situate on Green Creek adjoining the above named tract and granted to me in the year of our Lord 1844.

I will and bequeath to my beloved wife, five hundred dollars in the currency of the United States. One hundred bushels of Corn,

Twenty five bushels of wheat, Twenty five hundred lbs. of fodder, Twenty five lbs. Coffee, fifty lbs. sugar, ten gallons molasses, two hundred lbs. Bacon or pork, Twenty lbs. lard, Two horses or mules of her own choice, Two Cows and calves of her own choice out of my stock, Together with all the home hold and kitchen furniture with this provision that she provide June, Oscar and Lehelley a bed and furniture each. And upon the death of my beloved wife it is my will and desire that all the above named property both real and personal shall descend to my two sons, June and Oscar.

I bequeath to my son Oscar the other half undivided of the tract of land in which I now reside, it being the remaining half of the tract embracing the first begun to my wife together with the Miles Haywood tract on which he last resided in Montgomery County, containing one hundred and eighty acres embracing the original tract on which the said Miles Haywood resided and the tract known as the Moses Haywood entry and the Christopher tract. Beginning on a spring ridge in said farm Miles Haywood and wife to J. F. Haywood. I further bequeath to my son Oscar Haywood one horse or mule of his own choice after his mother's selection together with a bridle and saddle and one cow and calf together with five hundred and fifty dollars in United States Currency.

I bequeath to my son June one half of all the lands which I bought from H. Robinson and wife. I further bequeath to my son June the tract of land known as the John Byrd tract - containing one hundred and ten or fifteen acres adjoining J. F. Haywood and others together with one horse or mule bridle and saddle, also five hundred and fifty dollars in United States currency, also one cow and calf.

I will and bequeath to my son Thaddeus F. Haywood the remaining half of the William Robinson land, the other half being heretofore bequeathed to my son June, also a tract known as the James Byrd land containing

originally eight three acres sixty seven & 1/2  
acres more, 15-1/4 a day having been sold to James  
Martin. Also two hundred dollars United States  
currency.  
6<sup>th</sup>

I will and bequeath to my grand son Chasley  
Green my father's old homestead together  
with twenty five acres which my father gave  
to Moses Kaywood. all of which I purchased from  
my brother Moses Kaywood. I further will and  
desire that my grand son Chasley Green shall  
have another tract which is situated on the west  
of Thicket Creek adjoining Calvin Crouch  
and others embracing twenty acres which  
I purchased from Robert L. Green together with  
three hundred & 800 dollars United States currency.  
7<sup>th</sup>

I bequeath to my son William R. Kaywood  
Seven hundred & 7000 dollars currency of  
the United States  
8<sup>th</sup>

I will and bequeath to my daughter  
Mary Ann Townsend five hundred & 5000  
dollars currency of the United States.  
9<sup>th</sup>

I bequeath to my daughter Lucy Jane  
Barton five hundred & 5000 dollars  
currency of the United States.  
10<sup>th</sup>

I will and bequeath to my daughter Elizabeth  
Harris five hundred & 5000 dollars  
currency of the United States.  
11<sup>th</sup>

It is also my will and desire that my  
beloved wife Henrietta Kaywood shall  
have my buggy and sewing machine.  
12<sup>th</sup>

And when I have mentioned life estate I  
mean the natural life of my wife.  
13<sup>th</sup>

It is my will and desire that if any of the  
above named legacies shall die without issue  
that his or her share or legacy shall descend to  
all the others in common.

If there is not enough money to meet all these  
bequests then it is my desire that each receive in  
proportion if more than enough then let each legacy  
be augmented in proportion nothing herein con-  
tained shall effect the disposition of the real bequests.  
15<sup>th</sup>

I now and hereby appoint my true and affectionate  
son Thaddeus F. Kaywood my executor with in-  
structions to deliver to each legatee his or her legacy  
within due time after my death.  
Let the minor legacies be invested upon their  
arrival at the age of twenty one years.

In testimony whereof I hereunto set my hand  
and affix my seal.

This Sept 21<sup>st</sup> 1880

Affat-

E. Huxley.

A. M. Kaywood.

W. S. Martin.

A supplement to the foregoing will.

It is my will and desire the land purchased since  
the execution of the foregoing shall be equally divided  
between my three sons Thaddeus Kaywood,  
James Kaywood and Oscar Kaywood. said purchases  
consisting of fifty acres from E. Huxley & wife, 250 1/2  
acres from W. S. Martin and wife, and some acres  
from H. F. Lusk & wife. Hoping they may divide the  
same amicably. But in case of disagreement it shall  
be left to referees whose action shall prevail.  
And further it is my will and desire that where I  
have directed that each of my three daughters should  
have five hundred dollars (to wit) that Mary Ann  
Townsend, Lucy Jane Barton and Elizabeth Harris  
shall have five hundred only instead of the five  
hundred first provided for. In other respects it  
is my desire that the above provisions remain un-  
changed except that I desire that my son James  
shall act as executor with my son T. F. Kaywood.  
In testimony whereof I hereunto set my hand and  
affix my seal.

Th. Kaywood.

Apr. 13 1885

Affat-

E. Huxley.

W. S. Martin.

2<sup>d</sup> Supplement

It is my will and desire that any property which I now own that is not disposed of in the above will or any that I may hereafter acquire shall be sold at public auction by my executor after giving twenty days notice. The personal property for cash and the real property of time in with holding title till purchase money is paid and proceeds distributed equally among all my heirs, first however giving each of my three daughters an additional hundred dollars which will make the original bequest. My purpose being to give them the amounts originally directed but in case there should not be sufficient money that my said daughter's legacies be reduced to four hundred each.

By testimony whereof I hereunto set my hand and affix my seal.

W. B. Harris  
This April 13. 1880

W. B. Harris  
M. S. Martin

State of North Carolina, W. B. Harris of in & Montgomery County for said County do hereby certify that the foregoing will is a true copy of the one now on file in my office.

Montgomery County  
By the master of the Court of  
William Haywood, Sr.

Thaddeus Haywood, Exor & Jesse Haywood, Co-executor being duly sworn, doth say: that William Haywood, Sr. late of said County is dead having first made and published his last will and Testament; and that Thaddeus Haywood is the executor therein named and Jesse Haywood

executor named therein. Further that the property of the said William Haywood, Sr. consisting of real & personal property is worth about \$8,000, so far as can be ascertained at the date of this application; and that Hemetta Haywood, Thaddeus Haywood, John R. Haywood, Lacey Jane Benton and Mary Ann Townsend, Elizabeth Harris Chesley, J. Green, Jesse Haywood (of whom Oscar Haywood is a minor with a guardian) are the parties entitled under said will to the said property.

Sworn to and subscribed before me, this 18<sup>th</sup> day of June, 1880.

O. F. B. Harris, C. S. C.  
J. B. Haywood, Exor.  
J. B. Haywood, Co-executor

State of North Carolina } in the probate Court,  
Montgomery County  
A paper purporting to be the last will and Testament of William Haywood, Sr. deceased, is exhibited before me, the undersigned, Clerk of Superior Court for said County by Thaddeus Haywood the executor, & Jesse Haywood Co-executor therein mentioned, and the due execution thereof by the said Thaddeus Haywood Exor & Jesse Haywood Co-ex by the oath and examination of O. Chesley, M. S. Martin and J. M. Haywood the subscribing witnesses thereto; who, being duly sworn, doth depose and say, and each for himself depose and say, that he is a subscribing witness to the paper-writing now shown him, purporting to be the last will and Testament of William Haywood, Sr. deceased; that the said William Haywood, Sr. in the presence of these deponents subscribed his name at the end of said paper-writing now shown him, and which bears date of the 2<sup>nd</sup> day September 1881 and supplement to the will which bears date 13<sup>th</sup> day of April 1880, and the deponent further depose that the said William Haywood, Sr. the testator aforesaid, did, at the time of the subscribing his name as aforesaid, declare the

said paper-writing, so subscribed by him and attested, 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 said time when 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 William Kaywood, 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 then deponent says not.

Elihu Kinsley (seal)

W. J. Martin (seal)

Mr. W. J. Kaywood was witness to the first part of this Will.

Generally sworn and subscribed this 18<sup>th</sup> day of June 1888 before me  
J. H. Harris C. J.

State of North Carolina  
Montgomery County

I know all men by those presents that I, N. Harrison and by my right mind & proper senses that this is my last will & Testament - that I do bequeath unto my sister Claude Harrison all of my property belonging to me in the County of Montgomery or else where, I do reserve enough to pay all of my just debts & to have a decent Burial to have and to hold her natural life and after my sister Claude dies and a reasonable Burial then I bequeath all to, Jane Keel, untill her two boys and shall become 24 years old, then to be equally divided between Siego & Claude I do here by leave L. N. Hall as my Executor

and to say that this will is cared into effect this April 30 1888

Witness

F. H. Crawford  
C. F. Davis

At this session  
Mark Seal