

Last will & Testament

Henry C. Hicks Deed. Probated Nov. term 1889.

I Henry C. Hicks being admonished of the uncertainty of life & the certainty of death; and being desirous of making and arranging my temporal affairs; and being of disposing mind, do make, publish and declare this to be my last will and testament, hereby making null and void all other wills by me made at any time.

1st I will that all my just debts and funeral expenses be paid as soon after my demise, as may be out of the first available means that may come into the hands of my Executor.

2nd I will & bequeath to my Son Joseph H. Hicks, the following described piece or parcel of land, to wit: beginning at the Ruddy Crnk Road on S.D. Hicks line and with the same north to the top of the hill near some apple trees, thence with or near an old fence run a westerly corner along a fence part of the way to the top of a hill, thence along a fence & a south corner to the Ruddy Crnk road, which includes the field next to and adjoining the Garden, thence with the Ruddy Crnk to the beginning, and he is to have laid off to him one third of the timber at the south west corner of the farm.

3rd It is my will that my Daughter Mary A. Hick have her share in my real estate laid off to her when she now lives, which share is to include, as near as may be about one half of the timber north of the Block-house road & next to George Mungers. In lay off said share no notice is to be taken of the buildings on the same as it was put there by J. H. Hick.

4th It is my will that my Daughter Susan A. Hickam have her share of my real estate laid off rock apart to her adjoining her home track on the west & is to include a 24th acre piece of land that I bought of J. G. Hicks.

5th It is my will that the Remainder of my Real estate not included in the foregoing going bequests be equally divided with each of my Daughters, Mattie C. Wickard, Margaret E. Pak, Annie R. Ramsey, Lizzie A. Hicks, Ellen R. Newland, & Rachel J. Fain. Provided: that in making the divide of the Real estate aforesaid

Susan A. Hickam, Ellen R. Newland, Rachel J. Fain is to have one hundred dollars less in value than the other children named. They having been paid each hitherto the sum of one hundred dollars. Provided further, that each of my said heirs above named who may take charge of their share before the death of my beloved wife Sarah E. shall be required to pay a reasonable rent to my wife during her life time.

It is my will that my Daughters Lizzie A. Hicks & my Son Joseph H. Hicks have of the personal effects an amount that will be equal to the amount that each of my married Daughters got. And any & all other personal effects shall go to my beloved wife.

It is my desire that the County Court appoint W. H. H. Gaines & Ruben J. Ketron, & W. F. Hicks as commissioners to make Partition of the Real Estate herein named in accordance with the foregoing bequests.

Proviso- It is my desire that my Executor may make sale of a rock of land adjoining Mrs. Sally on the W. State line, near Glen's Muddy Spring for the purpose of raising means to pay expenses &c.

It is my will & my desire that my beloved wife is to have the old homestead herein set apart to my Son Joseph H. Hicks, with whom she expected to live during her life time.

Lastly, I hereby appoint Ruben J. Ketron my Executor with the will annexed. Witness my hand and seal this the 1st day of October 1889.

Signed, sealed, and delivered in our presence day & date above written.

R. J. Ketron
W. F. Hicks

Done in open Court by the oath of R. J. Ketron one of the subscribing witnesses to the foregoing will on the 4th day of November 1889, and also on the 11th day of Nov. 1889, by the oath of W. F. Hicks the other subscribing witness to said will & the same was ordered to be recorded in the book of wills.

Test. W. D. Bachman, Clerk