

# Calvin Hoss Will

I Calvin Hoss do make ordain and publish this my last will and testament hereby revoking all other Wills by me made at any former time.

Fifthly It is my will that funeral expences and all my just debts be first paid Out of any means that may first come into the hands of my executors hereafter named.

Sixtly It is my will and desire that my beloved wife shall have the possession and entire control of the farm or which it now stands including what is known as the Oak Farm Containing altogether about 1570 acres hundred and twenty acres the same is to be held by her during her natural life with this exception that my son Henry Hoss do not have the privilege of living upon the house mill whatever logs he may have therefrom ~~the house land~~ the land which he may have under his control At the death of my wife my said son Henry shall have for the benefit of his Children a one half interest in said mill It is further my will that my said wife shall have whatever of stock farming implements household and kitchen furniture provisions in hand and growing crop she may desire for her comfort and support with this condition that my numerous daughters Fannie and Sarah Louis be by her made equal in point of bedding Kitchen utensils Cows horses &c with my married Children -

Seventhly I give and bequeath to Calvin R Jones and his wife Elizabeth Jones to have and hold during their natural lives all the land owned by me in the Wagon Cove except a small tract on the south side of the Creek sold to Geo Story and containing about ~~and a half acres~~ and about fifty acres sold to Leo Whaley near the white oak tree on the south side of the branch adjoining the land formerly sold to said Whaley Neither one of these tracts excepted has been paid for if the bargains above mentioned fail to fulfill their contracts then said tract sold to said Whaley is to be included in this bequest to Calvin R & Elizabeth Jones the price at which I estimate the above land bequeathed to said Calvin R and Elizabeth Jones is \$2500.00 twenty five hundred dollars

Eighthly I have already given to my daughter Hannah McVilene \$500.00 It is further my will and desire that as soon after my death as will be convenient not later than three years thereafter my executors shall pay to my said daughter enough to make her equal to my other children's interest must also be paid to her <sup>as appears</sup> upon this sum after the first year It is further my will that my said daughter Hannah shall be paid the price of a horse not to exceed \$100.00 this entire bequest

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is to be free from the control and dominion of Mr Shattock the husband of my said daughter Hannah and is to be for her exclusive use and benefit Fifthly It is further my will and desire that my son Henry Hoss should inherit the farm on which he now lives said farm including a one half interest in the saw mill <sup>which was paid</sup> here before bequeathed to my said son Henry is to be set down to him at a value of \$1000.00 said farm is to be entirely free from any debt that do now exist or may hereafter exist against my said son Henry and is to be held and contracted by him for the exclusive use and benefit of his children It is my will however that my said son Henry be permitted to sell said farm when he may see fit provided the same process be strictly applied for the purpose just above indicated Sixthly however to be expressly understood that my said son Henry is to enjoy during his natural life whatever of the proceeds of said farm

Sixtly I do further give and bequeath to my daughter Fannie Gribble <sup>the husband of</sup> the farm known as the Farmers farm and on which the Rice Stone runs crosses containing about 1891 eighty nine acres the tract of land is to be set down to them at \$4000.00

Seventhly I do further give and bequeath to my daughter Sarah Lewis Hoss the farm known as the Deacons farm containing about 200 acres and also my interest in the various crops of said farm which is one half and one third of one half all to be valued at \$2600.00 Twenty six hundred dollars

Eighthly I do further give and bequeath to my daughter Fannie Hoss the home farm to be hers at the death of her mother the same to be estimated at \$2600.00

Ninthly It is further my will that all my heirs shall receive equal sums from my estate and that those to whom I have bequeathed property in excess of the others shall pay back <sup>to my executors</sup> a sum sufficient to secure this intent It is also my will that those to whom I have bequeathed less than the others shall receive interest upon such deficiency from one year after my death at the rate of 6 per cent It is also my will and desire that Uncle Daniel of color if he deserts him self as heretofore shall be provided with lodging food and clothes on the home farm

Tenthly Should it so happen that my wife should again form marriage relations then and in that event it is my will that my daughter Fannie <sup>shall</sup> have immediate possession and control of one half of the home farm and both place It is also my will that at the death of my said wife my said daughter Fannie shall have entire possession of the truck farm and it shall be at

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to her at the rate of four hundred dollars making together with the home farm \$3000 worth of property bequeathed to her It is further my will that one half of the same to be repaid by my said daughter Fannie to my said Execs shall not be paid for six years and interest shall be paid on this amount for only three years Eleventhly It is further to be expressly understood that in addition to the entailments already made the same provisions with reference to the property bequeathed to all my Children are hereby made Twelfthly It is also my will and desire that all my personal property which my wife does not desire to retain shall be sold by my Execs upon such terms as shall seem to them good It is also my will and desire that the tract of land known as the Littburn tract and as much of the such farm as shall be necessary to straighten the line between the Littburn lane in size about 41 or 42 acres shall be sold by my Execs and the proceeds thereof applied to the benefit and use of my heirs It is also my will that all the other personal property of which my wife shall die seized and possessed shall thereafter be by my Execs sold for the equal use of my heirs It is

Xxthly Having implicit confidence in the correctness and honesty of my son Henry and my son-in-law Calvin R Jones I do hereby nominate and appoint them Execs of this my last will and testament and I do hereby request of the County Court not to require of them any bond or security for the execution of said will I have now divided all my earthly possessions among my children If I could I would delight to give them all for an enduring heritage true and genuine religion with this in their possession they would be rich without a cent but if they be destitute of this the gods of California and the pearls of the ocean ~~can~~ can not make them wretched In testamony whereof I do hereunto set my hand and seal this the 3<sup>d</sup> day of May 1911 Calvin Hoss Seal

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

E. D. Hale

Henry Hoss

George T Hale

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1<sup>st</sup> In my original will I forgot to mention that Jas Frank & Geo Story owe me \$240 or \$250 for balance on the purchase money for about 250 acres of land on the North side of Nancy Branch and running down with the meanderings of the same to the from the land I sold Whaley to the Big Trees of the same branch and running in a somewhat northly direction on the ridge to the land cleared out by George White and from thence in different directions an easterly course towards the white Oak Flat until it strikes the land I sold Geo Whaley & is above mentioned a part of the purchase money for this tract has been paid and the rest of the purchase has been exonerated for the balance.

2<sup>d</sup> I have concluded on careful thought that in my former will my valuation of property bequeathed was too low to do justice to my daughter Hannah give and bequeath to my daughter Elizabeth Jones & her husband Calvin R Jones the mountain land <sup>on which they reside</sup> about 20 acres and <sup>and</sup> the mountain land <sup>in</sup> bought from Philip Park amounting to some 600 or 700 acres besides about eight acres of land down at the mill and a one half interest in the mill itself This bequest I value at forty three hundred dollars All this I bought from Philip Park.

3<sup>rd</sup> I give and bequeath to my son Henry Hoss 200 two hundred acres of land more or less all of which I bought from Jas & Deanim except 60 acres taken from the home farm as a compensation for a strip attached to the Lemons farm the change I make is as follows Beginning at a white oak at the Walters or McLees corner and corner to the farm on which my son Henry lives then running a line in a southern direction close alongside of his field until to Stiles my home farm then continuing in the same course along across my home farm to a sycamore on the Asher line Then running in an easterly direction to a chestnut and gum bush a short distance from the foot or western side of the Creek to the big tree beyond the meeting house then on a north line to a dogwood in a hollow near the field that I gave to my son Henry then with all the different lines belonging to the land that I bought from Jas & Deanim I also give to my son Henry One half of the mill property and seat as in the former will This bequest is to be valued at \$4000 or forty one hundred dollars out of which is to be deducted seven hundred & eighty dollars due him from myself leaving chargeable to him \$324 <sup>44</sup>/<sub>100</sub> <sup>(4th)</sup> I give to my daughter Sarah Louis the farm known as the Lemons farm bought of Geo Lemons and also the land from a big black oak corner of my home farm and the ashier farm at the fence on the line running an east course till it strikes the road and another line a corner that I had to my son Henry there a

Catrin Hop will Continued

Line something like north to a white oak on the corner of Jacob Miller's and my son Henry's farms then with all the other boundaries to said farm I also give to Sarah Lewis a piece cut off from the Deakin's farm beginning on a rock on the south side of the lane leading to Jacob Miller's barn then running somewhat a west line with an old fence & hedge on till it strikes a middle fence at a corner then running with another middle fence a southerly direction in said farm with an old fence and fence you till it strikes the fence of Jacob Miller's farm then following the old line of the land sold by Hezekiah Bayless to Daniel Deakin till it strikes the rock at the beginning corner at Miller's barn. The last tract contains 15 or 20 acres thirty nine acres and three quarters of an acre the whole amount of the three different pieces contains 13 1/2 acres this bequest is to be valued at seventeen dollars per acre making in all twenty three hundred and twenty nine dollars.

5<sup>th</sup> The Deakin's farm bottom embracing the Negro Bayless farm and a little portion of the old Kiger farm containing 106 acres below the river and acres one to half and one third of one half of the river bottom containing about 44 1/2 acres I give to my daughter Lucinda ~~the first tract of one hundred and sixty six acres to be valued at nineteen dollars per acre~~ and my prospective share of the lower at one hundred and fifty dollars making in all thirty three ~~or~~ <sup>23m 24d</sup> hundred and four dollars. Of course this bequest does not interfere with the slice detached from the Deakin's place and added to the Lemburg farm.

6<sup>th</sup> The home farm is to I bequeath to Fannie as provided in former my original will <sup>with the exception of the pieces cut off for the Lemburg farm and for which my son Henry embracing the Brack farm and with the exception of 15 or 20 acres the land I bought from Andrew</sup>

Lemburg this bequest is not intended to abrogate or damage the claims of my son Henry to one half of the mill and mill seat. My said daughter Fannie is to be charged with this bequest at the rate of two dollars <sup>66d</sup> per hundred dollars my son Henry is to receive the m  
7<sup>th</sup> The amounts due from my various heirs to my

daughter Hannah McNeil I desire to be paid one year more than indicated in the former will this codicil

Catrin Hop will Continued

is not intended to annul my original will except in the particular herein expressly indicated In testimony whereof I have hereunto set my hand and seal this 7 day of Oct 1844

Catrin Hop *(Signed)*

E. C. Hop <sup>3</sup>  
Henry Ross <sup>3</sup>  
George T. Hale <sup>3</sup>

The change in bequest on page 68 & see 3<sup>d</sup> making the charge or fee of charge to my son Henry 32<sup>1/2</sup> d<sup>s</sup> is according to my will & desire also on page 8 & see 5 making the charge to my daughter Lee ~~extra~~ at twenty eight hundred is also according to my will & desire this 21<sup>st</sup> October, 1844

Henry Ross

George T. Hale.

The foregoing will was proven in open Court at the 20<sup>th</sup> term 1844 by the oaths of Henry Ross and George T. Hale two of the subscribing Thrupts and ordered to be recorded

J. J. Grisham *(Signed)*