

the date thereof President Judge of the said Court, duly commissioned, sworn and acting.

In Witness whereof, I have hereunto set my hand, and affixed the seal of the said Court, at Pittsburgh, this 6th day of October 1920.

Wm. Conner

Register and Ex-Officio Clerk of  
Orphans' Court.

OFFICE OF THE CLERK OF THE COUNTY COURT OF

MARSHALL COUNTY, WEST VIRGINIA, OCTOBER 29, 1920.

A copy of the will of Henry Clay Huston, deceased dated the 15 day of April 1902 was this day offered for probate before the Clerk of the County Court of Marshall County, West Virginia, said copy having been duly authenticated.

And it appearing from said copy that said will was duly proved before the Register of Wills of Allegheny County, Penna. on the 27 day of February, 1903, to be a valid will of real estate in this the State of West Virginia, by the laws thereof, such copy is hereby admitted to probate as the will of said decedent of real estate in this county and state and ordered to be recorded as such.

Teste: J. Chase, Clerk.

WILL OF WM. M. KINCAID.

Cameron, Marshall County, W. Va.

SEE RECORDED BOOK  
NO. 78 PAGE 177

I, Wm. M. Kincaid of the town and District of Cameron, in the County of Marshall and State of West Virginia do make and publish this my last will and testament in manner and form as follows, that is to say -

Paragraph 1 - It is my will that my funeral shall be conducted without pomp and unnecessary expenses A plain black coffin that opens on the side-this to be laid in a metal air tight casket fited in the the vault by the undertaker and that the expense thereof, together with all my just debts be paid as soon as possible by my executors, also the bequests to W. L. Moninger and Robert Kincaid, My brother, within the time specified hereinafter from funds of my estate.

Paragraph 2 - I give, bequeath, devise and will to my wife Emma Kincaid, if she outlives me, all my property, real and personal in trust, to have, to hold and enjoy during her natural life, every part of my estate to be at the disposal of her and my executors to pay my debts - the income from my estate to be turned over to my wife for her own use, except any oil and gas income I may have, this my executors is to collect and have, to be used in paying taxes and other necessary expenses that necessarily arise from conducting a farm or personal property, such as Insurance, repairs and other matters required to keep the property in good condition until disposed of - The income to my wife is for her own use and behoof as long as she lives.

Paragraph 3 - I will to W. L. Moninger, to be paid from the proceeds of my estate by

my executors, two hundred dollars from this bequest, my executors will deduct all his notes and book accounts, interest thereon, also a note of Nellie Moninger and M. V. Moninger for wagon, after which the residue, if any, is to be paid him in cash.

Paragraph 4 - I will Robert Kincaid my brother, who lives at McMechen, Marshall County, W. Va., Three hundred dollars (\$300), cash to be paid by my executors from the funds of my estate not later than 18 months after my decease. All notes I hold against him or book accounts are to be canceled and turned over to him without charge.

Paragraph 5 - I will that my outstanding claims due my estate be collected as soon as possible after our death by my executors, and all my real estate be sold and converted into cash inside of 6 years after our decease, they to use their best judgment when and how this may be done, "Provided" "however," if my wife, Emma Kincaid, is living they must provide an income for her equal to the proceeds she had been receiving from the realty disposed of - The proceeds therefrom and all monies in their hands collected from outstanding dues, after deducting the lawful necessary expenses of my executors to convert my estate into money, that the residue, after all provisions in this will are arranged and adjusted, be divided, share and share alike, pro rata between the heirs hereinafter named, being children of my son Robert E. Kincaid and his wife Margaret Kincaid, both deceased, after adding to or deducting charges and bequests hereafter set out, relating to certain heirs - The heirs to my estate are Lutie Kincaid, Alias McCracken, Kenneth Kincaid, Russell Kincaid and Robert E. Kincaid.

Paragraph 6 - We desire and will that the heirs named in Paragraph 5 receive an equal portion in the final settlement and distribution of the estate after deducting charges made against any heir, those having claims shall be paid as directed in the will before final distribution. All book accounts we may have against any heir is hereby eliminated except charges made after the date of this will. Any money taken from the share of any heir belongs to the other heirs and is to be divided equally between them. The final distribution of the estate to be without prejudice to either heir or harm on an equal basis as described and set out in this will - My insurance in the National Union or any other I may have is to be distributed as provided in the policies or benefit certificates, the monies and distribution has nothing to do with this will except in paragraph 7 following. -

Paragraph 7 - I will that the heirs above named in Paragraph 5 when final distribution shall be made any heir not 21 years of age, if any, shall have placed to their credit in the Mercantile Trust Comp. a bank in Moundsville, Marshall County, W. Va., by my executors all monies due said heir coming into their hands, Said trust comp. shall become the guardian of said heir - The money due them from any life Insurance policy we may have at our decease, it shall be paid to said Trust Comp. "who shall receive it as the guardian of said heir, and, it shall remain in their hands until the heir becomes of age, the interest accruing on the money in hands of said trust comp. if any, to be paid to my executors semi-annually by said Trust Comp." to be used for the benefit of the heir to whom it belongs.

Paragraph 8 - Money due grandchildren to be paid by my legal representatives to their guardians. Should any heir die named herein before final distribution of the estate and leave no legal representative, to inherit their share of the estate lawfully, unless they make a will devising same, their bequest or share of the estate shall be divided between the remaining heirs living, the heirs of R. E. Kincaid and Margaret Kincaid his wife heretofore named, share and share alike.

Paragraph 9 - If one of the executors we name should die before the closing of the estate, then the remaining executors will proceed to close the estate, under the provisions of this Will the same as though all were living - The judge of the Circuit Court to be the adviser of the executors at all times as to how the will shall be interpreted and carried out, and his advice is is to be final - In case some heir may find fault with the execution of the will, then notice shall be given by the executors to each heir so all can be present, that the dispute will be laid before the Judge of the Circuit Court at Moundsville, Marshall County, West Virginia on a certain day, at a specified hour, if possible, so all can hear who desire to do so and the Judge is hereby authorized to decide the controversy and whatever way his decision is, it must be final. All sides to the controversy may have a representative.

Paragraph 10- I hereby appoint my Grandson Kenneth Kincaid, my Grandson Russell Kincaid, and my Grandson Robert E. Kincaid, my executors of this my last will and Testament, who are to serve without bond and take charge of the estate at once after my death, they are to receive out of the estate, each (\$300) three hundred dollars for their services, this amount and no more for settlement of the estate, except expense charges necessarily required in conducting the settlement of the estate -

Paragraph 11 - Robert E. Kincaid whom we make one of our executors is not of age at the writing of this will, should it become necessary for him to participate in the settlement of the estate and that of my wife Emma Kincaid before he arrives of age, 21 years old - I hereby appoint the Mercantile Bank and Trust Company of Moundsville, Marshall County, W. Va., his guardian until he becomes of age. This bank and trust Comp are to receive all money that may be due him from my estate and apply it to his necessities as my will directs, and, we solicit that they, acting as his Guardian, cooperate with the other executors and act in place of said Robert E. Kincaid in the settlement of the the estate until he becomes of age. If this course complicates settlement of the estate and it is unlawful for him to act with the other executors then we devise that he take no part in the settlement of the estate until he arrives at the age of 21 years. Kenneth Kincaid and Russell Kincaid to proceed without him in the settlement, and what they do shall be lawfully done without any recourse from any one interested in the estate. We appoint Russell Kincaid one of the above named executors Secretary-treasurer of said executors. He is to receive all monies coming

beneficiaries under the will - any two of the executors acting together can transact business. All must have notice that they will meet at a certain time to take action in certain matters Russell Kincaid who receives all money and pays it out due the estate will take receipts for same and settle with the court after the estate is closed for this work he shall receive an extra allowance of (\$100) one hundred dollars in addition to the (\$300) three hundred dollars he is to receive set out in Paragraph 10 - If the Trust Comp named as guardian for Robt. E. Kincaid refuses to act in that capacity and co-operate with the other executors as herein directed, we authorize, if necessary, that the other executors appoint some person who will perform the duties of guardian until he, Robert E. Kincaid, becomes of age.

Paragraph 12 - This being an Olagraphic will written entirely by myself, the testator, Wm. M. Kincaid, I name Wm. Nowell, President of the First National bank of Cameron W.Va., Harry Elbin, Cashier John Elbin Clerk in said bank, Walter Loper, cashier of Cameron Bank Cameron W. Va. David McConahue Post Master, Lizzie McConahue Post Mistress, Doctor Hutchinson, Ex. Sheriff, of Moundsville, Marshall County, W. Va., John E. Chase, Clerk of the County Court, J. Howard Holt, Attorney, Moundsville J.C. Simpson Attorney, Moundsville and W. M. Riggs Justice Moundsville, as men and woman acquainted with my hand writing and who can be used to prove the same as to the writing of this will if necessary to do so, All are residents of Marshall County, W. Va.

Paragraph 13 - If my executors need council for any purpose to help them carry out the tenets of this will and to advise them on points of law pertaining to the settlement of this estate, they shall procure an attorney at as reasonable cost as possible to the estate and pay him out of the funds of the estate.

Paragraph 14 - I will Robt. E. Kincaid, my gold watch given me by his father and further, I require my executors, Kenneth and Russell Kincaid to set aside (\$300) three hundred dollars from funds of my estate to be used in educating him. He is the youngest heir named in Paragraph 5 of this will. If this sum is not all used for this purpose, the remainder is to be paid to him when he arrives at age this sum is in addition to the regular share he will receive from the estate when it is finally settled.

Paragraph 15 - I charge Lutie Kincaid wife of Dr. C. M. McCracken, Dentist the sum of (\$300) three hundred dollars expense in a matter we will not mention, also with a note we paid in bank on which we were security (\$100) one hundred dollars, in all \$400 - this amount to be deducted from her share of my estate and the same divided equally share and share alike between Kenneth Kincaid, Russell Kincaid and Robert E. Kincaid heirs named in Paragraph 5.

Paragraph 16 - A new Policy in the National Union Lodge No. 1191- located in Cameron, Marshall County, W. Va. #5151 - reissued April 15, 1915 for \$3000, divided \$1000 to to Emma Kincaid my wife, and \$500 to each heir, Lutie McCracken, Kenneth Kincaid, Russell Kincaid and Robert E. Kincaid, payable at my death - this has nothing to do with my will. We have 13 shares in the Cameron Heat and Light Comp. also several Liberty bonds to be disposed of by my executors as they think best for the estate.

Paragraph 17 - I hereby devise and will to my wife Emma Kincaid, a piece of ground





In witness hereunto I affix my hand and seal, this the 24 day of April 1918.

Cameron, Marshall County, W. Va.

Wm. M. Kincaid (ss)

X

OFFICE OF THE CLERK OF THE COUNTY COURT OF

MARSHALL COUNTY, WEST VIRGINIA, NOVEMBER 4th, 1920.

In the matter of the probate of the last will and testament of Wm. M. Kincaid, deceased.

A paper writing bearing date the 4th day of April, 1918 purporting to be the last will and testament of Wm. M. Kincaid, deceased, together with another writing bearing date the 24th day of April, 1918 purporting to be a codicil to the will of Wm. M. Kincaid deceased was this day presented for probate.

It appearing that said purported will and codicil are entirely in the handwrite of the said Wm. M. Kincaid - thereupon came W. H. Loper and J. C. Simpson, witnesses of lawful age who on their oaths say that they are familiar and well acquainted with handwrite of said Wm. M. Kincaid deceased and further state under oath that said purported will and codicil are entirely in the handwrite of said testator and that his signature signed to said writings is his genuine signature, and at time of execution of said paper writings the said Wm. M. Kincaid was of sound and disposing mind. Thereupon said paper writing bearing date April 4th, 1918 and April 24th, 1918 is admitted to probate and ordered recorded as the last true will and testament together with codicil to the will of the said Wm. M. Kincaid, deceased.

Teste: J. E. Chase, Clerk.

SEE RELEASE DEED BOOK  
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WILL OF JAMES LANNON.

My last will.

Be it known that I, the undersigned James Lannon, leave at my death all I possess to my sister Mrs. Sarah McDonald who has taken care of me for many a month.

James Lannon

Witnesses: Lyle S. Morgan  
P. M. Schoenen

OFFICE OF THE CLERK OF THE COUNTY COURT OF

MARSHALL COUNTY, WEST VIRGINIA, NOVEMBER 5, 1920.

In the matter of the probate of the will of James Lannon, deceased.

A paper writing bearing date on the.....day of.....19.....purporting to be the last will and testament of James Lannon, deceased late of this county was