

State of North Carolina, }
Catawba County.

I, Jacob Fry, of the County of Catawba and State aforesaid, being of sound mind and memory, but considering the uncertainty of my earthly existence, do make and declare this my last Will and Testament, in manner and form following, that is to say:

First that my executor (herein-after named) shall provide for my body a decent burial, suitable to the wishes of my relatives and friends, and pay all funeral expenses, together with my just debts, wheresoever and to whomsoever owing, out of the moneys that may first come into his hands as a part or parcel of my estate.

I give and devise to my daughter Harriett Fry the half of the Home Tract of land, 160 acres in all, including the mill tract, and homestead. The line to commence at the creek forming the Coon Fry place and run South-west and then South-East to Kellers or Albert Hales line, so as to make her 80 acres.

I give and devise to William Fry (Born Fry Jan 1841) 140 acres of land laying on the North side of Bald Creek to have and to hold as his own as soon as he, William Fry, is twenty-one years old. My daughter Harriett Fry to have it until William Fry becomes 21 years old.

I give and devise to my daughter Harriett Fry the sewing machine, two beds and bedsteads, the one she claims now and the other is known as Philectas, and one heifer calf 2 years old now, and all her increase.

My will and desire is that my daughter Susanna have her support off of the place as long as she lives, let whoever may, get it.

I give and devise to my daughter Harriett her choice of five stand of Bee if they are living when I am dead.

And lastly, I do hereby constitute and appoint my trusty friend Carey Jones my lawful executor to all intents and purposes, to execute this my last Will and Testament, according to the true intent and meaning of the same, and every part and clause thereof, hereby revoking and declaring utterly void all other Wills and Testaments, by me heretofore made.

In witness whereof I, Jacob Fry, do hereunto set my hand and seal, this 2nd day of May, 1885. Jacob Fry.

Signed, sealed, published and declared by the said Jacob Fry 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.

J. H. Adersholdt,
J. C. Brown.

State of North Carolina, } In the Superior
Catawba County } Court.

A paper purporting to be the last Will and Testament of Jacob Fry, deceased, is exhibited before me the undersigned, Clerk of the Superior Court for said County, by Elcana Jones, the executor therein mentioned, and the due execution thereof by the said Jacob Fry proved by the oath and examination of J. C. Brown and J. H. Adersholdt the subscribing witnesses thereto, who being duly sworn, doth depose and say, and each for himself deposite and saith, that he is a subscribing witness thereto, to the paper-writing now shown him, purporting to be the last Will and Testament of Jacob Fry, that the said Jacob Fry in the presence of this deponent subscribed his name at the end of said paper-writing, which is now shown as aforesaid, and which bears date of the 22nd day of May, 1885.

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And the deponent further saith, That the said Jacob Byr, 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 said last Will as aforesaid, and at the time of the deponent's subscribing his name as an attesting witness thereto, as aforesaid, the said Jacob Byr 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.

J. C. Brown.

J. H. Aderholdt.

Solemnly sworn and subscribed,
this 17th day of September, 1896, before me.

J. H. Rockett, Clerk Superior Court.

North Carolina, } ss. In the Superior Court.
Catawba County }

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 Jacob Byr, deceased. Let the said Will, together with the probate, be recorded and filed.

This 29th day of September, 1896.

J. H. Rockett.

Clerk Superior Court.

North Carolina, }
Catawba County }

In the name of God, Amen.
I, J. Osburn Abernathy, of the County & State aforesaid, being of sound mind and memory, do make, publish and declare this to be my last Will and Testament, hereby revoking all former Will by me at any time made, and as to my worldly estate and all my property, real and personal, of which I shall die possessed or to which I shall be entitled at the time of my decease, I devise bequeath and dispose of in the following to wit. My will is that all my just debts and my burial expenses shall by my Executors hereinafter named be paid out of my estate, as soon after my decease as shall by them be found convenient.

I give, devise, and bequeath unto my beloved wife all my household and kitchen furniture during her natural life, and also one milch cow, and my buggy and 3 head of hogs and as to my real estate I will devise and bequeath unto my beloved wife my home tract of land including &c. during her natural life, and after her death the personal property to be equally divided among the lawful heirs of her body, and the real estate to be equally divided between my two sons - Oliver and Edgar and as to the remainder of my personal property if there is enough to pay my debts, without selling real estate, I will that my daughter Anna Eller, Ma Lavina, Lola Byr, Lila May, Cora Blanch, have twenty Dollars each, but if there is not personal property enough to settle the debts and real property has to be sold, then each one of the above named daughters, to have two Dollars apiece.