

I, Jacob Lutz, of the County of Catawba and State of North Carolina, being of sound mind & memory do make, publish and declare the following to be my last will and Testament in manner and form following to wit:

Item First. I desire my executors hereinafter named to pay and discharge all my just debts.

Item Second. I devise unto my wife Mary Ann the following land, including my dwelling house & other buildings, being the east part of my home plantation the line to commence near the school house and to run along the road nearly south East a direct line to Marion Sigmund's corner (Stone Corner) then with Sigmund's line East and along Peeps and Fries lines to the beginning corner near the school house to include the above boundary being about 110 acres more or less, during her natural life, and at her death to be sold by my executors and divided equally among my children per stirps -

Item Third. I will and bequeath to my wife Mary Ann, Two horses and one mule her choice, four (4) cows her choice, four (4) head of young cattle her choice, all the hogs on hand and ten (10) head of sheep her choice, all the house hold and kitchen furniture of every description, one buggy and harness, one cart, one two horse wagon and necessary gear, all the farming implements including all the plowing, one side saddle & all the other saddles on hand, also my molasses mill and fruit evaporator & sugar Organ. Also all the Wash Pots & tubs on hand, also Two hundred bushels Corn Seventy five (75) bushels of wheat on hand or out of the growing. Also one half interest in wheat drill, five hundred lbs. of bacon, all the lard on hand. Also all the roughness on hand

including all the oats on hand or growing. To have and to hold during her natural life, and at her death to be sold and divided as directed in item second of this will.

Item Fourth

It is my will and desire that all my property both personal and real estate, including notes not herein willed shall at my death be sold by my executors and the proceeds of, together with the money on hand be equally divided among all my children per stirps, after paying the bequest in item five.

Item Five

It is my will and desire that my children by my present wife shall upon arriving at twentyone years of age have one hundred Dollars each to make them equal with my other children to be paid to them in addition to the pro rata division mentioned in item second, third, and fourth.

Lastly I hereby constitute and appoint my son Sidney Lutz, and my son in law John Warlick my executors to execute this my last will and Testament, revoking all former will by me made and declaring them utterly void. In testimony whereof I have hereunto subscribed my name and affixed my seal this the 7th day of April A.D. 1885.
Signed, Sealed and Delivered
in my presence

Jacob Lutz Seal
mark

W. S. Neal
Geo. F. Webb
Geo. H. Cochran

North Carolina Superior Court
Catawba County Dec. 18th 1888.

The foregoing paper writing purporting to be the last will and testament of Jacob Lutz dec'd. is proven by the oath and examination of G. W. Cochran, M. S. Deal and D. W. Kall, the subscribing witnesses thereto (see oath herein attached) and the same is adjudged to be the last will and testament of the said Jacob Lutz. The will is enrolled and heard.

P. A. Hoyle C. S. C.

State of North Carolina In the Superior Court
Catawba County

A paper writing purporting to be the last will and testament of Jacob Lutz, deceased, is exhibited before me, the undersigned, P. A. Hoyle, Clerk of the Superior Court in and for said county, by J. C. Warlick & J. S. Lutz the executors therein named, and the due execution thereof by the said Jacob Lutz is proven by the oath and examination of G. W. Cochran, D. W. Kall, and M. S. Deal the subscribing witnesses thereto, who being duly sworn, do depose and say, and each for himself that he is a subscribing witness to the paper writing now shown him, purporting to be the last will and testament of Jacob Lutz. That the said Jacob Lutz 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 on the 7th day of April, 1888.

And the deponent further saith, that the said Jacob Lutz 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 the 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 the said testator subscribed his name to the said last will as aforesaid, and at the time of the deponent subscribing his name as an attesting witness thereto, as aforesaid, the said testator 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.

Severally sworn and subscribed, this G. W. Cochran Seal
18th day of Dec. before me, M. S. Deal Seal
P. A. Hoyle C. S. C. J. D. Kall Seal