

Will of Simpson Fisher

I Simpson Fisher, of the County of Catawba ⁱⁿ State of North Carolina, being of sound mind and memory, but considering the uncertainty of my earthly existence do make, publish, and declare this my last Will and Testament, in manner and form following, (~~And in after mentioned~~)

Item 1

That is to say; That my Executor,

(herein after mentioned) shall provide for my body a decent burial, suitable to the wishes of my relatives and friends, and pay all funeral expenses, out of the moneys that may first come into his hands, as a part or parcel of my Estate.

Item 2

I give and devise to my beloved wife the tract of land whereon I now live containing about ~~forty~~ ^{four} acres, called the old Joe Fisher place, and lying on the waters of the South fork river and adjoining the lands of Abram Cook, Abs. Weaver and others, my ^{said} wife to have the said tract of land as long as she may live, and after death, it is my will that the said land shall be equally divided between my sons William Thomas Fisher and Joseph Bickney Fisher, to have and to hold to my two sons and their heirs forever.

Lastly

I hereby constitute and appoint my trusty friend Abel Barger 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. In witness whereof I the said Simpson Fisher, do hereunto set my hand and seal, this 10th day of April A.D. 1883.

Signed, sealed, published and declared by the said Simpson Fisher,
To be his last Will and Testament in the presence of
W. M. Seagle, ^{him} Simpson Fisher ^{notary} ^{and} ^{notary}
W. L. Abernethy, ^{and} ^{notary}

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

A paper purporting to be the last Will and Testament of Simpson Fisher (decd) is exhibited before me, the undersigned Clerk of the Superior Court of said County, by Abel Barger, the executor there in mentioned, and the due execution thereof by the said Simpson Fisher, proved by the oath and examination of W. L. Abernethy & W. M. Seagle the subscribing witnesses thereto; who being duly sworn, both depose and say and each for himself depose and say, that he is a subscribing witness to the paper-writing, now shown him, purporting to be the last Will and Testament of Simpson Fisher, that the said Simpson Fisher, 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 10th day of April 1883.

And the deponent further saith, That the said Simpson Fisher 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 same 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 Simpson Fisher was of sound mind and memory, of full age to execute a Will, and was not under any restraint, to the knowledge, information and belief of this deponent. And further these deponents say not, Sworn to and Subscribed before me
this 9th day of April 1900.
W. M. Seagle
W. L. Abernethy
L. H. Philips C.S.C.

North Carolina } ss In the Superior Court.
Catawba County

It is there fore considered and adjudged by the Court that the said paper-writing, and every part thereof is the last Will and Testament of Simpson Fisher (decd). Let the said Will together with the Probate be recorded and filed, This 9th day of April 1900.
L. H. Philips C.S.C.