

I, Edward M. Gerry of the County of Gaston and State of North Carolina 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 as follows.

- First I give my Sister Susan Gerry Thirty five Acres of Land to be taken from the South West end of my Plantation including the House that Eliza Biggar now lives in, to have and hold her Natural life.
- Second I give my beloved Wife Nancy J. Gerry all of my personal property to have and to hold and dispose of as she may see fit.
- Third I give and devise to my wife Nancy J. Berry all the remainder of of my Lands to have and to hold during her Natural life except so much thereof as may be necessary to pay all my just debts. Which said part thereof I Will and allow my said Wife Nancy J. Berry to sell at either Public or private Sale as she may see fit and make a good and sufficient title in fee simple thereof.
- Fourth I Will and allow that should my Sister Susan die before my wife the said part of my Land Willed to her shall go to my Wife during her Natural life, and should

know that should my sister Susan go before
my wife the said part of my land Willed to her shall
go to my wife during her natural life. And should
my wife die before my sister Susan then I will and
allow that all my then remaining land shall be
equally divided between my sister Susan Berry and
Sarah. S. Norton to have and to hold during their
natural life. Provided the said Sarah Norton be a single
woman at said time.

Fifth

After the death of the above named parties I will and
allow that all of my then remaining lands to be divided
between my next of kin as the law directs.
Sixth I do hereby constitute and appoint my my beloved wife
Nancy J. Berry my lawful executrix to execute this
my last will and testament according to the true
meaning and intent thereof.

In Witness Whereof I the said Edward M. Berry
do hereunto set my hand and Seal. This the 28th day
of November 1880.
Signed in presence of
A. J. Martin
J. H. Gullick

Edwin M. Berry Seal

State of North Carolina } In the Probate Court
 Gaston County } August 8th 1881.

A paper writing purporting to be the last Will and Testament of Edwin Mc Jerry deceased, is exhibited before me. The undersigned Judge of Probate for said County, by Nancy J. Jerry the executrix therein mentioned. And the due execution thereof by the said Edwin Mc Jerry, was proved by the Oath and examination of A. J. Martin and J. S. Sullick the subscribing witnesses thereto, who being duly sworn, doth depose and say. And each for himself depose and saith. That he is a subscribing witness to the paper writing now shown him purporting to be the Last Will and Testament of Edwin Mc Jerry. That the said Edwin Mc Jerry 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 28th day of November 1880.

And the deponent furth saith. That the said Edwin Mc Jerry the testator aforesaid. did at the time of subscribing his name as aforesaid. declare the said paper writing to be his last Will and Testament 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 the said testator. And this

as aforesaid. declare the said paper writing to be his Last Will and Testament 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 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's subscribing his name as an attesting Witness thereto as aforesaid. The said Testator, Edwin Mc Jerry 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.

It is therefore Considered by the Court. that the said paper writing and every part thereof is the last Will and Testament of the said Edwin Mc Jerry. And the same is ordered to be recorded and filed.

And thereupon the said Henry J. Gerry executor as aforesaid duly qualifies as such. by taking and subscribing to oath required by law.

J. G. White Probate Judge

Gaston County:- In the Probate Court
 In the Matter of the Will } Before John J. White.
 of Edwin Mc Jerry }
 Nancy J. Berry being duly sworn, doth say that
 Edwin Mc Jerry, late of said County, is dead, having first
 made and published his last Will and Testament: And that
 Nancy J. Berry is the executrix named therein.

Further, that the property of the said Edwin Mc Jerry consisting
 of Household property, crops, Stock of Horses, cattle &c
 and one tract of 241 acres of Land, is worth about \$1500.
 so far as can be ascertained at the date of this Application. And
 that Susan Berry, Nancy J. Berry and Sarah S. Wortman are
 the parties entitled under said will to said property.

sworn to and subscribed before me.

Nancy J. Berry

this 8th day of August 1881.

J. J. White. Probate Judge.