

North Carolina } In the Superior Court
Gaston County

A paper purporting to be the last Will and testament of Jacob H. Phym deceased, is exhibited before me the undersigned Clerk of the Superior Court for said County by Thomas L. Phym and J. Franklin Phym the Executors therein mentioned and the due Execution thereof by the said Jacob H. Phym is proved by the oath and Examination of M. A. Rutledge and John M. Rhodes the subscribing witnesses thereto who being duly sworn doth depose and say and each for himself depose and swear that he is a subscribing witness to the paper writing now shown him, purporting to be the last Will and testament of Jacob H. Phym, that the said Jacob H. Phym, on the, Verence of the deponent, subscribed his name at the end of said paper writing now shown as aforesaid and which bears date of the 31st day of December 1887. And the deponent further swears that the said Jacob H. Phym the testator of said

and which bears date of the 31st day of December
1887. And the deponent further swears that
the said Jacob K. Rhyme the testator aforesaid
did, at the time of subscribing his name as
aforesaid, declare the said paper writing as
subscribed by him and exhibited to be his
last Will and testament and this deponent
did then upon subscribe his name at the end
of said Will as an attesting witness thereto, at
the request and in the presence of the said
testator. And this deponent further swears that
at the said time when the said testator subscribed
his name to the said last Will as aforesaid
and at the time of deponent's subscribing his
name as an attesting witness thereto, as
aforesaid, the said Jacob K. Rhyme was of sound
mind and memory, of full age to execute
a Will, and was not under any restraint to
to the knowledge, information or belief of this
deponent. And further these deponents say not.
Solemnly sworn and
subscribed this 6th day of
August 1894. before me

M. A. Bartley and
J. M. Rhodes and

E. L. Wilson Clerk notary

418

State of North Carolina / I, Jacob H. Rhyme of
Gaston County / the County 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 executors shall provide for our
(myself and beloved wife) bodies a decent burial
suitable to the wishes of our relatives and friends
and pay all funeral expenses together with my
just debts out of the moneys that may first
come into their hands as a part or parcel
of my estate.

Second. I give and devise to my youngest
son Thos. Rhyme my tract of land known as the
"home place" containing 112 acres more or less.
Provided always that myself and beloved wife
Barbara shall have our support from the proceeds
of said land during our natural lives and
reserve the right to remain and live the remainder
of our days on the home stead also that said Thos.
Rhyme shall pay to Jacob Rhyme the

of our days on the home stead also that said Thos L. Rhyme shall pay to J. Franklin Rhyme the sum of twenty five dollars (\$25)

Third. I will and devise that all my personal property whatever (except the house hold and kitchen furniture and one milk cow) remain on the place for twelve months after my death, and then ten dollars (\$10) worth of said property be awarded each of my two sons, viz. Ambrose P. H. Rhyme and J. Franklin Rhyme, and the remainder to be sold by my executors, and equally divided between all my children.

Fourth. I will and devise that all the house hold and kitchen furniture and milk cow remain as it now is so long as either myself or beloved wife shall live, and after both our deaths to be equally divided between all my children.

Fifth. I will that my beloved wife Barbara shall always have full control of all the house hold and kitchen furniture which was given her by her parents and that she have

the right to dispose of it as she may think best.

Sixth. It is my desire that L. M. Hoffman and J. M. Rhodes act as commissioners on the division of my personal property.

Seventh. I hereby appoint my two sons viz. Thomas L. and J. Franklin Rhyme my lawful Executors to execute this my last Will and testament. December 31st A.D. 1887.
In the presence of } Jacob H. Rhyme.
M. A. Rutledge }
John M. Rhodes.

State of North Carolina } In the Superior Court.
Gaston County }
In the matter of the last }
Will of Jacob H. Rhyme } It appearing to
the Court by the
oath and Examination of M. A. Rutledge
and John M. Rhodes the subscribing witnesses
there to that the paper writing propounded
by the Executors therein named is the last
Will and testament of Jacob H. Rhyme and

State of North Carolina } In the Superior Court.
Gaston County
In the matter of the last }
Will of Jacob H. Phyne

It appearing to
the Court by the
oath and Examination of M.A. Rutledge
and John M. Rhodes the subscribing witnesses
there to that the paper writing propounded
by the Executors therein named is the last
Will and testament of Jacob H. Phyne and
that the same was duly executed by said
Jacob H. Phyne in the presence of said witnesses
and that at the time of signing the same
the said Jacob H. Phyne was of sound mind.
It is thereupon adjudged that the said paper
writing be admitted to probate as the last
will and testament of the said Jacob H.
Phyne and the Executors therein named
qualify as such.
This the 6th day of August 1894.

E. L. Wilson Clerk
Superior Court