

Philemon N. Gray's Will.

In the matter of the will of } Probate Court,
Philemon N. Gray deceased } Franklin County, Ohio.
October 6th A.D. 1902.

Two days my instrument of writing, purporting to be the Last Will and Testament of Philemon N. Gray, late of Montgomery Township, in this County deceased, who died in said Court for Probate. It is now ordered that the said Will be filed in this Court and that due notice thereof and of the application to admit the same to Probate and Record be given to the widow and next of kin of the testator, resident of the State of Ohio, I do hereby certify that said application will be on hearing before this Court, on the 2d day of October, A.D. 1902 at 2 o'clock P.M. said notice to be in writing and to be served on said parties personally, or by leaving copies thereof at their usual place of residence.

John B. Sullivan Probate Judge.

And afterwards, to wit: on the 2nd day of October A.D. 1902 the finding and order of this Court relative to the Last Will and Testament of Philemon N. Gray, deceased, were entered, on the proper grounds and papers following, to wit: In the matter of the Will of } October 2nd A.D. 1902.
Philemon N. Gray deceased }

Be it Remembered, That hereafter to wit: on the sixth day of October A.D. 1902, an instrument of writing purporting to be the Last Will and Testament of Philemon N. Gray late of Montgomery Township in this County, deceased, was produced in said Court for Probate and was then filed. And it now being shown to the satisfaction of the Court, that due notice of the filing of said Will and of the application to admit the same to Probate and Record in this Court, has been given to the widow and next of kin of the testator, pursuant to a former order of this Court: whereupon on this day came to the Court and Bench Wiegand, the subscribing witness to said Will, who being duly qualified, testified to the due execution and attestation of said Will, which testimony was reduced to writing, by them respectively sworn to, and filed with said Will. Whereupon the Court finds that the aforesaid instrument of writing is the Last Will and Testament of said Philemon N. Gray deceased; that the same was duly executed and attested; that the said testator, at the time of signing the same was of lawful age, of sound and disposing mind and memory, and under no undue or unlawful restraint

whichever. It is therefore by the Court ordered, that the said Will be admitted to Probate, and that the same, together with the testimony of the witnesses above named, be entered of record in this Court.
John B. Sullivan Probate Judge.

I, Philemon N. Gray, of Columbus, Ohio, do make and publish this my last Will and Testament.

First, It is my will that all my just debts be paid by my executors out of my estate.

Item 1st. I give and devise to my beloved wife Anna M. Gray, in lieu of her dower in my estate, absolutely and to her heirs, all my interest and title to and in the house and lot where she now lives, being lot number fourteen (14) of Federalville's and Fullenbrook's subdivision, in the City of Columbus, Ohio, as per plat of said subdivision in Book No. 2, page 30, Recorder's office, Franklin County, Ohio; and the sum of seven thousand dollars in money to be paid her by my executors out of my estate so hereinafter provided. I give likewise of this sum I give and devise to my wife that she may have the amount to use for the support and education of our minor children, Bill M. and Helen. And all the household goods, furniture, pictures, crops and chattels, which may be in our home at the time of my decease, I give and bequeath to my wife absolutely.

Item 2nd. I devise and bequeath that the net, residue and remainder of my estate both real and personal after paying my debts and the sum of seven thousand dollars to my wife as provided in the foregoing item of this my will, shall be equally divided by my executors as hereinafter provided, among my children and their heirs, the children of any that may be dead to have the share of their deceased parents; but my son Percy N. Gray has received herebefore, as an advancement out of my estate the sum of three hundred dollars, which amount my executors shall charge, and the same shall stand as a part of his share or portion of my estate, and my son Robert C. Gray has received herebefore, as an advancement out of my estate the sum of five hundred dollars which amount my executors shall charge, and the same shall stand as a part of his share or portion of my estate, and my son Phil M. Gray has received herebefore, as an advancement the sum of two thousand dollars, which amount my executors shall charge and the same shall stand as a part of his share or portion of my estate, and my son James M. Gray

has received the sum of Five hundred dollars heretofore, as an advancement out of my estate, which amount my executors shall charge and the same shall stand, as a part of his share or portion of my estate; and my son Frank Gray has received heretofore, as an advancement out of my estate the sum of Twelve hundred dollars, which amount my executors shall charge and the same shall stand as a part of his share or portion of my estate, and my son Spittleton H. Gray has received heretofore, as an advancement out of my estate the sum of Five hundred dollars, which amount my executors shall charge, and the same shall stand, as a part of his share or portion of my estate. And it is my will and I do devise that, if for any reason my executors should fail or refuse to sell my real or personal estate as herein before provided, then the rest and residue of my estate after paying the bequest to my wife as provided in item one of this my will shall be divided among my children as provided in this ~~the~~ second item of my will.

Item 3rd. I devise and direct that, my executor or the survivors of them, shall, within five years after my decease, sell at either public or private sale all my personal property not heretofore devised to my wife, and all my real estate, not specifically devised to my wife herein, in this State or North Carolina, for cash or on time payment as they may deem best for the best interests in my estate, and to execute deeds to the purchasers thereof, and to take and cancel mortgages or deeds of mortgage thereon.

And to collect all debts or claims due me and sign receipts therefor, and out of the proceeds arising from the sale of my property, as aforesaid and receive from the collection of debts and claims due me and from any money I have at my death, my executors shall pay my debts and the bequest to my wife of seven thousand dollars as provided in item one of this my will, and divide the rest and residue among my children as provided in item two of this my will. If my executors deem it best not to sell my real estate at once, they shall rent the same until they do sell it, collect the rents, manage and control the same, and pay one half of the rents and income which are due to my wife, for her and my minor children's

support, after deducting expenses, and the other half after deducting expenses, shall be held by my executors and paid in as a part of my estate, and distributed as heretofore provided.

I do hereby nominate and appoint Silmon J. Dick and A. H. Johnson executors of this my last will and testament, hereby authorizing and empowering them to compromise, adjust, release and discharge, in such manner as they may deem proper, the debts and claims due me.

I do hereby revoke all former wills by me made. In testimony hereof I have hereunto set my hand this 9th day of April in the year 1902.

Silmon J. Gray
Signed and acknowledged by said Silmon J. Gray, as his last Will and testament, in our presence; and signed by us in his presence.
J. F. Brady
Lark J. Wiegand

TESTIMONY.

The undersigned witnesses, after being duly sworn to speak the truth, the whole truth, and nothing but the truth, in relation to the execution of said will, testified thereto in open Court, which testimony was reduced to writing, and by them respectively subscribed, and in words and figures following, to-wit:

The State of Ohio } ss. Probate Court.
Franklin County.

We J. F. Brady and Lark J. Wiegand being duly sworn in open Court, this 20 day of October A.D. 1902 depose and say that we, were present at the execution of the last Will & Testament of Silmon J. Gray deceased heretofore annexed. That we saw Silmon J. Gray said testator subscribe said Will, and heard him publish and declare the same to be his last Will & Testament; and that the said Silmon J. Gray at the time of executing the same was of full age, and of sound mind and memory, and not under any restraint, and that we signed the same as his witnesses at his request, and his presence.

J. F. Brady
Lark J. Wiegand
Signed to and subscribed in open Court, on the day and year first above written.

J. F. Brady } ss. Probate Court,
Franklin County }
J. F. Brady, Judge of the Probate Court within and for the County of Franklin and State of Ohio do hereby

Certify that the foregoing is a full and correct copy of the Last Will & Testament of Silas J. Gray deceased and the Probate thereof as the same appears of record and on file in said Court.

In Testimony Whereof, I have hereunto set my hand and the seal of said Court, at Columbus, this 29 day of October A.D. 1912.

J. B. Galloway
Judge of the Probate Court, Franklin County Ohio.

The State of Ohio } Probate Court.
Franklin County, ss

I, J. B. Galloway, Judge and ex-officio Clerk of the Probate Court, within and for the County of Franklin and State of Ohio, do hereby certify that J. B. Galloway, whose signature appears to the foregoing Certificate is now, and was at the time of signing the same, a Judge of the Probate Court within and for Franklin County, Ohio, duly commissioned and sworn; that I am well acquainted with his signature, and know the above to be his and that the above Certificate by him made for in due form is law to authenticate the records, files, and proceedings of said Court, and that he is the keeper of the records and seal of said Court.

In Testimony Whereof, I have hereunto set my hand and the seal of said Court, at Columbus, this 29 day of Oct. A.D. 1912

J. B. Galloway
Judge and ex-officio Clerk of the Probate Court of Franklin County, O.

State of North Carolina } In Testimony Whereof
Washington County ss

The foregoing Certificate of J. B. Galloway, Judge and ex-officio Clerk of the Probate Court of Franklin County, Columbus, Ohio with his official Seal attached is adjudged to be correct and sufficient, and I, W. M. Bateman, Clerk Superior Court do hereby adjudge that the foregoing Certificate is a true copy of the Last Will & Testament of Silas J. Gray and has such have read the same. Witness my hand this 13th day of Dec. 1912.

W. M. Bateman S.S.C

Symonds N.C. Nov. 1st 1901.

North Carolina Washington County

This is my last and only request, that at my death my wife Sarah E. Lewis shall have full control of every thing belonging to me and dispose of it as she sees fit and should there be any money deposited in bank or any where else, she shall have full power and authority to draw same and dispose of as she may see fit.

J. Lewis

This 1st day of Nov 1901.

The due execution of the foregoing instrument by J. Lewis was duly proven by the oath and examination of P. H. Cheson, D. C. Brindley & W. H. Ward M.D according to law and the same admitted to probate as the last Will & Testament of J. Lewis now deceased. This 1st day of June 1913.

W. H. Bateman S.S.C

North Carolina, Washington County

P. H. Cheson, of the County of Washington and State of North Carolina being of sound mind and considering the uncertainty of my earthly existence, do make and declare this my last Will and Testament.

First: I give to my son Thomas L. Cheson and my son W. H. Cheson the tract of land adjoining the lands of Nathan Spencer and others known as a part of Henry Hand land which my son Thomas L. Cheson now holds a deed for, having given one horse to each of my sons Thomas L. and W. H. Cheson.

Second: I give to my son Samuel L. Cheson the tract of land where he now lives containing forty four acres known as a part of DeSpain tract, said land he now holds a deed for, having given to him one horse.

Third: I give to my daughter Lenora, at my and her mother's death, the place where I now live known as the DeSpain tract containing forty four acres, I also give to my daughter Lenora all of my stock of different kinds that may be left at my and my wife's death.

also all of my household and kitchen furniture and all farming utensils of every kind and all chattel property of every kind that may be left at our death on the place where I now live.

(Fourth): I give to my deceased daughter Susan, my children one dozen each, having given to her during her life time one horse with other chattel property.

(Fifth): I give to my son Walter W. Cheson one dozen.

Sixth: I hereby constitute and appoint my son Samuel L. Cheson my lawful executor to all intents and purposes to execute