

A copy of Frederick Leary's Will.

In the name of God, Amen. I Frederick Leary of the County of Washington & State of North Carolina, on the Evebreak day of February Eighteen hundred & forty, now being of sound mind and disposing memory, do make publick and certain this to be my last will & Testament in manner and form following, that is to say.

Item 1st. I loan to my daughter Pesse Powers her natural life ten Acres of Land, the South East corner of my land adjoining the lands of Enock Leary, said, so long as she may think proper to remain on and occupy said land, also one bed one Cow & Calf, and equal portion of Bed clothing, none of the above named articles to be removed off of my land, not to be construed as to prevent her from carrying the above named articles to the price of Land I have loaned her, also the joint and equal use of my wheels and Room, that she shall also have the privilege & equal use of my Dwelling House free from molestation or disturbance during her natural life provided she does not marry. In case she shall marry she forfeits her right and interest forever in the use and occupation of my Dwelling House also the privilege & use of a sufficient portion of my cleared land at the end of my plantation adjoining the land I have loaned her for a garden & Plant Patch.

Item 2^d. I loan to my son Joshua Y. Leary all the residue of my Land except what I have disposed of in Item 1st during his natural life, one Bed, one Cow & Calf, an equal portion of Bed clothing with my Daughter Pesse, also all my tools of every description also my Horse and all my Guns.

Item 3^d. I loan to my Daughter Pesse Powers and Joshua Y. Leary jointly and equally all the residue of my household & Kitchen furniture, all the residue of my stock of every description, the joint & equal benefit to each all of which are to remain on my plantation & land and nothing to be removed off of my land, and that the said Pesse Powers and Joshua Leary, shall not rent out or sell any persons on said Land.

Item 4th. It is further my will & desire that my Executors at this own will and discretion shall sell that portion of my property which they may think proper to pay my debts and have me decently buried.

Item 5th. It is my will and desire at the death of my daughter and son that the heirs lawfully begotten of this body shall and hold forever all my estate both real & personal property of every description.

I do hereby constitute and appoint John B. Cheson and my son Joshua Y. Leary my lawful Executors with full power and authority to this my last will & Testament.

In witness whereof I have hereunto set my hand and seal the day and date above written,

Frederick Leary, *Test*

Signed and sealed in the presence of us.

Test. A. L. Cheson

W. H. Swanner

State of North Carolina, } May Term, 1857.
Washington County, } This is the foregoing will proved in open Court by the oaths of Andrew L. Cheson & W. H. Swanner the subscribing witnesses thereto. Ordered that it be registered.
Attest. F. F. Fagan, Clerk.

State of North Carolina }
Washington County }
J. H. F. Sanderson Clerk of the Court of Pleas & Quarter Sessions of Washington County & State at Large, do hereby certify that the foregoing is a true copy of Frederick Leary's will from the Record of Wills of said Court.

Given under my hand this 27th day of January, 1866,
W. F. Sanderson,

Clerk,