

of Christopher Ness to my son S. C. Eary ^{& Crusty?} and if I sell or dispose of my land
he is to get four hundred dollars of the proceeds of the sale
I will my daughter Hannah Evaline Rains seventy five dollars.
I will to my daughter Samantha Jones one hundred and fifty dollars
I will to my daughter Elizabeth Anna Cole one hundred and fifty dollars
I will to the children of my daughter Martha Ramsey five dollars each
J. Alexander Eary and Sarah Jane Ramsey I have provided for heretofore by
deeds to land I hereby appoint J. A. Eary and H. H. Harrah my Executors
to do whatever is necessary to execute this will; also with power to sell
and convey my mineral right, but not for less than ten dollars per acre
neither in making such sale shall any right to use the surface or any
thing on the surface be conveyed I will that if my mineral right be
sold, one thousand dollars of the proceeds shall be placed in bank to
be divided between my two youngest children when they arrive at twenty
one years of age the remainder to be divided as follows: my daughter
Samantha one hundred and fifty dollars; My daughter Elizabeth one hun-
dred dollars my son S. C. Eary one hundred dollars
In witness whereof I have hereunto set my hand and seal the 2nd day

of September 1892

Samuel Eary *Test*

We James A. Walkeup and S. C. Eary of Fayette Co. N. Y. hereby certify that Samuel Eary in our presence published and declared the above to be his last will and testament and that we, in his presence and at his request, and in the presence of each other have signed the same as witnesses this 26th day of September 1892

S. C. Eary

J. A. Walkeup

This is a codicil to my will dated the 26 day of September 1892

Whereas in said will I gave my son George Thomas a certain piece or parcel of land, describing its boundaries.

I will that so much of of said piece of land as lies on the West side of the creek and bounded as follows; to wit; Beginning at a white oak and sourwood on bank of creek thence a straight line nearly West to an apple tree at a corner of lot around the house in which George Thomas Eary now lives, thence a straight line along the top of ridge to my out side line on the top of the mountain; thence with the top of the mountain to R. Eary's line, and with same to

the creek and with the creek to the beginning shall be for any son or daughter in fee simple.

I will that my son Joseph Franklin shall have the use of a piece of land given to him in said Will, where he shall marry or shall be twenty one years of age; but it is my will that he shall not have power to dispose of the same until he shall be thirty years of age.

I will that my wife Matilda and my son George Thomas have the custody of the lands herein given to W^m Kessler and Joseph Franklin during their minority, and attend to the payment of the taxes on the same, which they may do by renting or working said land.

I will that my daughter Rosa Frances one hundred dollars instead of three hundred.

I will to Nannah Evaline Raine fifty dollars instead of seventy five.

I will to my daughter Samantha one hundred dollars instead of one hundred and fifty.

I will to my daughter Elizabeth Anna fifty dollars instead of one hundred and fifty. I will that if the money arising from the sale of my mineral right, two hundred dollars shall be paid to each of my children who get the land by deed or by my will or this codicil.

I will that my wife Matilda Jane have a comfortable support on a C