

Massachusetts, hereby make, publish and declare this my Last Will and Testament, hereby revoking all testamentary papers heretofore executed by me.

First: I direct my executor to pay all my just debts and funeral expenses as soon after my decease as conveniently may be.

Second: I give and devise to my beloved husband absolutely, in fee simple, the house on Cambridge Street in said Newton, where we now reside.

Third: All the rest, residue and remainder of my estate of whatsoever kind and nature and wheresoever situate, I give, devise and bequeath to my said husband for life, and upon his death, to my sisters Caroline E. Collins, Susan R. Pope and Mary O. Collins, to be divided among them equally, share and share alike.

Fourth: I hereby nominate and appoint my said husband, Thomas C. Barker, executor of this my Last Will, and direct that no security be given by or required from him for the faithful performance of his trust.

In Witness Whereof, I have hereunto set my hand and seal this 14th day of July, one thousand eight hundred and ninety-nine.

Frances E. Barker (real)

Signed, sealed, published and declared by Frances E. Barker, the above testatrix as and for her Last Will and Testament in the presence of us, who, at her request, in her presence and in the presence of each other, have hereunto subscribed our names as attesting witnesses this 14th day of July, one thousand eight hundred and ninety-nine.

Oliver W. Shaw.

Sarah R. Shaw.

Bertrude Hearn.

Commonwealth of Massachusetts.

Middlesex, ss.

Probate Court.

To Arthur W. Wright Esquire, Notary Public of Austin in the State of Minnesota or any Commissioner appointed by the Governor of said

Commonwealth of Massachusetts Justice of the Peace, Notary Public or other officer, legally empowered to take Depositions or Affidavits in the State of Minnesota Greeting:

Whereas, Thomas C. Barker of Newton in the County of Middlesex has presented to said Court for probate an instrument hereto annexed, purporting to be the last will and testament of Frances E. Barker late of Newton in the County of Middlesex deceased, and has requested that the deposition of Oliver W. Shaw of Austin in said State of Minnesota witness thereto, may be taken: Now, therefore, you are by these presents authorized and empowered to take the deposition of the said Oliver W. Shaw and to this end to cause the said deponent to come before you, and the deponent after having been sworn to testify the truth, the

whole truth, and nothing but the truth, relating to the cause for which the deposition is taken, to be examined, and his testimony taken in writing. And you are to take such deposition separate and apart from all other persons, and to permit no person to be present during such examination except the deponent and yourself. And you are to put the several interrogatories annexed to the deponent in their order, and to take the answer of the deponent to each fully and clearly before proceeding to the next, and not to read to the deponent nor permit the deponent to read, a succeeding interrogatory until the answer to the preceding has been fully taken down. And when you shall have completed the examination aforesaid, the same so taken and subscribed is to be returned, together with this Commission and your doings hereon, enclosed, sealed, and directed to the Register of said Court at East Cambridge, in said County of Middlesex. Given under the seal of said Court.

Witness, Charles B. McEntire, First Judge of said Court, at Cambridge, this twentieth day of October in the year of our Lord one thousand nine hundred and three.

L. H. F. Slom.

Register.

1st. Examine the instrument hereto annexed, and state whether or not you signed your name thereto as a witness.

Answer. I have examined the attached instrument, I signed it as a witness.

2d. State whether or not Frances E. Barker therein described as the testatrix signed her name to said instrument as and for her last will and testament, in your presence, and where the same was so signed.

Answer. Yes, she did, at Newton Massachusetts.

3d. State whether or not you thereafter signed your name as a witness thereto in the presence of said testatrix and at her request.

Answer. I did.

4th. State whether or not either of the other witnesses therein signed his or her name as a witness in presence of said testatrix after she had signed, and at her request, and give the name of each witness who so signed.

Answer. Sarah R. Shaw and Bertrude Hearn, each signed her name as a witness in the presence of testatrix, after she had signed, and at her request.

5th. State whether in your opinion said testatrix at the time of signing said instrument, was of sound or unsound mind and whether she was of the full age of twenty one years.

Answer. In my opinion the testatrix was of sound mind and of full age twenty one years.

Oliver W. Shaw.