

after named as soon as conveniently may be after my decease.

Second: Being engaged with my two brother^s, Lawrence and John, in various operations in real estate, and building houses &c., and being tenant in common with them of various lots, lands and tenements and having an equal undivided one third interest in certain mortgages, judgments, notes and other evidences of indebtedness connected with said operations, I hereby give and devise and bequeath unto my said bothers Lawrence and John and the survivor of them all my equal undivided one third interest and estate in all real estate held by us as tenants in common in the City and County of Philadelphia or elsewhere and in all mortgages, judgments, notes and other evidences of indebtedness of any person or persons to us the said Lawrence, James and John O'Brien, or to O'Brien Brothers,

IN TRUST NEVER THE LESS that they the said Lawrence O'Brien and John O'Brien shall hold my said equal undivided one-third thereof to ^{the} use and benefit of my separate estate to let and demise the same, to do all necessary repairs to my real estate, collect all such mortgages, judgments, notes or other evidences of indebtedness, and giving and granting to the said Lawrence and John O'Brien, my said Trustees, and the survivor of them, full power and authority to sell and dispose of mys said interest in said real estate in conjunction with their several interest, either at public or private sale, for the best price or prices that can reasonably be obtained for the same, or to mortgage my said interest, with their own, in their sole discretion, and on any such sale ^{or sale} to make execute and deliver to the purchaser or purchasers thereof good and sufficient deed or deeds, conveyances and assurances in the law therefor, free and clear and discharged from all trust and remainder and without any liability on the part of such purchaser or purchasers to see to the disposition of the purchase or mortgage moneys, and to hold my said share and interest in such proceeds to the use of my estate, and pay over the same to my Executors hereinafter named, whose receipt on such payment, shall be a good and sufficient discharge to my said Trustees therefor.

THIRD: All the rest, residue and remainder of my estate and all proceeds of sales or mortgages by my said Trustees, I give, devise and bequeath to my dear wife Frances G. O'Brien to her heirs and assigns forever.

LASTLY: I hereby nominate and appoint my said wife, Frances G. O'Brien and my said brothers Lawrence and John O'Brien the executors of this my Will and my said wife, Frances G. O'Brien the Guardian of my minor child or children.

IN WITNESS WHEREOF, I the said James O'Brien have hereunto set my hand and seal this Twenty-ninth day of August in the year of our Lord one thousand nine hundred and two. (1902) James O'Brien. (seal)

Signed, Sealed, Published and Declared By the above named Testator, James O'Brien, as and for his last will and testament in our presence, who at his request and in his presence and in the presence of each other have subscribed our names as witnesses.

Frank A. Sharpe.

5628 Nelson St. Gtn.

Geo. Mecke.

City and County of Philadelphia, ⁵⁵²¹ Morton St. Gtn.

Register's Office Nov. 14, 1910

Then personally appeared Geo. Mecke one of the subscribing witnesses to the foregoing last will dated August 29th, 1902 of James O'Brien, deceased, and on his solemn oath did say that he was present and did see and hear James O'Brien, deceased, the testator therein named, sign, seal, publish and declare the same as and for his last will and testament and that at the doing there he was of sound and disposing mind, memory and understanding, to the best of his knowledge and belief.

Sworn and subscribed before

me, the date above.

Geo. Mecke.

H. C. Broomall

Deputy Register

City and County of Philadelphia, ss.

Register's Office Nov. 14, 1910

Then personally appeared Agnes E. Schmidt who being duly sworn according to law, say that she was well acquainted with Frank A. Sharpe one of the subscribing witnesses to the foregoing last will dated August 29, 1902 of James O'Brien, deceased, and is familiar with his signature having frequently seen him write his name as well as other matters; that she has carefully examined the foregoing signature Frank A Sharpe to said will and verily believe it to be in his own proper handwriting the said Frank A. Sharpe is now deceased.

Sworn and subscribed before me, the above date.

Agnes E. Schmidt.

H. C. Broomall, Deputy Register

City and County of Philadelphia, ss

Register's Office Nov. 14, 1910.

We do swear that as the executors of the foregoing last will and Testament, of James O'Brien, deceased, we will well and truly administer the goods and chattels, rights and credits of said deceased, according to law, and that we will diligently and faithfully regard and well and truly comply with the provisions of the law relating to collateral Inheritances.

That the said testator died on the 7th day of Nov. A. D. 1910 at 12.45 o'clock

A. M.

Sworn and subscribed before me, the date above and letters testamentary granted unto them

) Frances G. O'Brien

) 911 Woodland Ave.,

H. C. Broomall

) John O'Brien

) 912 Woodland Ave.,

Deputy Register

State of Pennsylvania,

City and County of Philadelphia.

Be it Remembered that on the Fourteenth day of November A. D. 1910 before me, David Martin, Register of Wills for the City and County aforesaid, after due proof and hearing had, according to the Laws of the said State, It is Ordered and Decreed that the last Will and Testament (dated August 29th, 1902) of James O'Brien late of said City and County deceased, be duly admitted to probate and filed of record in the office of the Register of Wills of the said City and County.

In Testimony Whereof I have hereunto set my hand, the day and year above written.

David Martin, Register.

City and County of Philadelphia, ss.

Register's Office October 31st 1913

Then again personally appeared Geo. Mecke one of the subscribng witnesses to the foregoing last will dated Aug. 29th 1902 of James O'Brien, deceased, and on his solemn oath did say that he was present together with Frank H. Sharpe the other subscribing witness and did see and hear James O'Brien, deceased, the Testator therein named sign, seal, publish and declare the same as and for his last will and that ^{and Testament} at the doing thereof testator was of sound disposing mind, memory and understanding, to the best of deponent's knowledge and belief. And further, that the said Testator so signed the same in deponent's presence and in the presence of Frank H. Sharpe the other subg witness and at the request of