

In the name of God. Amen. I, John H. Nelson, of the County of Carteret and State of North Carolina, of sound mind and disposing memory, but considering the uncertainty of my earthly existence, do make and declare my last will and testament, in manner and form following - that is to say:

First: I give to my beloved wife, Hettie Nelson, an estate, for and during her natural life, in the tract of land known as my plantation, lying on the South side of Neuse River, and between Adams Creek and South River in the County of Craven, with all the farming implements attached to the same, and all such live stock and machinery as may be necessary to enable her to conduct the farming operations thereon with facility; also an estate for and during her natural life in my house and lot of ground in the City of New Bern, if Archibald Simpson fails to purchase the same as hereinafter provided; also an estate for and during her natural life in that part of lot of ground number 30, Old Town in Beaufort, and that part of water lot number 235, Old Town, in Beaufort, with all improvements on both, which I purchased of Thomas Duncan by deed dated June 21, 1875; also an estate, for and during her natural life, in my house hold and kitchen furniture, bedsteads, beds and furniture, books, pictures and other ornamental articles, and my live stock, with the privilege of selling or killing such of said stock, whether of the increase, or not, as she may deem necessary for the convenience, comfort and welfare of her children which she now has, and may hereafter have, by me.

Second: I give, devise and bequeath, to my said wife Hettie Nelson and our children, Lina, Harry and Lena, and such other children as my said wife may have by me, the tract of land known as my plantation, lying on the South side of Neuse River, and between Adams Creek and South River, in

the County of Carteret Craven (subject to the life estate of my said wife hereinafore given); also my house and lot of ground in the City of New Bern, if Archibald Simpson, who now resides thereon, fails to pay to my estate the purchase money, which I paid for said house and lot, together with six per centum per annum of interest and all expenses of insurance and repairs on same and all other expenses I have incurred, or that shall be incurred on account of the same, within five years from the date of the deed to me for the same; but if said Archibald Simpson shall purchase the said house and lot by paying for the same as above required, then my will and desire is that my executor, or executor, shall execute a deed of conveyance to him and his heirs for the same, in fee; and I hereby empower her or him to execute such deed; and if said Archibald Simpson fails to purchase said house and lot within five years from the date of the deed to me for the same, and on the terms and conditions aforesaid; then I devise the same to the said Hettie Nelson and our children, Lina, Harry and Lena, and such other children as said Hettie Nelson may hereafter have by me; (subject to the life estate of said Hettie Nelson, hereinafore given); also that part of lot of ground number 30, Old Town in Beaufort, and improvements, and that part of water lot number 235, Old Town, in Beaufort, with improvements, which I purchased from Thomas Duncan by deed dated June 21, 1875; (subject to the life estate of said Hettie Nelson, hereinafore given); also, all my lands with improvements, lying between Adams Creek and South River, in Craven County, (except my Sandy Point land and Sand Hill land); also all my farming implements, live stock, machinery, household and kitchen furniture, bedsteads, beds and furniture, books, pictures and other ornamental articles (subject to the life estate and privileges granted to said Hettie Nelson in the first section of this will); - also all my other personal property, including moneys, notes, bonds, rail road bonds or any other kind, and mortgages, and my policy of life insurance in the Equitable Life Assurance Society in New York; - except that portion of said policy intended for my daughter Lina. To have and to hold to them the said Hettie Nelson and our children Lina, Harry and Lena, and such other children as the said Hettie Nelson may

hereafter have by me, and their heirs, executors and administrators forever.

Third: I hereby authorize my said wife Hettie Nelson, to cultivate or lease out any of the lands hereinbefore devised to her and her children, and to get fire wood, timber for fence rails, and other timber, and to sell such wood and timber, whenever she thinks it best to do so for the benefit of herself and the children aforesaid. The true intent and meaning of my will is this: I desire that my said wife, when I shall have departed hence, shall have the control and management of the estate herein devised and bequeathed to her and her children, and that she may so manage the same as best to promote the welfare and happiness of herself and children, and carry out my views and wishes.

Fourth: I further give, devise and bequeath to my wife Hettie Nelson and our children, Laura, Harry and Lena, and such other children as my wife said wife may hereafter have by me, all my interest in lot of ground, number 98th Town, in Beaufort, which I purchased of James W. Davis and J. Henry Davis, and my interest in the merchandise in the store of B. J. Bell & Co. on said lot, and my interest in the debt due said firm. To them and their heirs, executors, administrators, &c.

Fifth: I give to my daughter Jane Canaway an estate for and during her natural life in and to my Sandy Point tract of land, and at her death I devise the same to her children now living and such as may be hereafter born. To have and to hold to them and their heirs forever.

Sixth: I give to Lavinia Nelson the widow of my deceased son Benjamin, an estate for and during her natural life, in and to my tract of land at the mouth of South River, known as the Sand Hill tract, and at her death I devise the same to her son Benjamin Nelson and his heirs forever.

I give and bequeath to my daughter, Cora Davis, an equal share with my wife Hettie and her children by me in my policy of life insurance hereinbefore mentioned; and if said life insurance cannot, for any cause, be collected, after my death, my will and desire is that my executrix or executor, pay to said Cora the sum of five hundred dollars out of any moneys belonging to my estate; and in case not a sufficient sum of money should be on hand to pay the same, then my will and desire is that my executrix or executor, shall sell personal property - such as she may choose - at public or private sale, to raise the sum required.

Seventh: I give to my son Harry Nelson my gold watch.

Eighth: I give to my daughters, Laura and Lena my organ or melodion.

Last: I appoint my wife, Hettie Nelson, my executrix, with power to sell personal property sufficient to pay debts, at public or private sale. And in case of the death of said Hettie Nelson I appoint my executor, with the same power as to selling.

And I now commit my soul and body into the hands of God.

In testimony whereof I have hereunto set my hand and seal the 6th day of May 1876.

John W. Nelson

Signed, sealed, published and declared by the said John W. Nelson to be his last will and testament, in presence of us who, at his request, and in his presence, subscribe our names as witnesses thereto.

W. J. Bushall

Benj. J. Bell

Codicil: I have heretofore given to my son Edward Nelson and his children, three tracts of land lying on the main road leading from Adams Creek to South River, containing one hundred and eighty acres, which shall be considered as their portion of my estate. May 6th 1876.

John W. Nelson

In presence of W. J. Bushall
Benj. J. Bell

Carters County, Court of Probate. November 3rd 1877.

The execution of the foregoing will and codicil is proved, before me, according to law, by the oath and examination of W. J. Bushall and Benj. J. Bell, the subscribing witnesses thereto. W. J. Bushall swears that he saw the said John H. Nelson execute the same as his last will and testament; and Benjamin J. Bell swears that the said John H. Nelson acknowledged to him that he executed the same as his last will and testament. Both the subscribing witnesses swear that they attested the said will with the codicil, in the presence of the said John H. Nelson, and at his request; and that at the time of its execution he was, in their opinion, of sound mind and disposing memory.

(See book of Orders and Decrees, page 73)

Jas. Rumley, Judge of Probate.

State of North Carolina. Carters County.

I, Henry Waters of the Town of Beaufort, County and State aforesaid, being about to leave home, mindful of the uncertainty of life, and being of sound mind and disposing memory, do make this my last will and testament.

I give and devise to my daughter, Lizzie Waters the part of lot No. 12, Old Town, in Beaufort, and improvements, where I now reside, and parts of lots Nos. 69 & 79, Old Town, in Beaufort, adjoining Mrs. Mary Howlands lot, on the North side of Ann Street, to her and her heirs forever.

I give and bequeath to my said daughter all my house hold and kitchen furniture, and all other personal property which may belong to me at my decease.

In testimony whereof I have hereunto set my hand and seal the 16th day of January 1869.

H. Waters

On presence of
J. C. Piver

R. E. Walker.

Carters County, Court of Probate April 3rd 1877.

The execution of the foregoing will is proved, before me, according to law, by the oath and examination of Robert E. Walker, one of the subscribing witnesses thereto, who swears that Henry Waters, the testator, acknowledged to him that he executed said will as his last will and testament; that he, the said witness, attested it in the presence of the said Henry Waters, and at his request; and that at the time of said acknowledgment, he, the said Henry Waters, was, in the opinion of said witness, of sound mind and disposing memory. The hand writing and death of said Henry Waters, the testator, and the non-residence in this state, and his hand writing, of J. C. Piver, the other subscribing witness, are also proved by the oath and examination of the said Robert E. Walker.

(See book of Orders and Decrees, pages 74 & 75, and the annexed affidavit)

Jas. Rumley,

Judge of Probate.

State of North Carolina. Carters County.

I, Joseph J. Davis of the Town of Beaufort in said County, being of sound and disposing mind and memory, but mindful of the uncertainty of life, do make and declare my last will and testament, in the words following - to wit:

I give, devise and bequeath to my sisters Mary W. Davis and Sarah A. Davis, and their heirs, executors and administrators forever, all my property and estate, real and personal, in said County of Carters, or any other part of North Carolina, and in the State of Kansas, or elsewhere. Provided, however, that upon the death of either of my said sisters, leaving the other surviving, my will and desire is that the whole of said property and estate shall belong to the surviving sister; and I hereby give, devise and bequeath the same