

I, Joseph H. Moore, of the County of Catawba and State of North Carolina being of sound mind and memory but considering the uncertainty of my earthly existence, do make and declare this my last Will and Testament in manner and form following that is to say:

First, That my Executor (hereinafter named) shall provide for my body a decent funeral suitable to the wishes of my relatives and friends and pay all funeral expenses together with my just debts, burials and so whatsoever owing out of the monies that may first come into his hands as his part and parcel of my estate.

Item 1. I give and devise to my beloved wife Sarah Moore all my Real Estate, to have and to hold during her natural life, said Real Estate, to be used and cultivated by my children, my separate lots of land, but hereinafter described and divided among them, I say, however, to pay her debts for the same as the may demand, the amount of said debts to be paid by all alike.

Item 2. I give and devise to my son William Albert Moore the following tract of land known as Lot Number One Beginning at a high in the mouth of a ditch at the bank of the Catawba River and run up said ditch S 24° N. 82' poles to a stake on the east bank of said ditch thence S 61° E 5 poles to a White Oak stump thence S 23° E 53 poles to a Dogwood in Miller's gro. thence along said line N 89° E 42 poles to a White Oak Miller's corner thence S 12° E 4 1/2 poles to a Pine thence S 89° E 15 poles to a small Pine a new corner thence N 23° W 85 poles to a Dogwood thence N 51° W to a Black Oak 102 poles thence N 9° W 63 poles to a Sycamore on the Bank of the River thence up the meandering of the River to the Beginning, containing

Three and Three Quarts acres be it be more or less to have and to hold the same on for my heirs forever, but after the expiration of the life estate in said tract of land already given and devised to my wife aforesaid as mentioned in Item No 1 of this will, and upon condition furthermore that the said William Albert Moore shall pay to my daughter Rebecca Deal the sum of One hundred and thirty three and 3/4 Dollars (\$133.37) and upon condition furthermore that he the said William Albert Moore shall pay to my grandson Andrew James Moore (brother of son) of Ten and 2/3 Dollars (\$10.25) the interest upon said sums to run from the time of my death and the death of my wife Sarah.

Item 3. I give and devise to my son Joseph Belliard Moore the following tract of land known as Lot Number Two bounded as follows Beginning at a Sycamore on the Bank of the River and run S 9° E 63 poles to a Black Oak thence S 37° E 100 poles to a Dogwood thence S 23° E 85 poles to a small Pine thence S 89° E 44 poles to a Black Oak near a Church thence N 72° E 30 poles to a White Oak a new corner thence N 54° E 167 poles to a Black Oak thence N 15° W 683 poles to a Locust on the Bank of the River thence with the meandering of the River to the Beginning, containing Twenty four and a half Acres more or less, to have and to hold the same in fee simple forever, but after the expiration of the life estate in said tract of land already given and devised to my wife aforesaid as mentioned in Item No 1 of this will, my wife and upon condition furthermore that the said Joseph Belliard Moore shall pay to my grandson Andrew James Moore the sum of Twenty three and 2/3 Dollars (\$23.57) the interest on said sums to run from the time of my death and the death of my wife Sarah Moore.

Item 4. I give and devise to my

Daughter Sarah Jane Brown the following Tract of Land known as Lot number Three bounded as follows: - Beginning at a Locust on the Bank of the River with a pole of the Flat Landing and runs S 16° E 68 poles to a Black Oak thence S 37° E 167 poles to a White Oak a new corner in S. Edwards line, thence with his line N 72° E 43 poles to a Stone his corner thence along his line S 36° E 16 poles to a Post Oak a new corner in his line thence N 20° E 16 poles to a Red Oak thence N 39° E 46 poles to a White Oak thence N 16° E 77 poles to a pine near a graveyard thence S 23° E 58 poles to a Locust on the Bank of the River thence up the River with its meanderings to the Beginning containing Seventy Five and a half acres. He the said more or less to have and to hold the same in fee simple forever but after the expiration of the life estate in said Tract of Land already given and devised to my Wife as expressed at mentioned in Item No 1 of this my Will and except not reserving also a Graveyard and land enough around the same for a family burial ground which is now upon said Tract of Land and upon condition further more that she the said Mary Henrietta Payne shall pay to my grandson Andrew James Oliver Moore the sum of Nine and 2/3 Dollars (\$9.53) the interest on said sum to run from the time of my death and the death of my wife Sarah Moore.

Item 5. I give and devise to my Daughter Mary Henrietta Payne the following Tract of Land known as Lot number Four bounded as follows: - Beginning at a Locust on the Bank of the River about 43 poles below the Flat Landing and runs S 82° E 58 poles to a Pine near a graveyard thence S 42° E 77 poles to a White Oak thence S 39° E 46 poles to a Red Oak thence S 20° E 16 poles to a Post Oak in S. Edwards

line thence with his line S 56° E 23 poles to a Stone where a Black Oak stood on the Bank of Falling Creek thence down said Creek with its various courses 35 poles to a Stake a Cloninger corner thence with his line N 1° E 1/2 poles to a Sycamore in said line thence N 38° E 145 poles to a Black Oak and Stone thence N 16° E 87 poles to a Birch on the Bank of the River thence with the various meanderings of the River to the Beginning containing Fifty-two and a Quarter Acres. He the said more or less to have and to hold the same in fee simple forever but after the expiration of the life estate in said Tract of Land already given and devised to my Wife as expressed at mentioned in Item No 1 of this my Will and except not reserving also a Graveyard and land enough around the same for a family burial ground which is now upon said Tract of Land and upon condition further more that she the said Mary Henrietta Payne shall pay to my grandson Andrew James Oliver Moore the sum of Nine and 2/3 Dollars (\$9.53) the interest on said sum to run from the time of my death and the death of my wife Sarah Moore.

Item 6. I give and devise to my Daughter Martha Rebecca Deal the following Tract of Land known as Lot number Five bounded as follows: - Beginning at a Birch on the Bank of the River and runs S 16° E 87 poles to a Black Oak and Stone thence S 39° E 145 poles to a Sycamore in S. Cloninger's line thence with his line N 1° E 67 poles to a Stake a new corner thence S 42° E 77 poles to a Sycamore thence S 39° E 46 poles to a Sycamore on the Bank of the River thence up the River with its various meanderings to the Beginning containing Forty acres to be the same more or less to

have and to hold the same in fee simple forever but after the expiration of the life estate in said tract of land already given and devised to my wife aforesaid as mentioned in Item No 1 of this my will. In order to equalize the value of the several tracts of land given to my children in this my will I also give and devise to my daughter Martha Rebecca Deal the sum of One Hundred and Thirtysix and ³⁰/₁₀₀ Dollars (\$136.30) the said sum to be a charge upon the tract of land known as Lot number one aforesaid and to be paid to her thereon by my son William Albert Moore as provided for in Item No 2 of this my will.

Item 4. I give and devise to my son Henry Lewis Moore the following tract of land known as Lot number Six bounded as follows Beginning at a Sycamore on the Bank of the River and runs S 7° E 73 1/2 poles to a Hickory, thence S 117° E 105 1/2 poles to a Stake in T. Cloungers line thence with said line N 1° E 58 poles to a Pine Stump at corner, thence S 10° E 69 1/2 poles to a Poplar, thence S 39° E 42 poles to a Bolder on the Bank of the River, thence up the River to the Beginning, containing Fifty Three acres be the same more or less to have and to hold the same in fee simple forever but after the expiration of the life estate in said tract of land already given and devised to my wife aforesaid as mentioned in Item No 1 of this my will.

Item 5. I give and devise to my son Jacob Franklin Moore the following tract of land known as Lot number Seven bounded as follows Beginning at a Bolder on the Bank of the River and runs S 39° E 42 poles to a Poplar, thence S 11° E 69 1/2 poles to a

Pine Stump thence S 87° E 113 poles to a Stone in T. Cloungers line, thence S 80° E 82 poles to a small Hickory, thence N 66 1/2° E 49 1/2 poles to a Stone, thence S 32° E 108 poles to a small Hickory on the Bank of the River, thence with the meanderings of the River to the Beginning, containing Seventy One acres, be it the same more or less to have and to hold the same in fee simple forever but after the expiration of the life estate in said tract of land already given and devised to my wife aforesaid as mentioned in Item No 1 of this my will.

Item 6. I give and devise to my son James Adolphus Moore the following tract of land known as Lot number Eight bounded as follows Beginning at a small Hickory on the Bank of the River and runs S 39° E 108 poles to a Stone, thence S 66 1/2° E 49 1/2 poles to a small Hickory, thence S 5° E 39 poles to a Stone in T. Cloungers line, thence S 87° E with the line 72 1/2 poles to a White Oak on the west bank of Falling Creek, thence down said Creek with its various courses to where it empties into the River thence up the River with its various courses to the Beginning containing Forty acres, be the same more or less to have and to hold the same in fee simple forever but after the expiration of the life estate in said tract of land already given and devised to my wife aforesaid as mentioned in Item No 1 of this my will and upon condition furthermore that be the said James Adolphus Moore shall pay to my grandson Andrew James Oliver Moore the sum of Two Hundred and Sixty Nine and No Dollars (\$269.00) the interest on said sum to run from the time of my death and the death of my wife Sarah Moore.

Item 10. I give and devise to my

Grandson Andrew James Oliver Moore the only surviving child of my deceased son Ed. Wilkinson Moore and in lieu of any share of my Real Estate, the sum of Six Hundred Dollars in money the same to be at charges upon the Tract of Land known as Lot number One, Two, Three, Four and Eight and to be paid to him by my son William Albert Moore and my son Joseph Richard Moore and my daughter Sarah Jane Moore and my daughter Mary Henrietta Payne and my son James Adolphus Moore severally in the sum of Ten and 2/3 Dollars (\$22.67) Two Hundred and Eighty and 2/3 Dollars (\$288.73) One and 2/3 Dollars and Two Hundred and Fifty nine and 2/3 Dollars (\$219.73) with interest thereon as specified and provided for in Item 3, 4, 5 of this my Will.

Item 11. After the payment of my funeral Expenses and all my just debts as herein before provided for I give and devise all my Personal Estate to my beloved wife Sarah Moore to her and hers, the same during her natural life at her death I give and devise the same to my daughter Mary Henrietta Payne, to my daughter Sarah Jane Moore, to my daughter Martha Rebecca Deal, to my son James Adolphus Moore, to my son Henry Lewis Moore, to my son Joseph Richard Moore, to my son William Albert Moore, to my son Jacob Franklin Moore and to my Grandson Andrew James Oliver Moore to be divided equally among them share and share alike.

I hereby nominate and appoint my sons Henry Lewis Moore and Joseph Richard Moore Executors of this my last Will and Testament.

In witness whereof I the said Joseph H. Moore do hereunto set my hand this 3rd day of May 1879.
Signed, declared and published by

The above named Joseph H. Moore, as, and for his last Will and Testament in the presence of us, who at his request, and in his presence, have subscribed our names as witnesses thereto.

J. H. Moore (Seal)

J. C. Hann (Seal)
J. C. Seabach (Seal)
Abel Chinn (Seal)

Codified to the foregoing Will.
Whereas I, Joseph H. Moore, have made my last Will and Testament, in writing bearing date on the 3rd day of May 1879, and have thereby made sundry divisions and bequests according to the existing circumstances, but which circumstances having been materially changed, I do by this my writing, which I hereby declare to be a codicil to my said Will and to be taken and construed as part and parcel thereof, revoke, annul and declare void the devise and bequest made to my son William Albert Moore of the Tract of Land designated as No. One and particularly described in Item No. 2 of my said Will. I revoke said devise and bequest for the reason that since the making of my said Will my said son William Albert Moore has died without children and unmarried, and for the reason that I have since that day bargained and sold and by deed conveyed the aforesaid Tract of Land to my son Jacob Franklin Moore. I further more make and annul the devise and bequest to my said son William Albert Moore of any and all share of my personal estate made to him in my said Will.

In testimony whereof I hereunto set my hand this 13th day of July 1881.
J. H. Moore (Seal)
(Over)

Signed, sealed, published and declared by the said Joseph H. Moore to be a codicil to his last will and testament and to be a part thereof in presence of us who, at his request and in his presence and the presence of each other do subscribe our names, as witnesses thereto.

L. E. Haun *Seal*
D. E. Seabach *Seal*
Chas. Chise *Seal*

State of North Carolina In Superior
Catawba County Jth Court.

A paper purporting to be the Last Will and Testament of Joseph H. Moore, deceased, is exhibited before me, the undersigned, Clerk of Court for said County, by Henry Lewis Moore and Joseph Willard Moore, by the oath and affirmation of Chas. Chise and L. E. Haun the subscribing witnesses thereto; who, being duly sworn, both depose and say, and each for himself depose and swear, that he is a subscribing witness to the paper writing now showing purporting to be the Last Will and Testament of Joseph H. Moore; that the said Joseph H. Moore, in the presence of said deponent, subscribed his name at the end of said paper writing now showing as aforesaid and which bears the date of the 30th day of May, 1877.

And the Deponent further saith, that the said Joseph H. Moore, the testator aforesaid, did, at the time of subscribing his name as aforesaid, declare the said paper writing to subscribed by him and exhibited to be his Last Will and Testament, and the deponent did thereupon

subscribe his name at the end of said Will as an attesting witness thereto, and at the request and in the presence of the said testator. And the deponent further saith, that at the time when the said testator subscribed his name to the said Last Will as aforesaid, and at the time of deponent's subscribing his name as an attesting witness thereto as aforesaid, the said Joseph H. Moore was of sound mind and memory, of full age, to execute a will, and was not under any restraint to the knowledge information or belief of the deponent; and further the deponent say, not

Chas. Chise *Seal*
L. E. Haun *Seal*

Solemnly sworn and subscribed the 30th day of July, 1878, before me.

J. J. Newman, C. J.