

cation is about \$2000.00, and that July A. Sutton, Susan L. Cannaday, Martha Phillips, W. C. Moore, H. H. Moore, Thos. A. Moore, Nedham J. Moore, and Mary T. Moore of said County and that J. J. Moore and J. R. Moore of Greene County are the legatees under said last will and testament. The said N. J. Moore respectfully ask that said will be admitted to probate in due form.

Sworn to and subscribed
before me this 4th day
of May, 1880.
W. H. Hunted,
Probate Judge.

N. J. Moore.

State of North Carolina, } Probate Court
Lenoir County. } Renunciation of
In the matter of } Jas. J. Moore.
Nedham Moore, dead. }

To the Hon. Judge of Probate for said county.

James J. Moore respectfully sheweth

That Nedham Moore late of said county is dead having made and published his last will and testament dated Dec. 10th, 1879, whereby he appointed Nedham J. Moore and James J. Moore his executors.

That the said James J. Moore desires to renounce and does hereby renounce his right to qualify as executor of said last will and testament in favor of the said Nedham J. Moore and requests that the Court will appoint and qualify him, the said Nedham Moore as sole executor of said last will and testament.

May 4th 1880.
Test. F. B. Loffin.

Jas. J. Moore.

State of North Carolina, }
Lenoir County. } In the Probate Court
A paper purporting to be the last will and testament of Nedham Moore, deceased, is exhibited before me, the undersigned Judge of Probate for said county, by Nedham J. Moore, one of the executors therein named and the due execution thereof by the said Nedham Moore

by the oath and examination of J. D. Jackson & R. C. Hill the subscribing witness thereto; who, being duly sworn, doth depose and say, and each for himself depose and saith, that he is a subscribing witness to the paper writing now shown him, purporting to be the last will and testament of Nedham Moore, that the said Nedham Moore in the presence of this deponent subscribed his name at the end of said paper writing, which is now shown as aforesaid, and which bears date of the 1st day of July, 1879, and the codicil Dec. 10th 1879. And the deponent further saith, that the said Nedham Moore, the testator aforesaid, did, at the time of subscribing his name, as aforesaid, declare the said paper writing as subscribed by him, and exhibited, to be his last will and testament, and this deponent did thereupon subscribe his name at the end of said will as an attesting thereto and to the codicil thereunto annexed, and at the request and in the presence of said testator. And this deponent further saith that at the said time when the said testator subscribed his name to the said last will as aforesaid and to the codicil, and at the time of the deponent's subscribing his name as an attesting witness thereto as aforesaid, the said Nedham 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 this deponent. And further these deponents say not.

J. D. Jackson (Seal)
R. C. Hill (Seal)

Severally sworn and subscribed,
this 4th day of May, 1880, before me.
W. H. Hunted,
Probate Judge.

Lenoir County—Probate Court May 4th, 1880.

On reading and considering the application of Nedham J. Moore to admit to probate, a paper writing purporting to be the last will and testament of Nedham Moore, deceased, and to be qualified as executor thereof, according to the appointment therein made, and having examined on oath, J. D. Jackson and R. C. Hill, the subscribing witnesses thereto, as to the execution thereof. It is adjudged that the said paper writing is the last will and testament of the said Nedham Moore, deceased, and the same as such is ordered to be recorded and filed.

And thereupon the said Nedham J. Moore comes forward and takes and subscribes the following oath:

State of North Carolina, }
Lenoir County. } In the Probate Court.

I, Nedham J. Moore, do solemnly swear, that I believe this writing to be and contain the last will and testament of Nedham Moore, deceased; and that I will well and truly execute the same by first paying his debts and then his legacies, as far as the said estate shall extend or the law will charge me; and that I will well and faithfully execute the office of an executor, agreeable to the trust and confidence reposed in me, and according to law, as help me, God.

N. J. Moore.

Sworn and subscribed before me,
this 4th day of May, 1880.

W. H. B. Hunted,
Probate Judge.

Whereupon letters testamentary are issued to said Nedham J. Moore as executor of said last will and testament.

W. H. B. Hunted,
Probate Judge.

I, Nedham Moore of Lenoir County state of North Carolina being of sound mind and memory but considering the uncertainty of life do make and declare this my last will and testament in manner and form following, that is to say.

1st It is my will and desire that my executors hereinafter named shall provide for my body a decent burial one suitable to the wishes of my family, and pay all funeral expenses together with all my just debts to whomsoever owing out of the first moneys that shall come into their hands as a part or parcels of my estate.

2 I loan to my beloved wife Elizabeth Moore during her life the use and occupation of a certain tract of land, bounded as follows, beginning at the canal in Lenoir Swamp and runs parallel and along with the cross fence between what is called the Kilpatrick and Longleton land and extending into the woods far enough to afford a sufficient quantity of timber and firewood for

her use, then through the wood in an eastern direction between the Melts field and the blacksmith shop to the line of the L. B. Hardee land, then with line of the L. B. Hardee land to the Lenoir Swamp canal, then up said canal to the beginning, including my mansion house and all out-houses and other appurtenances thereunto belonging; also all my household and kitchen furniture of every description, all my horses and mules, (except one mule) all the cattle, hogs, and poultry of every kind, all the corn, fodder, wheat, oats, cotton, pease, potatoes, bacon, pork, lard, and any and all other kinds of provision that shall be on hand, also, all the crops that shall be growing and ungathered at my death, except such part of the same as may belong to my son, Jacob Moore, all my farming tools, carts, wagons, buggies & harness, to have and use the same during her natural life.

3rd. I give and devise to my daughter, Julia A. Sutton, wife of Thomas Sutton, a certain tract of land situated in Bucklesbury Precinct, it being the land I purchased from Noah Rouse and wife, M. E. Rouse, and beginning at a maple in John Sutton's line, the dividing corner agreed on between Benjamin Sutton and Hardy Sutton, runs with that line N. 83 W. 196 poles to a whiteoak, then N. 7 W. 20 1/2 poles to a forked whiteoak, then N. 5 E. 96 1/2 poles to a pine, then N. 59 E. 202 poles to a white oak, then S. 75 E. 20 poles to a pine, John Sutton's corner, then with his line S. 1/2 W. 259 1/2 poles to the beginning, containing 224 acres, more or less, to have and to hold to her, the said Julia A. Sutton, her heirs and assigns forever.

4th I give and bequeath to my daughter, Susan C. Leaidy, wife of James C. Leaidy, one thousand dollars which has already been paid to her and which I regard as a fair proportion of my estate, to her and her heirs forever.

5th I give and bequeath to my grand children, the children of my deceased daughter, Martha J. Phillips, the one thousand dollars which I paid their mother, my said daughter, during her lifetime which I regard as a fair and equal portion of my estate, to them and their heirs forever.

6th I give and devise to my son, James J. Moore the tract of land I purchased from Emily L. Lassiter on which he now resides, to have and to hold to him and his heirs and assigns forever.

7th I give and devise to my son William L. Moore,