

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,

tract of land which I purchased at Jesse J. Moore sale, lying on the south side of Cousin Swamp, bounded as follows, beginning at the canal bridge and runs South S 8 E 10 poles, then S 21 W 300 poles to a stake, then N 86 E 98 poles to a lightwood stump, then N 25 E 23 poles to a stake, then N 1 E 124 poles to a post oak near the road, then with said road S 86 1/2 E 37 1/2 poles then N 85 E 50 poles, then S 88 E 6 poles to a white bay, then N 78 1/2 E 28 poles to the canal, then up the various courses of the canal to the beginning, containing 200 acres, more or less, to have and to hold to him his heirs and assigns forever.

8th

I give and devise to my son Jesse R. Moore the remainder of my land lying on the South side of the Greenville road bounded as follows: beginning at a chinguepin on the west side of the ditch, mine and Hardy Hill's corner runs N 31 W 15 poles to a red oak stump, then N 88 W 81 poles to the road then with the road N 16 E 80 poles, N 30 E 20 poles N 95 E 31 poles to a stake near the road, then S 66 E 54 poles to a stake, then N 96 E 98 poles to a lightwood stump, then S 13 E 55 poles to a stake in Huffree's field, then S 13 W 80 poles to a pine, then S 26 W 32 poles to a gum, then to the beginning, containing 202 acres more or less to have and to hold to him and his heirs and assigns forever.

9th

I give and devise to my son, Henry H. Moore, the land I purchased of Frank Harvey's sale, consisting of two lots or parcels, bounded as follows. One lot beginning at a stake in a small branch the beginning corner of lot No 1 in the division of the Thomas Harvey land, runs with the same N 02 W 120 poles to a stake in Fields line, second corner of lot No 1, then with said Fields line S 22 W 17 1/2 poles to a stake near Elijah Fields' house, then with Fields line S 55 E 15 1/2 poles to a stake near the road then N 38 E 8 1/2 poles to a stake near a large hickory, then with Joseph Taylor's line N 54 E 206 poles to the Newbern and Goldboro; then with said road N 38 1/2 W 14 1/2 poles, N 66 1/2 W 10 poles to the canal, then down the various courses of the canal to the beginning, the other lot beginning at a pine, Jacob Sanston's corner runs with his line S 32 E 100 poles to a stake, then with the said Sanston's line S 58 W 100 poles to a stake near the road, then with the road and Joseph Taylor's line N 32 W 200 poles

to a stake, then N 58 E 110 poles to the beginning, both tracts containing 200 acres more or less, to have and to hold the same to him and his heirs, but if my son, Henry H. Moore should die without leaving any lawful issue living at the time of his death, then the said land to go to my other children, to share and share alike.

10th

I give and devise to my son, Thomas H. Moore, a certain tract of land which I bought of Lemuel J. Newbern and wife, Fannie E. Newbern, bounded as follows: beginning at a bridge across Cousin Swamp Canal runs N 10 W 216 poles to a gum on the side of the road, then N 84 E 10 poles to a pine on the side of said road, then N 12 1/2 E 146 poles to a stake, then S 11 E 106 poles, then along a ditch S 8 E 42 1/2 poles, S 20 E 32 poles, S 8 E 46 poles S 4 W 32 1/2 poles, S 25 W 7 poles, S 6 W 36 poles to the canal, then up the canal to the beginning, containing 204 acres, more or less, to have and to hold to him and his heirs, but if the said Thomas H. Moore shall die without leaving any lawful issue living at the time of his death, the said land is to go his brothers and sisters, my other children, to share and share alike.

11th

I give and devise to my son, Nedham J. Moore a certain portion of my home tract of land, bound as follows: beginning at a pine on Cousin Swamp Canal runs S 2 E 209 poles to a pine, then S 52 E 92 poles to a pine, then S 59 W 69 poles to a gum, then S 52 E 28 poles then S 80 E 15 poles S 35 E 6 poles to the road, then with S 16 E 143 1/2 poles N 20 E 30 poles N 45 E 31 poles to a gum, then N 33 W 90 poles, then N 8 E 15 poles to a ditch in hickory neck branch, then down said ditch to Cousin Swamp Canal, then up said canal to the beginning, containing 200 acres, more or less, to have and to hold to him and his heirs, subject, however, to the life estate of my wife, Elizabeth Moore, on that portion loaned to her in the second item of this will, but if the said Nedham J. Moore should die without leaving any lawful issue living at his death, then the said land to go to my other children, to be equally divided among them. I also give and bequeath to my son, Nedham J. Moore, one black mule named Bill, and at the death of my wife, all of my household and kitchen furniture, all the horses, mules, cattle, hogs, and farming tools, carts, wagons, buggies and all the provisions and other personal property of any kind which I loaned to my wife in the 2nd item of this will.

so much of the same as shall be on hand at the death of my wife, to have and to hold the same forever.

12 I give to my daughter, Mary T. Moore, a certain part of my home tract of land bounded as follows: beginning at a pine on Louisa Swamp canal (the beginning corner of the lot devised to K. J. Moore, in the preceding item) runs S. 72 E. 209 p. to a pine, then S. 52 E. 92 p. to a pine, then S. 38 W. 69 p. to a gum, then N. 52 W. 195 p. then N. 37 W. 22 p. to a cross ditch, then N. 22 1/2 W. 137 p. to the canal, then down the canal to the beginning, containing 186 acres more or less, to have and to hold the same to her the said Mary T. Moore, her heirs and assigns in fee simple forever.

13 It is my will and desire that my executors collect all moneys due me that can be collected, and the same together with the money on hand at my death, after paying my just debts and the expenses of the settlement of my estate, what then may remain be equally divided among all my children, to share and share alike; and if any of my children be dead leaving issue the issue to represent and take such part as their parent would if living.

I hereby constitute and appoint my two sons James J. Moore and Nedham J. Moore, my lawful executors to execute this my last will and testament, and every part and clause thereof, according to the true intent and meaning of the same, and I hereby revoke and declare utterly null and void all other wills and testaments by me heretofore made.

In testimony whereof, I have hereunto set my hand and seal this the 1st day of July, A.D., 1879.

Nedham Moore (Seal)

The words all my farming tools, carts, wagons, & buggies and harness were interlined before signed.

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

J. D. Jackson.
P. C. Hill.

Whereas I, Nedham Moore of Lenoir County, state of North Carolina, have, by my last Will and Testament in writing duly executed, bearing date July 1st, 1879, given and devised to my sons Henry H. Moore, Thomas A. Moore, and Nedham J. Moore certain parcels of land named and described in the ninth, tenth, and eleventh items of my will; Now, I, the said Nedham Moore, being desirous of altering my said will in respect to the said devises of land made in my said will to my said Henry H. Moore, Thomas A. Moore and Nedham J. Moore, do therefore make this present writing which I will and direct to be annexed as a codicil to my said will and taken as a part thereof.

I do hereby give and devise to my son Henry H. Moore, the land named and described in the ninth item of my said will, to have and to hold to him and his heirs absolutely forever.

I do hereby give and devise to my son Thomas A. Moore, the land named and described in the tenth item of my said will, to have and to hold the same to him and his heirs absolutely forever.

I do hereby give and devise to my son Nedham J. Moore, the land named and described in the eleventh item of my said will, to have and to hold the same to him and his heirs absolutely forever. And I do ratify and confirm my said will except where the same is altered as aforesaid.

In testimony whereof, I have hereunto set my hand and seal, this the tenth day of December, A.D., 1879.

Nedham Moore, (Seal)

Signed, sealed and published by the said Nedham Moore, as and for a codicil to be added to and be considered as a part of his last will and testament in the presence of us, who have subscribed our names as witnesses in his presence.

J. D. Jackson.
P. C. Hill.

Recorded in the office of the Superior Court Clerk and Probate Judge of Lenoir County the 6th day of May, 1880.

W. H. Hunt.
Probate Judge.