

And lastly I do constitute and appoint my trusty friend Nathan B. Whitfield my lawful executor to see into and pursue to execute this my last will and testament, according to the true intent and meaning of the same, and every part and claim thereof hereby revoking and declaring utterly void all other wills and testaments by me heretofore made.

In witness whereof I the said James Deaver do hereunto set my hands and seal this July 29th 1879

Signed sealed and published and declared by said James Deaver to be his last will & testament in presence of us who at his request and in his presence do subscribe our names as witnesses thereto
Frank P. Harper.
Robert Harper.

James Deaver

Whereas I James Deaver have made my last will and testament in writing, bearing date on the 29th day of January 1879 and have hereby made sundry bequests and legacies according to the tenor and circumstances of my estate. I do by this my writing which I hereby declare to be a codicil to my said will to be taken and construed as a part thereof do hereby give and devise to my beloved wife Paddy Deaver my Horse & cart & one Cow & Graveling and all my Household furniture and all my Rights I further declare and earnestly request that it is my serious desire that my executor Nathan B. Whitfield be required to give no bond or any security whatever as executor to this my last will and testament.

Signed sealed published and declared by the said James Deaver to be a codicil or part of his last will & testament in presence of us who at his request & his presence in the presence of each other do

subscribe our names as witnesses thereto.
Robert Harper
Frank P. Harper.

James Deaver

(Seal)

Recorded in the office of the Superior Court Clerk of Lenoir County April 17th 1880
W. H. Dunn C. S. C.
per S. R. Dunn H. C.

Lenoir County: In the Superior Court.

Thomas A. Moore.

Application of
Henry H. Moore
for
Letters Testamentary

In the matter of the Will of Thomas A. Moore } Before W. H. Dunn,
Clerk Superior Court.

Henry H. Moore, being duly sworn, doth say: That Thomas A. Moore, late of said county, is dead, has made and published his last will and testament; and that Henry H. Moore is the Executor named therein.

That the property of the said Thomas A. Moore, consisting of Real and Personal Estate is worth about \$6000.00, as far as can be ascertained at the date of this application, and that Henry H. Moore is the party entitled under said will to the said property.

H. H. Moore.

Sworn to and subscribed before me this 9th day of May, 1885.

W. H. Dunn,
C. S. C.

Examination of Witnesses.

State of North Carolina } In the
Lenoir County. } Superior Court.

A paper purporting to be the last will and testament of Thomas A. Moore, deceased, is exhibited before me, the undersigned, Clerk of the Superior Court for said county, by Henry H. Moore, the Executor therein named, and the due execution thereof by the said Thomas A. Moore is proved by the oath and examination of J. E. Dunn and J. P. Jackson, the subscribers and witnesses thereto, who, being duly sworn, depose and say, and each for himself depose and swear, that he is a

scribing witness to the paper writing now shown him, purporting to be the last will and testament of Thomas A. Moore, deceased, that the said Thomas A. 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 June, 1883.

And the deponent further saith that the said Thomas A. Moore, the testator, aforesaid, did, at the time of subscribing his name, as aforesaid, declare the said paper writing so subscribed by him and exhibited, to be his last will and testament, and this deponent did thereupon subscribe his name at the end of at the end of said will, as an attesting witness thereto, and at the request and in the presence of the 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 at the time of deponent's subscribing his name as an attesting witness thereto, as aforesaid, the said Thomas A. 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.

Geo E. Nunn (Seal)
D. Jackson (Seal)

Personally sworn and
subscribed this 9th day of
May, 1885, before me,
W. H. Nunn,
C.S. Co.

Each of
Executors.

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

I, Henry H. Moore, do solemnly swear that I believe the writing to be and contain the last will and testament of Thomas A. 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, agreeably to the trust and confidence reposed in me, and according to law: so help me God.

H. H. Moore.

Sworn and subscribed before
me this 9th day of May, 1885.
W. H. Nunn, C.S. Co.

Will.

I, Thomas A. 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:

First, That my Executor, hereinafter named, shall provide for my body a decent burial suitable to the wishes of my relations and friends, and pay all funeral expenses, together with all my just debts howsoever and to whomsoever owing out of the moneys that shall first come into his hands as a part or parcel of my estate.

Item. I give and bequeath the rest and residue of my personal estate of every kind and description, including all moneys, choses in action or sums owing to me, after paying my just debts, and funeral expenses, to my brother Henry H. Moore, to have and to hold absolutely forever.

Item. I give and devise to my brother Henry H. Moore all my real estate of every kind and description, consisting of the plantation on which I now reside, situated on the North side of Lenoir swamp, containing two hundred and fifty-four acres more or less, it being the tract of lands devised to me by my father the late Needham Moore, dec'd, in his last will and testament, and for a more full description reference is hereby had to said last will and testament. Also my undivided share and interest in the lands of my brother Needham J. Moore, dec'd, my interest being one seventh part thereof, to have and to hold the above described premises to him the said Henry H. Moore, his heirs and assigns in fee simple forever.

And, Lastly, I hereby constitute and appoint my brother Henry H. Moore, my lawful Executor to execute this my last will and testament according to the true intent and meaning of the same and every part thereof, hereby revoking and declaring null and void all other wills and testaments by me heretofore made.

In witness whereof I, Thomas A. Moore, do hereunto set my hand and seal this the first day of June, A.D. 1883.

T. A. Moore (Seal)

Signed, sealed, published
and declared by the said
Thomas A. 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 thereto.

J. E. Krumm.
J. Q. Jackson.

Probate.

State of North Carolina, } Superior Court,
Lenoir County. } May 9, 1885.

A paper writing purporting to be the last will and testament of Thomas A. Moore, deceased, is exhibited before me, the undersigned, Clerk of said Court, by Henry H. Moore, the Executor therein named; and the due execution thereof, by the said Thomas A. Moore, is proved by the oath and examination of J. E. Krumm and J. Q. Jackson, the subscribing witnesses thereto. It is, therefore, considered and adjudged that the said paper writing, and every part thereof is the last will and testament of the said Thomas A. Moore, dec'd, and the same, as such, is ordered to be recorded and filed. And thereupon the said Henry H. Moore, Executor, as aforesaid, duly qualifies as such according to law.

W. H. Dunn,
C. C. C.

Recorded in the office of the Clerk of the Superior Court of Lenoir County, the 11th day of May, 1885.
W. H. Dunn,
C. C. C.

Barney Stanly.

Lenoir County - Superior Court.

Sarah Moorman, B. E. Mitchell, Mary Mitchell,
J. T. Mitchell, P. H. Harrison, Luinda Harrison,
Winifred Litchworth, Ethelbredo & Mitchell,
James B. Kemby, J. P. Kemby & B. D. Mitchell,
Plaintiffs,

vs.

Lott Stroud, Jennie Stroud,
Owen Stroud & Sarah Stroud,
Defendants.

The plaintiffs, complaining, say:

1st. That the records of the Courts, both Superior, County, and of Equity of Lenoir County have been destroyed by fire.

2nd. That Barney Stanly died in Lenoir County in the year 1867, having first executed his last will and testament, which was duly submitted to probate in open Court before the County Court of Lenoir County, and adjudged to have been duly executed and ordered to be recorded.

3rd. That as they are informed and believe the said last will and testament of said Barney Stanly was in the following words, and figures -

I Barney Stanly, being of sound mind and disposing memory, and knowing the certainty of death, and the uncertainty of life, do make and declare this to be my last will and testament.

Item 1st. I give and bequeath unto my beloved wife, Sarah Stanly, all my personal property of every description, not hereafter disposed of.

Item 2nd. I lend to my daughter Jennie Stroud one negro woman named Cherry, and her increase during her natural life; at her decease to be equally divided among her children.

Item 3rd. I lend unto my daughter Sarah Stroud a negro woman ^{named} Rhoda, and her increase, during her natural life; at her decease to be equally divided among her children.

Item 4th. I lend to my wife Sarah Stanly during her lifetime my plantation in Greene County on a poor Marsh and at her death to Mary E. Mitchell, my daughter, during