

I David Moses of the County of Macon,
State of North Carolina, being of sound mind &
memory, but considering the uncertainty of my
earthly existence do make and publish this my
last Will & Testament in the manner & form following
that is to say:

1st. That my Executor hereinafter named shall provide
for my body a decent burial, suitable to the wishes
of my friends and relations and pay all funeral
expenses together with my just debts howsoever and
to whomsoever owing out of the first money
coming into his hands as a part of my
estate.

2d. I give and bequeath to my daughter Mary
C. Moses one tract of land bounded as follows.
Beginning at a small white Oak. nearly North
East from my dwelling which is also a corner of
Cynthia Moses J. D. Moore & Athan Moses. runs S. 63° W
23 poles to a white Oak; thence N. 48° W 28 poles to a
stake on the East bank of Ellyay Creek; thence down
the Creek with its meandering 39 poles to a willow
thence South 3° E 30 poles to a white Oak near the bank
of the road; thence with the road to the shaft branch
thence with the branch to the shaft; thence S 10° E to
H. P. Carpenter's line; thence with Carpenter's line
to a sugar tree a corner of said line; thence
with W. A. Moses line to a Walnut; thence with
said line to a Poplar corner; thence with said line
to the beginning. The Condition of the above
bequest is such that my executor hereinafter named
shall rent this land during the life of my wife
Jemmet Moses and annually make the return of
all rents to my wife for her use.

3d. I give and bequeath to my son Marous Moses
the following tracts of land. First. Beginning at a
Hickory stump on the North side of the road

to whomsoever owing out of the first money
coming into his hands as a part of my
estate.

I give and bequeath to my daughter Mary
C. Moses one tract of land bounded as follows.
Beginning at a small white Oak nearly North
East from my dwelling which is also a corner of
Cynthia Moses J. D. Moore & Athan Moses runs S. 63° W.
23 poles to a white Oak; thence N. 43° W. 28 poles to a
stake on the East bank of Ellyay Creek; thence down
the Creek with its meandering 39 poles to a willow
thence South 3° E 30 poles to a white Oak near the bank
of the road; thence with the road to the shaft branch
thence with the branch to the shaft; thence S 10° E to
H.P. Carpenter's line; thence with Carpenter's line
to a sugar tree a corner of said line; thence
with W. A. Moses line to a Walnut; thence with
said line to a Poplar corner; thence with said line
to the beginning. The condition of the above
bequest is such that my executor hereinafter named
shall rent this land during the life of my wife
Jemmet Moses and annually make the return of
all rents to my wife for her use.

I give and bequeath to my son Marcus Moses
the following tracts of land. First, Beginning at a
Hickory stump on the North side of the road and
on H.P. Carpenter's line and near the saw
mill, thence South 40 poles to a stake; thence
with said Carpenter's line to the point where the
Caydian line of M.C. Moses intersects it;
thence with said Moses line to the road;
thence with the road to the beginning. Secondly
A tract I bought of Thomas Watson for

which I have a deed containing 50 acres more or less. Third. One tract joining the same containing 100 acres the state has been paid for this and I desire that my executor procure the title for the same for the said Marcus Maus. Fourth. One twenty five acre tract joining J.D. Maus with title in the same condition as that last described, I give the same direction about procuring title as in that case. All debts this year accruing this year on these lands to be turned over to my wife Janet Maus the condition of the above bequest is such that my executor shall rent and manage the land to the best possible advantage and to apply all proceeds to the wants and necessities of said Marcus Maus.

I have sold 4 tracts of land to my son Horea Maus lying on the waters of Walnut Creek containing 197 acres the land formerly bought of Riley Henry, for which I acknowledge payment in full. I desire my executor to make title to the same.

I give and bequeath to my son W.A. Maus one tract of land containing $1\frac{3}{4}$ acres joining H.P. Carpenter & the said W.A. Maus, on the North side of Ellijay Creek. I desire that my Executor to make title to this tract.

I give and bequeath one mule to my wife Janet Maus to be managed by my executor for her benefit.

And lastly, I do appoint and constitute my son A.P. Maus my lawful executor to all intents and purposes to execute this my last will and testament according to the true intent and meaning of the same in every part and clause. In witness whereof I the said David Maus, do hereunto set my hand and seal. This 2nd day of July 1879.

my wife Janet Moses the condition of the above bequest is such that my executor shall rent and manage the land to the best possible advantage and to apply all proceeds to the wants and necessities of said Marcus Moses.

I have sold 4 tracts of land to my son Harea Moses lying on the waters of Walnut Creek containing 197 Acres the land formerly bought of Riley Henry for which I acknowledge payment in full. I desire my executor to make title to the same.

I give and bequeath to my son W.A. Moses one tract of land containing $1\frac{3}{4}$ Acres joining H.P. Carpenter & the said W.A. Moses, on the North side of Ellijay Creek. I desire that my Executor to make title to this tract.

I give and bequeath one mule to my wife Janet Moses to be managed by my Executor for her benefit.

And lastly, I do appoint and constitute my son A.P. Moses my lawful Executor to all intents and purposes to execute this my last Will and testament according to the true intent and meaning of the same in every part and clause. In witness whereof I the said David Moses do hereunto set my hand and seal. This 2nd day of July 1879.

David ^{his} Moses ~~and~~
Mox

Sig ned. Sealed. published & delivered by the said David Moses. 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 witnessing thereto.

H. R. Gray
J. K. Peck.

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

A paper purporting to be the last Will & Testament of David Moses deceased is exhibited before me the undersigned Clerk of the Superior Court for said County by N. P. Moses the executor therein mentioned and the due execution thereof by the said David Moses by the oath and examination of N. R. Gray and J. K. Puck the subscribing witnesses 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 David Moses that the said David Moses 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 second day of July 1879.

And the deponent further saith that the said David Moses 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 & Testament, and this deponent did thereupon subscribe his name at the end of said Will as an attesting witness thereto, and at the request and in the presents of said testator. And this deponent further saith, that at the said time when the said testator subscribed his name to the said Will as aforesaid, and at the time of the deponent's subscribing his name as an attesting witness thereto, as aforesaid, the said David Moses was of sound mind and memory, of full age to execute a Will, and was not under any restraint, to the knowledge information of belief of this deponent. And further these deponents

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 David Moses that the
said David Moses 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 second day of July 1879.

And the deponent further saith, That the said
David Moses, 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 said Will as an attesting witness thereto, 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 Will as aforesaid, and at the time
of the deponents subscribing his name as an attesting
witness thereto, as aforesaid, the said David Moses was
of sound mind and memory, of full age to
execute a Will, and was not under any
restraint, to the knowledge, information of belief
of this deponent, And further these deponents
say nath.

N. R. Gray
James K. Peck.

N. R. Gray sworn and subscribed this 23rd day
of June 1894. J. K. Peck sworn and subscribed
this Feb 19th 1896, before me.

Lee Crawford
Clerk Superior Court,

North Carolina, In the Superior Court
 Macon County, 3

It is therefore considered and
 adjudged by the Court that the said paper writing
 and every part thereof is the last Will and Testament
 of David Mass deceased. Let the said
 Will together with the probate be recorded
 and filed. This nineteenth day of February
 1896.

Luc Crawford
 Clerk Superior Court