

John Rice Last Will and Testament

State of North Carolina - Mecklenburg County February 22nd 1943

In the name of God Amen, I John Rice Sen. being in a low state of health but of sound mind & memory knowing that all men must die and after death the Judgement, do make and ordain this my last Will & Testament, in words & form as follows (viz)

In the first place I give my Soul to God who gave it, and my body to be decently buried in the Earth from which it sprang

In the second place I Will and devise that all my Just debts and funeral expenses be paid from the proceeds of sale of some thing on the farm

In the third place I Will and devise to my Dearly beloved Wife Nancy Rice every thing that may remain on the farm after my debts are paid consisting of beasts of Various kinds, all my farming utensils, house hold and kitchen furniture to enable her to keep house if she chooses, but if not, she may, may at any future time spend house keeping by finding some suitable place for my two Grand Children Minerva A and Thos. S. Rice. they to get whatever is customary when arriving at mature age for their several years service of the property of my wife Nancy Rice disposed as above described and no other way as it is considered only a life time Estate and at her death the residue of parishable property if any be sold and equally divided amongst all my children and my two grand children Minerva A & Thos. S. Rice, each to have share and share alike with the rest of

Minerva A & Thos. S. New, each to have share and share alike with the rest of
my children; In the next place, I will and devise that my two grand chil-
-dren Minerva A & Thos. S. New - The tract of land now bounded that I began to
lay off for their portion Thos S New Decth, being a subdivision of the tract of land on
which I live Beginning at a Pine on the west line of the old Survey near the Wagon
Road, and running thence down the branch ^{to the Spring thence continuing down the} with the field holding part of the
steep hill to a large Poplar stump thence N along said bog through the low
ground to the old gap corner on a Stake or rock, Thence South East crossing the
Creek through the bottom to a dead shade tree in the mustar field thence South
to a green shade tree thence a ^{East} branch through the old field unto the woods to a
Spanish oak marked as a corner thence continuing up the branch to a con-
-ditional line ^{of} marked trees to a bend in the branch thence up the branch to a
small drain on the other side. thence holding the drain up through the
fence about fifty steps to two small persimmons thence about E crossing
the Wagon Road untill near where Jonathan Lewis path crosses Edmund
Kitch's Saw mill Road to the back line, Thence South along said back
line to a dead ^{Pine} corner, thence South West to John M. New's Corner, said
John Kitch, thence said Kitch's line West into an old field called the
pond field, Thence NW S^d Kitch's line to a pine corner, Thence West
into my own & John M. New's field now D Kitch's to a post and
corner now my own & Lee New's corner thence through the field on
conditional

John Neas Will and Testament Continued
Conditional line along the fence through out, crossing the creek,
Still a conditional line as marked along the fence, through the field
we went to see Neas turnip patch fence, and through part of his field to a red
hill on the old Potter road, thence nearly west, along the left hand side
of D Mead to a black oak corner, the out. side corner on Mitten Neas
line which runs N & South thence N to the beginning pine corner which
said tract of land he it more or less when surveyed and plotted to be
subdivided in the following manner (to) The division line to comm-
ence at a green white oak in the old field, and run a South west, course
to a green white oak on the bank of the creek on the same side, thence
down the creek to the South line of D, tract, near the bank of the creek
this forming the East side of which said subdivision which I will
and bequeath to my grand daughter Minerva A Neas and her heirs
him, ^{for ever} and the residue of 2^d tract above described I now subdivided
I will & bequeath to my grand son Tho^s. Sumpter Neas and his
heirs forever

And in the next place, I will and bequeath all the residue of
my landed Estate not otherwise divided away or bequeathed except
my wife, life Estate in the same to my son Mitten Neas and at her
death to him & his heirs forever

And lastly I constitute and appoint my son Mitten Neas
sole Executor of this my will & I will that he

his forever

And in the next place, I bequeath and bequeath all the residue of my landed Estate not otherwise disposed away or bequeathed except to my wife, life Estate in the same to my Son William New and at her death to him & his heirs forever

And lastly, I constitute and appoint my Son William New Sole Executor of this my last will & Testament, revoking all other wills by me hereto fore made.

In Witness whereof I have hereunto set my hand and Seal the day and - above written

Sealed Signed and delivered by
in Presence of us —

Attest J. H. Smith

Attest John M. New (Jury)

State of North Carolina } Court of Pleas and quarters

Union County — } Sessions January Term 1844.

The last will and Testament, of John New Deceased, was exhibited in open Court, by William New the Executor therein mentioned and was duly proven by John M. New one of the Subscribing Witnesses thereto and recorded

Hugh Stuart Clerk

John New 1844