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State of North Carolina)
County of Nash.)

I, Jacob Battle, of the State and County above written do make and declare this my last will and testament:

Item 1 - I give and devise the following parcels of land, viz-

(a) The share of Cool Spring Plantation, allotted to me in the last partition thereof, set forth in Judge W. R. Allen's judgment, rendered at November Term, 1908, of Edgecombe Superior Court, recorded in Book 140 at page 289, Edgecombe Registry.-

(b) The share of said Plantation, allotted in the same partition to William Sims Bunn, and conveyed by him to me, by deed registered in Edgecombe in Book 135, at page 364 - and

(c) My residence in Rocky Mount, Nash County, the land conveyed to me by T. P. Breaswell and wife, by deeds registered in Book 89, at page 37, Book 85, page 364, Book 85, page 205, and Book 122, page 106,

to my beloved wife, Nellie G. Battle, during her natural life or widowhood, and upon the determination of her estate, to my daughters, Dorothy and Mary Long Gordon Battle, in fee simple, but if either of them should die before or after my death without issue, then over to the other one, and if both die without issue, then to such other child or children of mine as may then be living.

My son, Turner Westray Battle 3rd, owns the share of Cool Spring Plantation assigned to him in the partition above mentioned,

All the mortgage debts on that share and on my own, I direct my executor hereinafter named to pay out of my personal estate - (see Judgment of Edgecombe Superior Court, in Turner Westray Battle 3rd, ex parte, rendered by Judge Peebles at October Term 1910).

The mortgage debts on my share of Cool Spring have all been now paid except the following:

Trust deed to Thos. H. Battle, securing debt to Mrs. Annie Odom, registered in Edgecombe in Book 146 at page 406, note and trust deed dated 1 July 1909, amount now due on the note being \$4500.00 with interest from 1 January 1913 - (see my account book No. 5, page 128).

I am to pay the mortgage debt aforesaid, the amount now due me from little Turner's land, with interest included to 1 January 1912, is \$769.38.- (see the above-mentioned judgment rendered by Judge Peebles at September or October Term 1910, in Turner Westray Battle 3rd, ex parte - and my account book No. 5, page 258.)

Item 3- My personal property and choses in action are as follows:-

(a) Household and kitchen furniture, watch, and other personal property of mine in residence in Rocky Mount and some in Cool Spring residence, and horse, buggy and harness.-

(b) My undivided one-half of all the personal property on Cool Spring Farm, used in connection with same.- (See my account

Book No. 3, page 230 et seq.- I had to abandon my attempt to run my farm and little Turner's separately; I have been dividing net profits of entire premises equally between him and me. - See Judge Peebles' judgment above mentioned.)-.

(c) The growing crops on Cool Spring at the time this will take effect- that is, my interest in said crops.

(d) My law library and office furniture. -

(e) Note and mortgage due to me from J. A. Pittman, \$265.09, with interest from 1 January 1913, registered in Nash 10 April 1909. This mortgage debt is held by the Planters' Bank for me as guardian of Whitfield children. (see my account book No. 5, page 172).

(f) Six shares of stock in Bank of Rocky Mount, (see my account book No. 4, page 95).

(g) My interest in the indebtedness against J. J. Sanders and others, secured by a trust deed registered in Nash in Book 195, at page 202. (See my account book No. 5, page 267).

All this personal property and said choses in action I give and bequeath to my beloved wife during her life or widowhood, with the privilege of using such as she desires and the rest of it will be converted into money and invested on the best terms possible. This personal property is limited over in the same way as the real estate hereinbefore devised to her.

Item 4 - I hereby constitute and appoint the Rocky Mount Savings and Trust Company 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 and every part and clause thereof, hereby revoking and declaring void all other wills and testaments by me heretofore made.

In witness whereof, I, the said Jacob Battle, do hereunto set my hand and seal this the 30th day of June, 1913.

Jacob Battle (L. S.)

Signed, sealed, published and declared by the said Jacob Battle to be his last will and testament in the presence of us, who at his request and in his presence, (and in the presence of each other), do subscribe our names as witnesses thereto.

J. G. Wheless

Baldy Batchelor

Jacob Battle's Will

Rocky Mount, N. C.

I, Jacob Battle, of above town and State do hereby make this codicil to my will and testament heretofore made by me: That is I hereby direct my executor therein named to pay the sum of Two Hundred and Fifty Dollars (\$250.00) each for two years towards the expenses of my grand daughters Iva Battle and Martha Westray Battle at St. Mary's School in Raleigh, N. C., making a total of one thousand dollars and I authorize my said executor to substitute some other school which they may attend if said executor deems best.

Witness my hand and seal this Nov. 29, 1916.

Jacob Battle (Seal)

Signed, sealed, published and declared to be a codicil to his last will and testament by the said Jacob Battle in the presence of us who now in his presence and at his request and in the presence of each other do sign our names as subscribing witnesses. This Nov 30, 1916.

Thos. H. Battle)
J. P. Whitehead) Subscribing
Witnesses

North Carolina
Nash County

I, Louise J. Sills, Dep. Clerk of Superior Court, in and for the State and County aforesaid, do hereby certify that the foregoing and attached (Three (3) sheets) is a true and perfect copy of the last will and testament of Jacob Battle, together with codicil thereto, as same appears of record in this office.

In witness whereof, I do hereunto set my hand and affix the official seal of said Court at office in Nashville, N. C., this 14 day of August 1944.

Louise J. Sills
Deputy Clerk Superior Court.

