

Joseph Philips

In the name of God Amen.

I Joseph Philips of the County of Stokes in the State of N. Carolina, being of sound mind & memory, do this day make and publish my last will and testament in manner and form following.

- 1st I will that my body should be decently buried after my death.
- 2nd I will that all my just debts be paid, and then due care to be collected in a reasonable time.
- 3rd I will that my plantation on which I reside, shall be sold by, or under hereinafter named, either at public or private sale as may seem to him most advantageous to my heirs.
- 4th I will that out of the proceeds of the sale of my land, my beloved wife, Rebecca shall have a sufficiency to procure a comfortable house, with garden and out lot to be left to her choice when it shall be best suited for her to have the dwelling.
- 5th I will that my beloved wife Rebecca shall select somewhat of my household and kitchen furniture as she may want for her comfort, if she thinks fit. Select one cow out of my stock to have and to hold the above mentioned house and garden and out lot together with such furniture as she may select, during her life, and after her decease to be and belong to my children which may be alive at her death.
- 6th I will that the residue of my property shall be sold at public sale, consist it of whatever it may be first giving unto my wife an allowance of one year's provision out of the moneys in hand, and the proceeds of such sale to be divided equal between my wife Rebecca and all my children to wit my sons William Walter and Sampson John, and such other children as may yet be born to me by my wife Rebecca with this proviso nevertheless that some legacies which I mention hereafter in this will shall be first paid before my decease be made.
- 7th I will that the first allotted to my wife of the proceeds of the sale shall after her decease be & belong to my children which may be alive at her decease, that is so much whereof as she may have on hand at her decease of her part.
- 8th I give unto bequeath unto my son William Walter a gun which my departed father desired should belong to him. And give unto my nephew Joseph Philips

son of my brother Andrew Philips the sum of ten dollars which my executor shall pay over to him in a reasonable time after my decease. And where I speak in article 6th of the sale of the residue of my property not herein bequeathed, I mean all my farming utensils, my stock consisting of horses, cattle, hogs &c. I mention this merely in explanation of my residue of property. And I do hereby nominate and appoint my friend Jacob Smith to be executor of this my last will and testament writing whereof I have hereunto set my hand and seal this 19 day of January 1846.

I do herewith add that in case my beloved wife should again marry that she have no further interest in the property of my present estate & the furniture or selected as my widow, shall then be sold and the proceeds divided equally among all my children. The above article was inserted before signed.

Signed sealed and delivered
in the presence of,

Michael Miller
John G. Seides
"P.D."

Joseph Philips Seal

State of North Carolina } Court of Pleas and Quarter
Forsyth County } Superior December Term 1846

The execution of the foregoing last will and testament of Joseph Philips deceased was duly proven in open Court by the oath of John G. Seides one of the subscribing witnesses thereto ordered to be registered.

J. H. Wofford
"P.D."