

Will of John Whitley Sr.

In the name of God Amen I John Whitley Sr. of the County of Johnston and State of North Carolina, being of sound and perfect mind and memory do this 15th day of September in the year of our Lord one thousand eight hundred and seventeen make constitute and publish this my last will and testament in manner and form following that is to say after residing to myself during my natural life the benefit privilege and of all my property as usual, I give and bequeath in manner following,

First My will and desire is that all my lawful debts be discharged by my executors hereafter mentioned.

Item I lend to my beloved wife Esther Whitley during her widowhood, or natural life the use of the upper part of my plantation where I now live including part of the buildings as well be hereafter made a division line to begin at the sum of the Wolf Pitt branch where the path that leads from my mill to my present dwelling house crosses said branch thence running s^d mill path as it now stands through two large gates and continuing said as the path way goes down s^d path to the Beaver Dam and crossing the sum of said Beaver Dam and along the upper path that leads from said Beaver Dam to the Tan Landing on the river house and to a corner called the three red oak sprouts corner thence up the various corners of the river to my upper corner on said river also Jesse Timers former corner thence along said Timers lower line and my upper line as they now stands out to the aforesaid Wolf Pitt branch thence down the various courses of said Wolf Pitt branch to the beginning at the aforesaid Mill path also the use and privilege of two rooms belonging to my now dwelling house that is to say the lower and upper rooms in the south end of said house known by the name of the Chamber rooms together with the use and benefit of my kitchen house containing 350 acres more or less.

Item I lend to my beloved wife Esther Whitley during her natural life or widowhood one negro man slave called Primus one negro man slave named Jacob, one negro girl slave named Lacey one negro girl slave named Abby, one negro girl slave named Violet one negro boy slave named Fluffy one negro boy slave named Abram one horse called Dobbin one mare called Tim one year old colt called Pacolet four cows and calves four ewes and lambs four sows and pigs, fifteen head of year old hogs twenty geese ten head of poultry two feather beds and furniture bedsteads beds and cords

six window chairs one large table one small table one pair fire dogs one pot trammel one pair fire tongs and shovel one pair flat irons and one half of my plantation tools of every kind two iron pots known by the name of the Phibe and middle size big pot one frying pan known by the name of the big pane one skillet known by name of the big skillet one large pewter dish one pewter dish known by the name of the middle size deep dish six pewter plates six pewter spoons one case of knives and forks one linen wheel one wollen wheel one trunk one chest one double riding chase and gear or harness one woman's saddle and bridle 1 bell metal spice mortar and pestle one bofat half doz tea cups and saucers six earthen plates sixteen spoons one coffee mill one loom and weaving gear two earthen quant bowls one pitcher known by the name of the Barna pitcher six common sitting chairs.

Item My will and desire is that the residue of my stock of every kind and description after paying seventy dollars out of said stock of horses cattle hogs &c for my bro Fredham Whitley and three sons (viz) Kedar, William and Jesse Whitley as herein after specified and not given or otherwise disposed of shall descend to my beloved John Whitley Jr to him and his heirs and assigns forever also the residue of my household and kitchen furniture not disposed of in any manner (if any) shall descend to my said son John Whitley Jr in manner as aforesaid to him and his heirs assigns forever.

Item I give and bequeath to my brother Fredham Whitley to him his heirs and assigns forever twenty five dollars current money.

Item I give and bequeath to my nephew Kedar Whitley to him his heirs assigns forever twenty dollars current money.

Item I give and bequeath to my nephew William Whitley to him his heirs assigns forever fifteen dollars current money.

Item I give and bequeath to my nephew Jesse Whitley to him his heirs assigns forever ten dollars current money which four last bequests to be raised by my executors out of my stock of horses and cattle &c

Item I give and bequeath to Sarah Atkinson widow of Elias Atkinson fifteen dollars current money to be raised of and from my stock as aforesaid for the purpose of building her a dwelling house fourteen by eighteen feet with a chimney &c

build of legs
 Item My will and desire is further that a negro woman named Phillis and one negro woman named Mily be free and discharged from any bondage or servitude towards any of my family but to be constituted as entirely free order as in my power to do and the said negro woman (viz) Phillis and Mily to be under the care and protection of my beloved wife Esther Whitley during her natural life after which time to be under the care of my son John Whitley Jr his heirs & neither to be subject to any sale or division whatever also my desire further is that a negro girl Chana go with said Phillis during her life to look after and work for the maintenance of the said Phillis after which time the said negro girl Chana and her increase to sever wholly to the use and benefit of my son John Whitley Jr his heirs and assigns forever also that a negro girl named Rhoda go with said negro woman Mily during the natural life of my wife Esther Whitley to look after and work for the maintenance of the said Mily and after the death of my said wife aforesaid then to be under the care and protection of my said son John Whitley Jr his heirs assigns during the natural life of said negro woman Mily in like manner as aforesaid then the said negro girl Rhoda and her increase to sever wholly to use and benefit of my son John Whitley Jr his heirs assigns forever.

Item My will and desire further is that after the death & widowhood of my beloved wife Esther Whitley that all the negroes which I lent her namely negro man Primus, Jacob negro girl Abby, Treazy & Violet, negro boys Hardy and Abram if living together with all increase of said negroes shall be and decend to my son John Whitley Jr as his real right and property to him his heirs and assigns forever. Also that all the plantation tools of every kind and description and all the stock of every kind if any should remain and all the household and kitchen furniture together with every other article of like kind or nature shall decend to and become the real right and property of my son John Whitley Jr his heirs assigns forever.

And I hereby make and constitute my beloved wife Esther Whitley my true friends Joseph Ingram Sr and John Williams Executors of this my last will and

testament in witness whereof I the said John Whitley Sr have to this my last will and testament set my hand and seal the day and year above or within written Signed sealed published and declared by the said John Whitley Sr the testator as his last will and testament in the presence of us who were present at the time of signing and sealing thereof
 John^{his} Whitley Esq^{mak}
 B. Stevens
 Sarah x Atkinson

State of North Carolina, Johnston County
 November term 1817. Then was the execution of this will duly proven in open court by the oaths of Benjamin Stevens and Sarah Atkinson and ordered to be recorded

R. Sanders C. C.