

James Rivers last will & testament

State of North Carolina In the name of God, Amen.
Union County I James Rivers of the State
aforesaid and County of Union being of sound mind and
composing memory and knowing that uncertainty of life and
the certainty of death do make publish and declare this
to be my last will and testament revoking all other
wills by me heretofore made following to wit viz

Item 1st That my will and desire is after my death my ex-
ecutor herein after named provide for my body a decent
burial and pay all funeral expenses if any

Item 2nd My will is after my death that my executor sell or
hire out so much of my personal estate as my wife Jane
Rivers and family in their judgment does not need and
pay all my just debts if any

Item 3rd I will and desire all the balance of my estate both
real and personal to remain in possession of my wife
for the purpose of raising and educating my children
her natural life time

Item 4th My will and desire is after the death of my wife that
all of my estate remaining in the hands of my wife be sold
and an equal distribution made among my

my Children and my two sons Joseph W Wivens and
William A Wivens to account for Six Hundred Dollars
each in a Settlement of my estate which I gave to them
in land and other property

Item 5th My will and desire is that my wife give off to my
other children as they come of age to make them equal
to them that has left and they too to account for the
same in a final Settlement of my estate

Item 6th My will and desire is that Simon Marsh apply
to Court for letters of administration on John Bennetts
estate in my hands and to settle the same with the lawful
representatives

Item 7th My will and desire is that I do hereby nomin-
ate and appoint my trusty friends Henry Wivens &
~~William A Marsh~~ my lawfull executor to execute this
my last will & testament to all intents & purposes in the
manner and form above stated In testimony whereof
I have here unto subscribed my name and affixed
my seal This the 23rd day of April AD 1863
Signed & Sealed in the presence

of us J N Parker
Peter Parker

James Wivens (Seal)
Wivens

State of N. C.

Am

Item 1

Item 2

Item 3

I have here unto subscribed my name and affixed
my seal This the 23rd day of April AD 1863
Signed & Sealed in the presence
of us S. H. Parker
Peter Parker
James Wivens (Seal)

Item 2

Item 3

State of N. C.
Union County D. James Wivens being of sound mind and
disposing memory, do make this a codicil to the foregoing
will and testament. I do hereby nominate and appoint
Henry Wivens my true & lawful executor leaving out the
name struck out with a pencil. and that Henry Wivens do
execute this will by himself. In testimony whereof I have
here unto set my hand & seal This 28th day of August AD 1864
Signed sealed in presence
of us S. H. Parker
James Wivens (Seal)

Item 4

State of North Carolina D. Court of pleas & quarter Sessions
Union County D. April Term AD 1865
The foregoing paper writing as the last will & testament of James
Wivens dec: was admitted to probate in due form of law
We do the records
Book 9 page 399

Item 5

H. P. Wray, Clerk
[Signature]