

57

Matthew Phifers will & testament
I Matthew Phifer of the County of Union & State
of North Carolina being of sound mind & memory
but considering the uncertainty of my earthly existence
do make & publish this my last will & testament in
manner & form following that is to say.

1st That my executor hereinafter named shall provide
for my body a decent burial suitable to the wishes of my relatives
& friends & pay all funeral expenses together with ^{my} just debts
howsoever & to whomsoever owing out of the moneys that may
first come into his hands as a part or parcel of my estate

Item I give & devise unto my beloved wife Prussilla one
hundred & seventy eight acres of land the plantation ~~on which~~ I
now live to her & her use forever in satisfaction & in lieu of her
dower of one third of my lands & also the use of my mill & mill
plantation until my youngest son William H. Phifer comes to
the age of twenty one years. I also give & devise to my beloved
wife Prussilla, two horse beasts her choice of my stock, all my
stock of cattle and sheep, all my stock hogs that run about
the plantation, my road waggon & harness together with all my
farming tools, all my household & kitchen furniture, together
with my library & also my loom & harness & also my crops of

farming tools, all my household & kitchen furniture, together
with my library & also my loom & harness & also my crops of
cotton & I will that at or after my decease John Houston and
Amos Stevens be a committee to lay off & allot one years provisions
for my wife Priscilla & family, I will that my wife Priscilla have
my negro man Scott to her & her use forever. My will & desire is
that if my grist mill be not finished at the time of my decease
it be finished at the expense of my estate, I also will that my wife
have my field cleared on fathers plantation during the term of years.

Here I give to my two sons William^H & Matthew B. Phifer my
mill & mill plantation when my youngest son comes of age to be then
valued to them & the proceeds be accounted for by them as a part of
their distributive share of my estate, or if my sons living at that
time would rather not have the plantation & mill valued to them as
a part of my estate, then & in that case when my wifes claim is
out on the mill plantation, it to be put up to public sale, on a
credit of twelve months & the proceeds be thrown into my estate
for division.

Here I will that my executor hereinafter named be authorized
& is hereby empowered to sell all my lands not otherwise disposed
of, both in this state & in the State of Georgia when they think it will
add most to the interest of my estate the proceeds of which to be accounted
for

Matthew Phifer's will &c continued
for by them as a part of my estate.

Item my will & desire is that at the time of my decease all the balance of my property not otherwise disposed of, be put up at public sale on a credit of twelve months, the proceeds together with the cash that may come into the hands of my executor by the sale of land or otherwise as a part of my estate be divided among my heirs as follows viz my beloved wife Drusilla Phifer, my daughter Elisabeth S. Phifer, & Margaret C. Phifer & Elmer M. Phifer & Matthew S. Phifer & William H. Phifer & Sarah M. Phifer & my daughter Rachel A. Phifer all to share & share alike.

And lastly I do hereby constitute & appoint my beloved wife Drusilla Phifer my lawful executor to all intents & purposes according to the true intent & meaning of the same & every part & clause thereof hereby revoking & declaring utterly void all other wills & testaments by me heretofore made. In witness whereof I the said Matthew Phifer do hereunto set my hand & seal this tenth day of October A. D. One thousand eight hundred & forty six. Signed, sealed, published & declared by the said

Matthew Phifer to be his last will
& testament in the presence of us who
at his request & in his presence do

Matthew Phifer (Seal)

& clause thereof hereby revoking & declaring utterly void all other
wills & testaments by me heretofore made. In witness whereof
I the said Matthew Phifer do hereunto set my hand & seal this
tenth day of October A.D. One thousand eight hundred &
forty six. Signed, sealed, published & declared by the said

Matthew Phifer to be his last will
& testament in the presence of us who,
at his request & in his presence do
subscribe our names as witnesses thereto.

James Stevens (jurat)

Reuben Lombertie (jurat)

Benj. F. Houston

Matthew Phifer (Seal)

State of North Carolina } Court of Pleas & Quarter Sessions
Union County } January Term 1847

This instrument of writing the last will & testament of
Matthew Phifer dec'd was produced in open court & was admitted
to probate in due form of law, whereupon Drusilla Phifer the
executrix therein mentioned appeared in court & was duly qualified
according to law

Hugh Stewart C.C.