***Two transcriptions of the will of James Phelps (Caswell co)***

* ***Latham Mark Phelps -- March 2004***
* **Contributed by Valerie J. Davis**

***Last Will and Testament of James Phelps***

***March 5th 1785- Will Book B Page 155***

***Caswell County, North Carolina***

***In the Name of God Amen I James Phelps of Caswell County Province of North***

***Carolina being Weak of body but of Perfect Sense and Memory do make and Declare***

***this my last will and Testament in Manner and form following***

***First I Recommend my Soul to Almighty God Who gave it me, hoping to Receive it again at the Last day in a Joyfull Resurrection. My body to be Buried in a Christian like Manner as for What Worldly Estate it has Pleased God to Bless me with after my Funeral Expenses & Just debts are paid I order and dispose of the following manner,***

***1st-- I Give and bequeath to my Son William Fifty Pounds Currant money to be paid out of my Estate.***

***2nd-- I lend the Remainder Part of my Estate With my land to my Beloved wife Mary During her natural Life or Widowhood She raising my children out of it as I have heretofore done.***

***3rd-- I Give and Bequeath after my Wifes decease to my Youngest Son Ambrose that***

***part of my Land Lying on the North side of the Branch being the part whereon I***

***now live.***

***4th-- I Give and bequeath to my Next youngest son Obadiah the other part of my land to him and his heirs only my mother to have her Lifetime thereon if She Chooses.***

***5thly-- The Remainder Part of my Estate after my Wifes decease I Give to be Equally divided Among the Rest of my children to wit Reubin, Thomas, Larkin, Lucy, Betty, and Patty. If my Wife should marry then to be Equally divided among my Six Children Reubin, Thomas, Larkin, Lucy, Betty and Patty and my Wife.***

***6thly-- My Will and desire is that if Either of my Eight youngest children should***

***die Without Lawfull Issue that their part be Equally divided amongst the Survivers***

***of them.***

***7thly-- And lastly I appoint my beloved Wife Mary my Executrix and my Son William my Executor to this my last Will and Testament. In witness Whereof I have hereunto Set my hand and Seal this fifth of March 1785***

**Seal**

***Signed Sealed & Delivered in the presence of }***

***Shadrack Hudson, Wm Cromwell***

***James Williamson***

***Caswell County October Court 1788***

***This Will is was duly proved in open Court by the Oaths of Shadrack Hudson, John Phelps, William Cromwell and in the manner as entered of Record upon the***

***Minutes of this Term and Ordered that the said Will be admited to Record.***

***Test AE Murphy Clk***

***Executors gratified***

***TRANSCRIBED BY: Latham Mark Phelps -- March 2004***

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**Contributed by Valerie J. Davis**   
  
The **Will of James Phelps**, of Caswell Co, NC  
October 1788 Caswell County, North Carolina  
Loose Handwritten Will

LDS Film 0018414, Caswell County, North Carolina Superior Court: Wills, inventories, court minutes, 1776-1864. Handwritten Will of James Phelps (1788), transcribed by Valerie J. Davis, Dec 1999

[words that have been crossed out in the original text appear in this transcription enclosed by double slashes; //example//. The missing portions of words cut off by the edge of the page are indicated with a line; examp| Spelling irregularities have been maintained. vjd]   
  
  
James Phelps Will  
Recorded in Book B, folio 155  
Test AEMurphy  
fees paid

Ja's Phelps Will

In the Name of God Amen I **James Phelps** of Caswell County Province of North Carolina being Weak of body but of Perfect Sense and Memory do make and declare this my last will and Testament in manner and form following first I Recommend my Soul to Almighty God Who gave it me, hoping to Receive it again at the Last day in a Joy full Resurrection my body to be Buried in a christian like manner as for What Worldly Estate it has pleas'd God to Bless me With after my funeral Expences and Just debts are paid I order and dispose of the following manner

I Give and bequeath to my Son **William** Fifty Pounds Currant money to be paid out of my Estate.

2'ly I lend the Remainder Part of my Estate With my land to my Beloved wife **Mary** During her natural Life or Widowhood She raising my children out of it as I have heretofore done.

3'ly I Give and Bequeath after my Wifes decease to my Youngest Son **Ambrose** that part of my Land Lying on the North side of the Branch being the part whereon I now live.

4'ly I Give and bequeath to my Next youngest son **Obadiah** the other part of my land to him and his heirs only my **mother** to have her Lifetime thereon if She Chooses.

5'ly The Remainder Part of my Estate after my Wifes decease I Give to be Equally divided Among the Rest of my children to wit **Reubin, Thomas, Larkin, Lucy, Betty, and Patty**. If my Wife should marry then to be Equally divided among my Six Children **Reubin, Thomas, Larkin, Lucy, Betty and Patty** and my Wife.

6'ly My Will and desire is that if Either of my Eight youngest children should die Without Lawfull Issue that their part be Equally divided amongst the Survivers of them.

7'ly And lastly I appoint my beloved Wife Mary my Executrix and my Son **William** my Exor to this my last Will and Testam't In witness Whereof I have hereunto Set my hand and Seal this fifth of March 1785

Seal

|gn'd Seal'd  
|d'd in Presence of} **Wm Cromwell** WC his mark  
|**adr\_cH H\_\_son** **James Williamson** x his mark  
[signatures go right to the bottom of the page - no signature for James Phelps appears. vjd]   
  
  
Caswell County October Court 1788  
This Will is //was duly// proved in open Court by the Oaths of **John Phelps** //(who// **William Cromwell** and **Shadrack Hudson** in the manner as entered of Record upon the Minutes of this Term and Ordered that the said Will be admited to Record.  
Test **AE Murphy** Clk

Executors gratified