

State of North Carolina
Ashe County

I William H Phillips of Ashe Co. and state of North Carolina being of sound mind and memory but considering the uncertainty of my earthly existence do make and declare this to be my last will and testament in witness whereof and for following that is to say,

First that my Executors hereint after named shall provide for my body a decent Burial suitable to the wishes of my relatives and friends and pay all funeral expenses to gether with my just debts however and to perform the same out of the money that may first come into his hands as a part or parcel of my estate.

First I give and devise my beloved wife Ellen all my land on which I now live except the per part which it will be to George when he is 21, including also the buildings and orchards with all my household & kitchen furniture and farming utensils,

also one good horse and 3 good milk cows also one yoke of oxen with corn sheep and hogs such as she may need to have and to hold during her natural life if she remains my widow, if she should marry again then I want the land and property that I have willed to her to go to the use of my 4 children

Next I have given my son Wiram Phillips \$147.00

I now give him \$3.00 more.

I have given my son Henderson Phillips \$159.00

I now give him one dollar more.

I have given my son Lafayette Phillips \$1.47

I now will him three dollar more

I have given my daughter Lavicy Parsons \$137.00

I now give her one dollar more.

I have given my son Jere L Phillips \$153.00

I now will him one dollar more.

I have given my daughter Leas Wilson \$137.95

I now will her one dollar more

I have given my son W H Phillips \$800.00

I now will him one dollar more.

I have given my daughter Hannah Huffman \$137.45

I now will her one dollar more

I have given my son Ely Phillips \$153.00

I now will him one dollar more

I have given my daughter Julia Phillips \$100.00

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Bedstead which she is to have at her mothers death, all amounting to \$70⁰⁰

I now will my daughter Dora, one good Cow worth \$20, also one bedstead and other household goods to the amount of \$20. This she is to have when she is 16 year old. I also give her one Bureau one Cupboard one trunk, 1 little table, 1 Bedstead which she is to have at her mothers death, All amounting to \$70⁰⁰

I want my son George W Phillips to have the upper part of my land valued at \$150⁰⁰. Beginning on a spanish oak John Phillipses upper corner Running Eastward with said John Phillips line to E. Fews line then westward with E. Fews line to the top of the top of Frenchs knob, thence westward with Lafayette Phillip line to a mahogany, thence south with said Phillips line to a Locust, then Eastward to a white oak. Below the old apple orchard thence to the beginning. Which he is to have when he is 21 years old.

I want my son Walter to have the lower part of my land Beginning on a chestnut in the upper end of Lafayette meadow, thence South 53 East 35 poles low stake thence North 25 East 33 P to a spanish oak thence East 100 P to Geo Phillips line then northward to 3 Chestnuts thence northward with said line to a spanish oak, John Phillips upper corner thence westward to a white oak. Below the orchard thence westward to a locust in Lafayette Phillip line thence south with Lafayette line to a Black gum & chestnut then with said line to the beginning. Valued at \$150⁰⁰

After all my debts and burial expenses is paid if anything left it is to go to Julia Dora to make them equal with my first girls, and then if any surplus it is to go the use of the family.

I do here by constituted and apoint my son Ely Phillips & my step son J. F. Dillard, my lawful Executor, to all intents and purposes to execute this my last will and Testimony according to the true intent & meaning of the same and every part and clause thereof in witness whereof I the said William H Phillips do hereunto set my hand and seal this the 6 day of July 1898

Wm H Phillips Seal
Signed sealed and delivered by the said W. H. Phillips to be his last will & testament in the presence of us who at his request and in his presence do

subscribe our names as witnesses thereto
Witness
J. T. Goodman
J. C. Tomlinson

Codroit.

State of North Carolina, Ashe County.

This February the 19th A.D.
one thousand nine hundred and two, Gadaille
of Hunt Phillips in connection with my last Will
and testament, Whereof instead of one yoke of oxen
and three milch Cows as previously willed to my wife
Ellen Phillips I now will her two Cows and two
horses one of sd horses my son George is to have to use
but not to trade until he is 21 years of age then the
sd horse to be his own to use as he pleases. The other
horse willed to my wife if left after she is gone I
want my son Walter to have. The property willed
to my daughter Dora I want held for her until she
is twenty one years old unless she marries sooner
I want the increase of the property left to my wife
& children if any more than is needed on the place
to be traded by one of the executors viz J. T. Dillard
& the proceeds to go to the use of the family as I
have given Julia Phillips forty dollars & now give
her fifty dollars more making in all fifty
five dollars. The property willed to my wife
Ellen Phillips I now give J. T. Dillard power
to assist her in repairing, changing or disposing
of & to see that the same goes to the use of the
family.

Signed sealed and delivered in the presence
of us.
Test.
J. D. Baker
J. M. Dillard
Hunt Phillips (read)

State of North Carolina } In the Superior Court
Ashe County }
A paper purporting to be the last
Will and testament of Hunt Phillips, deceased, is
produced before me, the undersigned clerk of the
said court by J. T. Dillard & J. D. Baker

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Ely Phillips, the executors therein mentioned and the due execution thereof by the said Thom H Phillips is proven by the oath and examination of J. B. Tomlinson, one of the subscribing witnesses thereto; who being duly sworn doth depose and say that he is a subscribing witness to the paper writing now shown him, purporting to be the last Will and Testament of Thom H Phillips, that the said Thom H Phillips in the presence of this deponent subscribed his name at the end of said paper writing, which is now shown as aforesaid, and which bears date of the 6 day of July 1898

And the deponent further saith: That the said Thom H Phillips the testator aforesaid, did at the time of subscribing his name as aforesaid, declare the said paper writing so subscribed by him, and exhibited to be his last Will and Testament; and this deponent did thereupon subscribe his name at the end of said Will, as an attesting witness thereto, and at the request and in the presence of said testator. And this deponent further saith, that at the same time when the said testator subscribed his name to the said last Will as aforesaid, and at the time of the deponents subscribing his name as an attesting witness thereto, as aforesaid, the said Thom H Phillips was of sound mind and memory, of full age to execute a Will, and was not under any restraint to the knowledge, information or belief of this deponent. And further this deponent saith, not.

J. B. Tomlinson

Sworn & subscribed, this 24 day of Dec. 1903, before me.

A. S. Elley, Clerk Superior Court.
By W. Johnson, D.C.

North Carolina, in the Superior Court,
Ashe County.

A paper writing purporting to be the last Will and Testament of Thom H Phillips, deceased, is exhibited for probate in open Court by J. F. DeLoach and Ely Phillips, the executors therein named; and it is thereupon proved by the oath and examination of J. B. Tomlinson, that the said Thom H Phillips, at the time of the said paper writing being subscribed by him, was of sound mind and memory, of full age to execute a Will, and was not under any restraint to the knowledge, information or belief of this deponent. And further this deponent saith, not.

by the oath and examination of the said J. H. Gooden that he is well acquainted with the handwriting of the said J. V. Gooden, having often seen him write, and that the name of the said J. V. Gooden subscribed as a witness to the said Will, is in the handwriting of the said J. V. Gooden. And it is also proved by the oath and examination of J. C. Tomlinson that he is acquainted with the handwriting of Hon. W. Phillips, the testator, therein named, having seen him sign his name to said Will, and that the name of the said Hon. W. Phillips, the testator, is in the handwriting of the said Hon. W. Phillips.

J. H. Gooden
 J. C. Tomlinson
 Sworn to and subscribed before me
 This 24th day of Dec. 1903
 W. Elly, C.S.C.
 Per W. Johnson D.C.

State of North Carolina In the Superior Court.
 Ashe County }

A paper purporting to be a codicil to the last Will and Testament of Hon. W. Phillips, deceased, is exhibited before me, the undersigned, Clerk of the Superior Court for said County, by J. F. Dillard and Elzy Phillips, the executors therein mentioned, and the due execution thereof by the said Hon. W. Phillips is proven by the oath and examination of J. B. Baker and W. M. Dillard, the subscribing witnesses thereto, who being duly sworn, both before me, say, and each for himself deponent and said that he is a subscribing witness to the paper writing now shown him, purporting to be a codicil to the last Will and Testament of Hon. W. Phillips, that the said Hon. W. Phillips in the presence of the deponent subscribed his name or initials at the end of said paper writing, which is now shown as aforesaid, and which bears date of the 10th day of July 1902.

And the deponent further saith, that the said Hon. W. Phillips, the testator aforesaid, died at the time of subscribing his name to aforesaid document.

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said paper writing so subscribed by him and exhibited to be a Codicil to his last Will and Testament, and this deponent did thereupon subscribe his name at the end of said Codicil, as an attesting witness thereto, and at the request and in the presence of said testator. And this deponent further saith, that at the same time when the said testator subscribed his name to the said Codicil to his last Will as aforesaid, and at the time of the deponent's subscribing his name as an attesting witness thereto, as aforesaid, the said Wm H Phillips was of sound mind and memory, of full age to execute a Will and was not under any restraint, to the knowledge, information or belief of this deponent. And further these deponents say not.

J. D. Baker

J. F. Dillard

Severally sworn & subscribed, this 24 day
of Dec. 1903, before me.

A. S. Eller, Clerk of the Superior Court.
Res. W. B. Johnson D.C.

North Carolina, in the Superior Court,
Ashe County.

It is therefore considered and adjudged by the Court that the said paper writing and every part thereof is the last Will and Testament and Codicil thereto of Wm H Phillips deceased. Let the said Will and Codicil thereto, together with the probate be recorded and filed.
This 24 day of Dec., 1903.

A. S. Eller

Clerk of the Superior Court