

PETTIGREW, EBENIZER

State of North Carolina

Tyrrell County

Book 3, page 19

4 Mar 1848

In the name of God amen, I **Ebenizer Pettigrew** of Magnolia Tyrrel County die in the full faith & religion of my father & with firm hope of a resurrection to a better and happier world- With regard to the worldly goods which an indulgent providence has bestowed on me I devise as follows-

Impremise- I give unto my dear children in common for there own particular use my cimetary at Benerva on Lake Phelps. The extent & title to which will be more clearly shown by deed from **Charles L. Pettigrew** bearing date 1846- to the Trustees or vestry of the protestent Episcopal Church called St. Pauls in the town of Edenton, hoping that they will never reject the spot on which reposes in peace so many that are dear to them- Item- I give & bequeath to my son **Charles L. Pettigrew** one man named **Levi** which negro man he has in possession, I also give to him my land in Scuppernong as follows. The lands that I bought of **Charles Batemon, Jeremiah Phelps, John B. Beasley** which formerly belonged to **Hardy N. Spruill** of cool spring also the land I bought of **Hardy H. Phelps** and where he now lives the lands are all adjoining & the deeds for which he will find among my papers, & which lands I give to him and his heirs forever. But if I should sell the above lands then devise to him the amount without interest that there lands sold for to be paid by my executor-

Item- I relinquish to him my son **Charles** all my right to the cattle which he has in possession also I give to him all my books he has at his house, also my old barouch & harness to him & his heirs forever-

Item- I give & bequeath to my daughter **Mary B. Pettigrew** twelve thousand dollars to be paid to her by her brother **Charles L. Pettigrew's** note due to me, which sum when paid to her, shall be a discharge of that amount due to my estate, by my son Charles-

Item- I give & bequeath to my son **J. Johnson Pettigrew** my negro boy **Dimic**.- I also give to my said son **J. Jonson Pettigrew** fifteen thousand dollars to him & his heirs forever in the conditions heretofore mentioned-

Item- I give & bequeath to my daughter **Ann B. S. Pettigrew** one negro girl **Margaret**, also a watch & appendages, likewise twelve thousand dollars to her & her heirs forever- on the conditions hereafter mentioned, namely- The above sums devised to my son **J. Johnson Pettigrew** of fifteen thousand dollars & to my daughter **Ann B. S. Pettigrew** of twelve thousand- Shall not be paid to them until they ratify & confirm all sales that I have made of real estate in which he or she may be interested & releaving all claims for any sum or sums I may be indebted to him or her, & if either on arriving at full age shall refuse to satisfy & confirm such sales or to execute such releases then the share of the one refusing is to be divided among all my other surviving children; but it is my intent that until my said son **J. Johnson Pettigrew** & my daughter **Ann B. S. Pettigrew** respectively attain to age of twenty one years, that they shall be respectively entitled to receive the interest on the several sums above mentioned, but in their attaining respectively the age of twenty one they are not to be intituled to the principal sums until after ratifying confirming & releasing as aforesaid-

Item- It is my desire that my sons **Charles & William S. Pettigrew** shall not be forced by proces of law to pay the above legaces to there brother and sisters in less than five years after they respectively arrive at age, provided they punctually pay to them the interest and also that the principle is safely guarenteed to the legatees, but if my sons **Charles & William** should think proper to pay a part or the whole legacy before that time they shall have the privelege to do so-

Item- I give & bequeath to my son **William S. Pettigrew** all the remainder of my property not before divided of whatever nature it may be Viz Real. Personal & perishable to him & his heirs forever, he paying my just debts, funeral expences, &c. also the legaces of fifteen thousand dollars to my son **J. Johnson Pettigrew** & the legacy of twelve thousand dollars to my daughter **Ann B. S. Pettigrew** also furnishing for her the gold watch & appendages. These lagaces only to be paid in the conditions above mentioned in this my will, and I further injoin it an my son **William** as one of my last request that he shall never become security for any person for, more than the interest his property will pay in one year & not for that amount until he is free from debt-

Item- It is my will that if either or both of my children **J. Johnson Pettigrew** or **Ann B. S. Pettigrew** should die before they arrive at age that my son **William S. Pettigrew** retain the legacey divided to him or her in fee simble-

Finally- I constitute ordain & appoint my son **William S. Pettigrew** sole exector of this my last Will & Testament revoking all others heretofore made by me In witness whereof I have hereunto set my hand & seal this 4th day of March anno Domini 1848.

E. Pettigrew (Seal)

Signed sealed executed & published in presence of us

Thos. Lewis

D. P. Davenport

Benja. Phelps