

North Carolina
Ashe County

I Wilburn Elliott of the
aforesaid County and State being of sound
mind but considering the uncertainty of my
earthly existence do make and declare this
my last Will and testament hereby revoking
and declaring utterly void all other Wills
and testament by me heretofore made

First - My executor hereinafter named
shall give my body a decent burial suitable
to the wishes of my friends and relatives and
pay all funeral expenses together with all my
just debts out of the first moneys which may
come into his hands belonging to my estate

Second. I give and bequeath to my Son
Melvin Elliott and his heirs. Lot of land No 1
where I now live being bounded as follows
Beginning on a locust corner in old line
near the top of the mountain N. Hams and Callaway
Elliotts Corner running east with the conditional line
86 poles to a gate by the way that leads across to
Wilcox then down the road 28 poles to the forks of the
branch then turning going up by some grape vines
and a Hickory tree to the left of said Elliotts house
42 poles to a rock then 7 1/2 poles across above said house
to a stake near a tame cherry tree then up with the
extreme height of the ridge with the conditional line
86 poles to a chestnut corner (now a stump) in the
old established line then with the old line to the
beginning containing 34 acres more or less
The said Melvin Elliott is to have and hold the
above described land after my and my wife Mary
Elliott decess. Provided the said Melvin Elliott pays
William Elliott (my son) \$160.00 One hundred and
Sixty Dollars and my Daughter Martha Miller heirs
\$75.00 Five Dollars

Third I give and bequeath to my Son
Eleana Elliott and his heirs. Lot of land No 2
where he now lives being bounded as follows

Beginning on a locust near the top of the mountain
N. Hams & Callaway Elliotts Corner running east with
conditional line 86 poles adjoining Lot No 1 to the gate by
the ways that leads across to Wilcox then down the road
80 poles to a maple bush then running up the ridge with
the conditional line 44 poles to a maple at William Landreth
field in old established line then with the old established line
to the beginning containing 33 acres more or less the said Eleana
Elliott is to have and hold the above described land after my
and my wife Mary Elliott decess provided the said
Eleana Elliott pays my daughter Adeline Miller \$60.00 Sixty
Dollars and my daughter Elizabeth Hams \$60.00 Sixty Dollars
and my daughter Martha Miller heirs \$45.00 Forty five
Dollars

Fourth - I give and bequeath to my son Thomas Elliott
and his heirs. Lot No 3 of land being bounded as follows.
Beginning on a maple in old established line at William
Landreth's field running with a good line adjoining Lot
No 2 down the ridge 44 poles to a maple bush by the side
of the road which leads down from Elliotts house
then up with said road 22 poles to the fork of the branch
then up by some grape vines to the left of said Elliotts
house adjoining Lot No 1. 42 to a rock then with the
extreme height of the ridge 92 poles to a white Walnut
at Monroe Millers field in the old established line
then with the old established line to the beginning containing
33 acres more or less the said Thomas Elliott is to have
and hold the above described land after my and my
wife Mary Elliott decess provided the said Thomas Elliott
pays my son Ruben Elliott \$160.00 one hundred and sixty
Dollars and my daughter Martha Miller heirs \$75.00
Five Dollars

Fifth - I give and bequeath to my son Rufus Elliott
and his heirs. Lot of land No 4 being bounded as follows
Beginning on a white Walnut at Monroe Millers field
in old established line running down with the extreme
height of the ridge adjoining Lot No 3 92 poles to a rock
then 7 1/2 poles to a stake near a tame cherry tree then
with the extreme height of the ridge adjoining
Lot No 1. 80 poles to a chestnut stump corner in
old established line then with the old established
lines to the beginning containing 33 acres more or
less the said Rufus Elliott is to have and hold the

above described land after my and my wife Mary Elliotts decease provided he pays my son Harrison Elliott \$160⁰⁰ one hundred and fifty Dollars and my daughter Martha Miller heirs ~~55.00~~ Five Dollars all the above payment are to be made within 2 years after my and my wife decease

Sixth - I give and bequeath all ~~of~~ my household kitchen furniture to be divided in 3 parts one part to my daughter Elizabeth Ham and her heirs, one part to my daughter Adeline Miller and her heirs and one part to my daughter Martha Miller's heirs.

Seventh ~~My wish~~ desire is that all the residue of my estate, if any, after taking out the devises and legacies above mentioned shall be sold and the debts owing to me shall be collected and if there should be any surplus over and above the payment of debts expenses and legacies that such surplus shall be equally divided among all of my heirs

Eight - I hereby constitute and appoint my trusty friend W. J. Elliott my lawful executor to all intents and purposes to execute this my last Will and testament according to the true intent and meaning of the same and every part and clause thereof In witness whereof I the said Wilburn Elliott do hereunto set my hand and seal this June the 24th 1897

Wilburn Elliott *Dea*

Signed Sealed published and declared by the said Wilburn Elliott to be his last Will and testament in the presence of us who at his request and his presence do subscribe our names as witnesses thereto

J. T. Reedy
W. J. Elliott

State of North Carolina ss

Ashe County } In the Superior Court

A paper purporting to be the last Will and Testament of Wilburn Elliott deceased is exhibited before me the undersigned Clerk of the Superior Court for said County by W. J. Elliott the executor therein mentioned and the due execution thereof by the said Wilburn Elliott is proved by the oath and examination of W. J. Elliott & J. T. Reedy the subscribing witnesses thereto, who being duly sworn do depose and say and each for himself depose and saith that he is a subscribing witness to the paper writing now shown him purporting to be the last Will and Testament of Wilburn Elliott that the said Wilburn Elliott 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 24th day of June 1897 And the deponent further saith that the said Wilburn Elliott the testator aforesaid did at the time of subscribing his name as aforesaid declare the said paper writing to be 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 said time when the said testator subscribed his name to the said last Will as aforesaid and at the time of the deponent subscribing his name as an attesting witness thereto as aforesaid, the said Wilburn Elliott 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.

Severally sworn and
subscribed this 9th day
of May 1898 before me

P. Blum C. C.

J. T. Reedy
W. J. Elliott

North Carolina ss - In the Superior Court
Ashe County }

It is therefore considered and adjudged by the Court that the said paper writing & every part thereof is the last Will and Testament of Wilburn Elliott deceased. Let the said Will together with the probate be recorded and filed this 9th day of May 1898

P. Blum C. C.