

The last will and testament of Joseph
Ellis -

Know all men by these presents that
I Joseph P. Ellis being of sound mind
and lawfully possessed of all estates both
real and personal mentioned in this
instrument. But anticipating that my natural
life may be cut short. Without giving me
time to dispose of that of which I am
possessed. When my end approaches
do hereby in the fear of God and for
the good of my family make this my
last will and testament. as follows
to wit.

1st It is my will that all just debt that
I may owe to cover at the time of my
decease be paid out of the proceeds of
sales of my personal property then
possessed or money that may chance
to be on hand.

2nd

I Will and bequeath Wife Harriet
A. household, and kitchen furniture,
except one bedstead with bed tick
and clothing, and Womans saddle
which I bequeath to my daughter
Sarcophina Cotham to have full control
of the same until expiration of her
natural life. then to be equally divided
between my three daughters, Elizabeth Almira
Martha Jane and Sarcophina Cotham.
Except that part of said household furniture
which belonged to my wife at the
time of our marriage, and since
purchased with her own money all of
which she is to hold, and dispose of as
she may select.

I furthermore bequeath to my wife 2 milch
cows, one horse or mule as she
may select. also one or more home buggy
with harness to have and to hold the
same during the term of her natural
life. at the expiration of which they shall
be given to my daughter Sarcophina

Cotham.

3^d I will, and bequeath to my youngest
son Lucius Fulton one hundred and
sixty acres of land upon which I now
live including dwelling house, barn
mill &c. said land to be bounded
as follows. Beginning at a forked white
oak on a ridge at the head of a hollow
running North 74° fifty eight poles to a stake
and pointer near the road at Ellis corner
thence with his line south 15° E. thirty one
poles to a stake, and pointer. Thence S.
20° West 60 poles crossing a branch to a
white oak. Thence South 17° E. twenty poles
to a dog wood on Gregorys old line
thence with that line south 82° West
East. twenty eight poles to a stake
and pointer on the top of a ridge
thence South 60° W. thirty three poles
to a white oak at or near J. R. Weavers
corner. Thence with his line south
60° W. thirty three poles to a white oak
thence 25° West. sixty six poles to a
stake. Thence South 35° West. twenty four
poles crossing the creek at the old mill dam
to a white oak on the point of a ridge
thence South thirty degrees East two poles to
a stake, and pointer. Thence South 45° W.
seventy four poles to a pine on the road
that leads to Ellis Mill. Sixteen poles to
a pine at the gate. Thence N. 15° West
twenty two poles to a pine.
thence N. 10° West. sixty nine poles to a
pine. Thence North 45° W. the distance
unknown to a pine in J. H. Weavers line.
thence North with the line distance
unknown. to a white oak. Thence N. 20° W.
West. ten poles to a white oak on top of
a ridge J. R. Roberts corner. thence North 74° E.
one hundred and twenty two poles to the
beginning to have and to hold and to
dispose of as he may select. upon the
following conditions. That he shall
completely take care of my wife during
her natural life. and my youngest

daughter Serphina Cotham. Which she
remains unmarried, and at the expiration
of one year after the death of my
wife the said Joy (\$2000). Two thousand
dollars in cash. to be equally divided
between my three sons (William E.
Adam E. and Benj L.) and my
three daughters (Elizabeth N. Martha J.
and Serphina E.)

4th I will, and bequeath to my son
Abel Nelson, a certain parcel of land
upon which I now live, containing
forty acres. Beginning on a pine in
the forks of the road, in George Peck
line, Thence North with the road, that
leads to my Mill, sixteen poles to a
pine at the gate, thence Fifties corner
Thence North 18° West with his line
thirty two poles to a pine Thence North
10° East West Sixty nine poles to a pine
Thence North Forty five West, with Incius line
distance unknown to pine. L. H. Weaver
line. Thence South with his line to a
stake on the bank of the creek, Thence
crossing the creek south one hundred
and twelve poles, to a stake in G. W.
Peck line. Thence East with his line nine
poles to a black oak. Thence North
60° East Twenty poles to a dog-wood. Thence
South 87° East thirty eight poles to the
beginning, including the place where
he now lives. To have and to hold
and to dispose of as he may
select. he to have no further interest
in any part of my estate.

5th
I will and bequeath to my son Incius
Futton, all my farming implements.
6th My will is that the wearing
part of my stock if any should be
on hand at the time of my death
not previously disposed of in this
instrument, together with all the
black-smith tools, on hands and
carpenter tools, and also two horse

Wagon, provisions, and means of which
I may be possessed, after the payment
of my just debt. My wife to have
one years provisions, and the remainder
to be given to my daughter Serphina
Cotham.

Furthermore, it is my will that
Incus Futton Elder, my youngest
son, and Andrew P. Roberts, my
son in law, be my executors
to fairly and faithfully execute my purposes
as set forth in this my last will and
testament.

Furthermore it is my will, that all
my children acquiesce in the disposition
I have made of my property, and as
I never got any thing from, the lawyers
nor officers, neither do I want them to
have anything that belongs to me
or my children, in witness whereof I
have set off my hand and seal
this the 9th day of Dec. A.D. 1886
J. P. Eller Seal

State of North-Carolina } In the Superior Court
Brunswick County }

A paper writing purporting to be the last will
and testament of Joseph P. Eller, deceased is
exhibited before me the undersigned clerk of
said county, by J. P. Eller, & A. P. Roberts
the executors therein mentioned, and the due
execution thereof by the said Joseph
P. Eller, by the oath & examination of J. P. A.
Fair & W. R. Edmonds, the subscribing
witnesses thereto, who being duly sworn
doth depose and say, and each for
himself depose & say, that he is a
subscribing witness to the paper writing now
shown him, purporting to be the last
will and testament of Joseph P. Eller
that the said Joseph P. Eller in
the presence of this deponent, subscribed
his name to the end of said paper
writing, which now shows as follows:

and which bears date the 9th day of Dec
1880. And the deponent further saith that
the said Joseph P. Eller, the tutor
aforesaid did at the time of subscribing
his name as aforesaid before the said
Joseph Writing, do 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 tutor.
And this deponent further saith
that at the said time when the
said tutor subscribed his name
to the said last will and
testament as aforesaid and at
the time of this deponent signing his
name as a subscribing Witness thereto as
aforesaid, the said Joseph P. Eller 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.

P. A. Fair Deal
W. R. Edmund. Deal

Personally sworn to and
subscribed this 23rd day of
July A.D. 1892 before me
J. L. C. Atkey C.S.C.