

I give and bequeath all my goods Chattels & Personal Estate whatsoever not herein before bequeathed unto my four Children William James George and Elizabeth Bagby equally to be Divided amongst them share & share alike but in case any of my said Children should happen to Die under age before Marriage my Will is that the Share of the Child or Children so Dying shall be equally Divided amongst the Survivors Lastly I Nominate constitute & appoint Joseph Cragg Esq. Richard Shingleton and William Little to be Executors of this my last Will & Testament In witness whereof to this my Will contained in two Sheets of Paper wrote on one side only I have set my hand & Seal to each Sheet this thirty first Day of October in the Year of our Lord One thousand Seven hundred and thirty Eight

John Bagby

Legally Sealed Published & Declared by the Testator to be his last Will & Testament in the Presence of the Subscribing Witnesses who in his Presence & at his request have set their Names as Witnesses hereunto

Witnesses
James Lucas
William Keating

South Carolina Before me William Bull Esq. President & Clerk of the Province of South Carolina on the Ninth Day of December 1738 Personally came & appeared William Keating one of the Witnesses to the within Instrument of Writing who being duly Sworn in the holy Evangelist of Almighty God declared that he was Present & saw the within named John Bagby the Testator Legally Seal Publish & Declare the Instrument of Writing to be & contain his last Will & Testament and that he was of Sound and Disposing mind Memory and understanding at the Time of Doing thereof.

According to the best of his Knowledge & Belief & further that he the said Deponent together with James Cuthbert & James Lewis signed their Names as Witnesses thereto in the Presence of the Testator The said 9th Day of December 1738.

Sworn before me
James Wickham

25th June 1739 Recorded in the Secretaries Office

In the Name of God Amen Joseph Elliott of Beasley County in the Province of South Carolina Planting of perfect mind & Memory thanks be to God for the same but calling to mind the Mortality of my Body & knowing that it is appointed all Mankind once to Die Do make & Declare this my last Will and Testament First and Principally Recommending my immortal Spirits into the hands of Almighty God my heavenly Father who gave it hoping through the Merits Death & Passion of our blessed Saviour Jesus Christ To have full and free Pardon remission of all my Sins and to inherit Everlasting Life and my Body committing to the Earth to be Decently Buried at the Discretion of my Executors herein after mentioned.

And as Touching such Worldly Estate wherewith it hath Pleased God to bless me in this

I give Devise and bequeath the same in manner and form following that is to say First I will Order that those Debts and Duties which I do owe be truly paid out of the annual Income and Produce of my Estate.

Item I give Devise and bequeath unto my beloved Son Joseph Elliott all that my Tract of Land containing five hundred Acres in S^t Andrews Parish To have and to hold the said Tract of Land to my said Son Joseph his Heirs and Assigns forever and to be Delivered up to him when he shall attain to the age of Eighteen Years And I further give and bequeath to my said Son Joseph one Negro Sampson by name the said Negro having a Brother named George which said Negro by name Sampson To have and to hold to my said Son Joseph his Heirs and Assigns for ever.

Item I give and Devise and bequeath unto my Beloved Son Thomas Elliott all that my Land on this Side of Pon-Pon River in S^t Pauls Parish to have and to hold the said to my said Son Thomas his Heirs and Assigns forever And further give Bequeath unto my said Son Thomas one Negro named George Brother to the above Negro named Sampson which I gave to my Son Joseph with said Negro by name George To have and to hold to my said Son Thomas his Heirs & Assigns forever And further that The said Estate be Delivered up and Paid to my said Son Thomas when he shall attain to the age of Eighteen Years.

I give Devise and bequeath my house and Land in S^t Philips Charles to my two Sons Joseph and Thomas Elliotts the Tenement rented by M^r William Roper I give Devise and bequeath to my said Son Joseph and the other Tenement rented by M^r William Lapsore I give Devise and bequeath to my said Son Thomas which said two Tenements with the Lands to have and to hold to my said two Sons Joseph & Thomas Elliotts their Heirs and Assigns forever.

Item I give Devise and bequeath unto my beloved Daughters Mary Anne & Sarah Elliotts all that my Lands on the other Side of Pon-Pon River in S^t Bartholomews Parish to be equally Divided between them & the same to have and to hold to them their Heirs & Assigns forever And further that the said Lands be equally Divided according to the Discretion of my Executors when either of my said Daughters shall attain the age of sixteen years or upon the Day of either of their Marriage to be Delivered up and paid to them by my said Executors.

I will that after the Decase of my Mother Ann Elliott Widow that the Land she now Lives upon be sold.

I give Devise and bequeath all the rest and residue of my Estate both real & Personal to be equally divided between my Loving Wife Edith Elliott in the one of her Dower and my four Children Joseph Thomas Mary Anne and Sarah Elliotts and the same to have and to hold to my said Loving Wife Edith Elliotts and my four Children namely

Joseph Thomas Mary Ann & Sarah Elliott to
them their heirs and assigns for ever. And I have
Nominated Constituted and appointed my Loving
Edeth Elliott with my Loving Brothers Thomas
Elliott and Richard Godfrey Executors of this my
Last Will and Testament And I do hereby utterly
Disallow revoke and make null and void all former
and other Wills by me heretofore made Ratifying
confirming these Presents to be & contain my Last
Will and Testament. In witness whereof I have
hereunto set my hand & Seal this seventeenth Day
of December in the year of our Lord One thousand
Seven hundred and thirty Eight 1738/1

Joseph X Elliott
The
Mark

The above & foregoing being the
Last Will & Testament of Jos. Elliott Junr
Written on two Sheets of Post Paper was
Signed Sealed Pronounced Published and
Declared by the Testator Jos. Elliott Junr
as his Last Will & Testament in Presence
of us who in his Presence & at his request
have subscribed our Names as Witnesses
hereto.

Signed Sealed and Delivered in Presence
of us
Richard Capers.
James Christie
Bernard Elliott.
Thomas Colson.

South Carolina

Before me William Bull Esq. Lieutenant
Governor and Ordinary of the Province of South
Carolina on the 16th Day of June 1739 Personally
came & appeared James Christie & Bernard
Elliott two of the Witnesses to the within Instrument
of Writing who being duly sworn on the holy
Evangelist of Almighty God Declared that they
were present & saw the within named Joseph
Elliott the Testator sign Seal Publish & Declare
the said Instrument of Writing to be & contain
his last will & Testament & that he was of sound
and disposing Mind Memory and understanding
at the Time of Doing thereof according to the best of
their knowledge & Belief and further that they
the said Deponents together with Richard Capers
& Thomas Colson signed their Names as Witnesses
thereto in the Presence of the Testator.

The said 16 Day of June 1739

Sworn before me

Wm Bull } sworn & sworn
the Ex. &c.

26 June 1739

Recorded in the Secretarys Office
pn