

In the name of God Amen! I William F. Elerbe of the District of Marlborough, in the said State, being in an uncertain state of bodily health but in the full possession of all my mental faculties, do make ordain and publish this, as my last will and Testament in manner following that is to say,

1st. I desire that no final partition of my estate shall be made during the life of my Wife Ann E. Elerbe, but that all of it shall be kept together on my several plantations, except such unnecessary stock of horses, cattle, hogs or sheep, as my Executor in whose possession they are, shall think proper to sell, and the proceeds of the farms shall be disposed of hereinafter directed-----

2nd. I appoint and Constitute as the Executors of this my last Will and Testament, my friends Captain John Elerbe, Colonel James Gillispie, and Josiah J. Evans, and inasmuch as I do not desire to burthen each of them, with the Superintendence of my whole estate, I make the following distribution of their several duties, viz- My Chesterfield Plantation and everything appertaining thereunto is to be under the exclusive charge of John Elerbe, and all my planting interest in Marlborough and everything connected with it, and all my mills are to be under the exclusive management of James Gillispie; The Adjustment Settlement and Management of all my other business I commit to my other Executor Josiah J. Evans-----

3rd. I give devise and bequeath to my wife Ann E. Elerbe my Mansion house in Marlborough with all the appertenances together with all my house servants, Carriage horses, Carriage Coachman, furniture and Library, to be used possessed and enjoyed by her at her sole will and pleasure, during her natural life, and I desire that in the management of my estate she shall be consulted and advised with ^{by} my Executors, and that she

shall be furnished from

shall be furnished from my estate with everything which can contribute to her comfort and convenience,-----

4th. When the crops shall be gathered annually ample provision for the use of my wife & family shall be made therefrom of all such necessaries as the plantations can furnish, the balance of the crops, by the respective Executors having charge of the plantations, shall be sold and after paying all the Contingent expenses of the plantations and reserving enough to meet the probable charges of the subsequent year; they shall pay over the balance to Josiah J. Evans to be disposed of as hereinafter directed.-----

5th. In disposing of my real estate, I do not think it can be advantageously divided into more than two parts; I therefore give and bequeath to my youngest son Thomas Robertson Elerbe, in lieu of land, Thirty thousand dollars to be paid him at the time my personal estate is divided as hereinafter directed in Cash and Bonds or such other Choses in action as my Executor having charge of that part of my estate, may then have in his possession, And should he have been unable by that time to have provided the means of paying this Legacy from the income of my estate; then the balance unprovided for, shall be made up by my Executors out of my personal estate before division.-----

6th. I desire and direct that my Executor Josiah J. Evans shall annually out of the income of my estate pay over to my wife such reasonable sums of money as she shall deem necessary to pay all the Contingent expenses of the Maintenance and education of my family, And the remainder of the income together with all debts due me, when collected, shall be vested by him, in bank stock or such other security as he may deem most productive, for the purpose of raising the Legacy herein before given to my youngest son Thomas R. Elerbe.-----

7th. I give devise and bequeath to my eldest son William T. Elerbe his heirs and Assigns, my lower plantation lying on both sides of Pee Dee river and including all the lands in Marlborough whereof I am seized and possessed in my own right, lying on the South side of Naked Creek but of this property, he is not to have possession, except with the consent of my Executors and his Mother as hereinafter provided until the time herein fixed for the partition of the whole of my estate.-----

8th. To my son Alexander R. Elerbe his heirs and Assigns I give devise and bequeath, my upper plantation situated in Chesterfield District together with all my lands in Marlborough lying on the North of Naked Creek, And also the lands and Mills to which I am entitled in right of my wife by virtue of the last Will & Testament of her father, the late Major Drury Robertson, but the possession thereof is subject to the same restriction as the land herein devised to my son William.-----

9th. I desire that all my children shall be well educated and charge my estate with all the expenses thereof and should either of them study a profession I desire that my Executors shall furnish him with the means from my estate of purchasing a good professional Library should he commence the practice of his profession before my estate is divided. And inasmuch as no part of my estate is hereby directed to be delivered into the possession of any of my children during the lifetime of their Mother, I do hereby authorize my said Executors by and with the consent of my wife, as soon as provision shall have been made for the payment of the Legacy of Thirty thousand dollars to my son Thomas, to allot to each of my sons William and Alexander some part of the lands hereby divided to them respectively, with such number of slaves as my said Executors and my wife may think necessary to Cultivate the Land, And whenever such allotment shall be made to either of them his right to be maintained out of the residue of the Estate shall cease and determine.-----

10th. I have reason to feel and do feel in my wife the most implicit confidence and have in this disposition of the Worldly goods wherewith God hath blessed us, endeavoured to make her situation, after my death, as happy and as comfortable as is consistent with its nature, And I do hereby enjoin on my friends whom I have selected as my Executors, to provide most amply for all her wants and to manage all my business with all due regard to her wishes and desires.-----

11th. As soon after the death of my wife as the same can conveniently be done, I give and bequeath after paying the Legacy to my son Thomas, all residue of my personal estate to be equally divided between my three sons, William, Alexander, and Thomas. And this partition is to include not only the estate possessed in my own right but also my wife's share of the estate of the late Major Drury Robertson, And in order that the same may be made with little expense and trouble, I authorize my Executors to appoint Commissioners not exceeding five to effect this partition among my children.-----

12th. In disposing by this will of my estate among my children I found it necessary and convenient in order to make the partition ample and equal, to include, with the consent of my wife, the estate devised and bequeathed to her by her father the late Major Robertson. This disposition I hope and trust and believe she will never disturb, And the provision hereby made for her is done under the expectation that she will never dissent to any part of this my last will and testament. If however she should think proper to dissent to the disposition hereby made of her estate, she must elect to do so in twelve months after my decease.-----

13th. My summer Residence in Richmond County North Carolina I give devise and bequeath to my wife during her life, and afterwards to all my children as joint Tenants, And I desire during the lifetime of my wife should she reside there in

the summer that some negroes may be kept there to make provisions for her and my family.-----

14th. To my worthy friend John McFarlane and his wife Rebecca McFarlane I give and bequeath the Lot of land whereon he has built a house at my summer residence in North Carolina for and during their joint lives and the life of the survivor.-----

15th. I authorize and empower my Executor Josiah J. Evans to sell and convey my lands in Darlington District and to vest the money arising from the sales towards raising the Legacy for my son Thomas.-----

16th. Whereas I am jointly seized with George T. Hersey of a tract and Mills which we bought from James C. Thomas and the said Hersey has requested me to buy his half of the land, I do therefore authorize and empower my executors to take the said land in payment from the said Hersey on settlement of my private dealings with him and of the estate of Major Robertson, at the price he gave for the same, which land so purchased is to be held as the residue of my estate during my wife's lifetime, And afterwards I give it to my son William and desire my Executors to convey it to him.-----

17th. I give and devise all my right title and interest in a tract of land bought by Thomas Powe from the estate of Falconer and conveyed by him to myself, Zachariah and Thomas F. Elerbe, to my sister Martha Powe during her life and after her death to all her children.

Signed, acknowledged, published and declared by the said William F. Elerbe as and for his last will and testament in our presence who have attested the same in his presence and at his request, The following interlineations were made before signing, viz- the words "for the use of my wife and family," in the 1st. line of the 4th Clause, & the word "endeavoured" in the 2nd. line of the 10th Clause.

W.F. Elerbe. (L.S.)

Recorded in Will Book A
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Recorded 20th. July, 1826

Recorded by Wm. Easterling,
Ordinary, M.D.

Case I---Box 21---

Thomas E. Powe
Peter E. Graves
Wm. McQueen