

ALEXANDER, Elias, Sr. 1818



SHAW-WALKER

Third Cut #9203R

1st Be it known unto all whom it may con-
-cern that I Elias Alexander Junr of the
County of Rutherford, State of North Carolina
being sound in mind, and memory, But
aware of the Uncertainty of Human Existence
do hereby, Constitute, Make and Appoint
this my last Will and Testament, and
Bequeath my Estate, Real, and Personal in
the following Manner, and Form, To-wit:
I give & Bequeath unto my Wife Agnes
her Dower of the Land, whereon I now reside her
Bed, and furniture, together with every other
necessary Article on the premises for the purpose
of rendering her comfortable during the term
of her Natural Life, according to the manner
of our Living here before, I also Bequeath unto my
said Wife Agnes, the Negro Girl Harriet to wait
on her during her ^{or} Agnes's Life, and at the Death
of my said Wife Agnes, the Negro Girl Harriet
shall devolve to my son Elias, her, being &c. - But if
the said Harriet should die, during the life time of
my said Wife Agnes, I Ordain that my son Elias
Garrison be with another female Slave, during her
Agnes's life, & that the said Slave then devolve to
my said son Elias, again, or to his heirs, &c. -
Concerning that my Son Francis has heretofore received
his full Proportion, I Will that he have no part of
the property of which I may die possessed - To the heirs
now Born, or hereafter to be born, of the Body of my
Daughter Ann, the Wife of Stephen Camp, I give &
Bequeath, all that Plantation or tract of Land whereon
she now resides, with this reserve, that she, the said
Ann, shall have the full use, and profits, of said
Land, During Life; but should her Husband Stephen
find it convenient to remove, he is at liberty to sell

said Land, upon condition, that, he, the said
Stephen, Give Sufficient Bond and Security
unto my Executors, to pay over to the Children of
my said Daughter Ann, in One Year after the
Death of their Mother, the Monies arising from
the sale of said Land, or other good property
to the Value thereof. And I further ordered, that
the said Stephen, as the Representative of his Wife
& Children, shall, as a draw back upon said Legacy
& Land, pay over unto David Reinhardt, the
Husband of my Daughter Margaret, the sum of
Two Hundred & fifty Dollars, in two Installments
viz. One Hundred and Twenty five Dollars in three
years after my Decease, and the balance at
the expiration of three years more — My Executor
I further direct, to make title to the above named
Land ~~to be~~ sold, — My Daughter Jane shall
Inherit in part of my Property. To my Daughter
Margaret, the Wife of David Reinhardt, above
mentioned, I Give, and Bequeath the first
Child that my Wench Hannah may hereafter
Bear, to be Delivered to my said Daughter Margaret
at the age of two years, by my Son Elias, who shall
himself be at the expense of rearing the Infant
until that period — To the Heirs of the Body
of my Daughter Patsy, the Wife of Jacob Fisher
and to her Use during Life, I Give and Bequeath
the negro Girl Betty, now in their Possession by way
of Loan, said negro Betty not to be subject to the
Payment of the Debt of said Jacob Fisher, But to
Descend, with the same, to the Children of my said
Daughter Patsy, at her, the said Patsy's demise
To the Children of my son Major Pop Alex and I
Give and Bequeath, the following Land, adjoining
the tract on which I now reside — viz. all the

3rd From the mouth of the ditch in the lower field on the East side of the creek, up said ditch and Branch, to my Boundary, and down the creek from the mouth of said Ditch, to the mouth of the first Branch from my meadow fields, that comes in on the West side of the creek, and thence, crossing the Creek, and running up a steep Hill, the Distance of four Rods, in a straight direction, as it crossed said creek, thence running along the side of said Hill in a straight direction, Parallel with the Branch until the Branch by its windings intersects said straight line then up the branch as far as my land extends; all the above lands lying southward of my home tract according to the Boundaries described. I Give and Bequeath as already mention'd to the Heirs of my son Major Ross Alexander, with this Condition, That—Should he, the said Major Ross, think proper to sell said Land, and remove, my Executors shall make title to the Purchaser or Purchasers of said Land, upon Condition that he, the said Major Ross, Give sufficient Bond, and Security to my said Executors, that the monies or profits arising from the sale of said Land, shall be paid over to his heirs at his Death, or that Land, or other good property of equal value be substituted in lieu thereof. But be it understood, that he, the said Major Ross, shall have full use and Possession of said Land and of the profits arising therefrom for the term of his natural life, without the said Land, nor said Profits, thereof, being subject to the Payment of the Debts of him, the said Major Ross. Item. To the legal Heirs of him, the said Major Ross, I Will & Bequeath, the following Slaves—viz: George, Lilly, & Perry, and R. G.

4. Further Ordain that the said Major Ross shall during Life, enjoy the Benefit of the Labor of said Slaves, not subject to the Payment of the said Major Ross' Debt, But to Descend with their Increase and Issue, to the heirs of the said Major Ross as above mentioned - Item. I Will find bequeath to said Major Ross, to his own proper use, my two mares, my sorrel filly and Bungannon, also six Cows and Calves, two young oxen; the third of all my sheep and Hogs; the third part, or share of the Benefit or Emoluments to be derived from all my meadows now in Cultivation, as long as he, the said Major Ross shall reside on, or Cultivate said Land, together with an equal share with Elias of the Benefits of the old Orchard and Pasture therein contained. Should my said son Major Ross Decease, his heirs shall enjoy the above named Benefits for the term of fifteen years from the Date of this my Will, Item. I also Bequeath unto my said son Major Ross one third of all the farming Utensils of which I may die Possess'd - To my son William Alexander I Will and Bequeath the two negroes John and Sally, also the cornet filly - To my son James Taylor Alexander, I Will and Bequeath the two negroes, Fox and Venus, and the black mare Kate - Having already Bequeathed unto my Daughter Margaret Reinhardt, the first Born of the future increase of my Wench Hannah, I further Will and Ordain that the other Children hereafter to be born of the body of said Wench Hannah, as well as the future Increase & Issue, of the Wench, Fanny, and Rachel shall be disposed of in the following manner and form, Viz. The first Child born of the Bodies of either of the three Wench above mentioned I wish the exception of Hannah's

First Born already Begun which shall
attain to the age of two years shall become the
property of the following Legatee, in Order and
Succession as hereafter explained and delivered
to said Legatee at the age of two years by my
Son Elias, free of all Cost or expense - Viz. The first
Born, to my Son William Alexander, The second
to my Son James Taylor Alexander, the third to
my Grand Daughter Melinda M. Bee, the
fourth to my Grand Daughter Emmeline C.
Richards and the fifth to my Grand Son
William D. Fisher. It being fully understood
that these six Infants must be born of one or more
of the above named three Wenchers, Hannah,
Fanny, and Rachel, within the term of twelve
Calendar years from the date of my Decease
and that each, and every one, of said six Infa-
nts be delivered at the age of two years to said
Legatee, by my son Elias, free of all Cost, Charge
or expense for the raising or nurturing thereof.

And I further Will and Ordain that should
any one or more of said Infants die, at any
Period within the said two years, the loss shall
be his or hers, to whom said Infant in right,
belonged, according to the tenor and order of
Inheritance as above expressed. I further
Will and Ordain that should the above named
Wenchers, Hannah, Fanny, and Rachel Conjoint-
ly or Separately within the term of Twelve
Calendar years from my Decease, have issue
or Increase, more than the six children already
will'd, the first born, after said six so
will'd, shall at two years of age, become
the Property of the Heirs of my Son Major Ross
Alexander, The second child shall, at the

Age of two years, devolve to my Son William
Alexander, the Third, to my son James Taylor
Alexander - The fourth, to the heirs of my
Daughter Ann Camp, ~~and~~ the remainder
to my son Elias: Be it The said Elias delivering
to their proper possessors, at the age of two
years, free of all charge, or expense for the
nurturing thereof, each, and every one, of
said Children - The Death of any of said
Children within the said term of two years
being considered the proper loss of the Legatee
or Legatee to whom the Child, or Children
Wanted, at said expiration of two years, in right
Devolve - Item. I Will, and Ordain, that, at
the expiration of twelve Calendar years from my
Decease, the Wench Fanny, already mentioned
shall become the property of the heirs of my
son Major Ross Alexander, he, the said Major
Ross enjoying, During the term of his Natural
Life, the Bodily Labor of said Wench Fanny
But not subject to the payment of his Debts -
Item. I Will that the said Major Ross have
Half the Emoluments derived from the service
of my Stud Horse Strong bow, for the term
of four years, he, said Major Ross is to be
accountable to my son Elias, Half the
expenses of keeping said Stud Horse - I Will
I Ordain that should my son Elias, sell the
said Stud horse any time within the four
years above mentioned, that, then the Emolu-
ments cease, as to the said Major Ross -

The remainder of my Estate, Real, and personal
of every Denomination, not already expressed,
I Will, and Bequeath to my son Elias -
Alexander - I further Will and Ordain, that

7th Should any of my Legates, or the representa-
tives thereof, refuse to Comply with, or
attempt to subvert, this my will, He or They
so refusing to Comply with, or attempting
to subvert shall forfeit all right, title, or
inheritance, to any part of the property of
which I may be possessed, either in his,
or their own right, or for his, or their heirs;
and I further recommend, should any
of my Legates imagine that a recourse to
legal measures be necessary for the obtaining
of their rights, or for the subversion of this my
will, and Testament, that the lawes, and
processes of Litigation be avoided, and the
Cheaper mode of Reference be pursued;
and I recommend to them the decision of
James Murphy alone (Master of Burke
County North Carolina) — Lastly I con-
stitute and appoint, Vardry M. Bee David
Richardt and Elias Alexander Junior
Executors to this my last will and Testament.

In Testimony whereof I have
hereto affixed my Hand & Seal
this the Sixteenth day of March in
The year of our Lord one thousand
Eight hundred and Eighteen.
Zadoc Harris Elias Alexander

Edw. D. Woods

Signed sealed &
acknowledged in
Presence of

Readers. Book No.
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Class Alexander
Mill.

Noted 16th March
1818