

State of North Carolina
Bertie County

I, Joseph W. White, of the County and State aforesaid, being of sound mind and memory, but considering the uncertainty of my earthly existence, do make and declare this my Last Will and Testament, in manner and form following, that is to say ÷ First, - That my executor (hereinafter named) shall provide for my body a decent burial, suitable to the wishes of my relatives and friends, and pay all funeral expenses, together with my just debts, howsoever and to whomsoever owing, out of the moneys that may first-come into his hand as part or parcel of my estate.

Item: 1st I give devise and bequeath (or shall her loan,) to my beloved wife, Martha A. White all my estate both real and personal, (except the land which I shall in another item of this will bequeath to my son William M. White.) to be hers and under her management and control during her natural existence, (or so long as she remains my widow and no longer.)

Item: 2nd having made an equal advancement to my eldest son James A. White in my real estate I hereby debar him from any further share in said real estate.

Item: 3rd I give and devise to my two sons Estus White and John T. White (after the death or intermarriage of my wife) the tract of land on which I now live, containing about 440 acres more or less, including my residence and all improvement thereon, to be equally divided between them, share, and share alike, both of them, and their heirs, and assigns in fee simple absolutely forever.

Item: 4th I give and devise to my son William N. White, the following described piece or parcel of land being ÷ all north of the following line adjoining the land where he now lives, said line commencing on the Chappel Bridge road at an oak stump at the lower corner of the Cobb place fence, thence running about a south west course direct from the road to King Branch, thence [?] said branch to the fork, containing Fifty

five acres more or less. (to be his at my death.) to him and his heirs and assigns in fee simple forever.

Item: 5th I give and devise to my three daughters Mary P. Keeter, Amanda E. White, and Minnie J. White, my spring hill tract of land (after the death of my wife.) containing one hundred and sixty acres more or less, to them, and each and every of them, share and share alike, to them and their heirs and assigns, in fee simple absolutely and forever.

Item: 6th I give and bequeath to my son John D. White, one hundred dollars in money, as his share of my estate (in lieu of any real estate) to be paid to him at the death of my wife, as his lawful share in all my real and personal estate.

Item: 7th I give and bequeath to my son John T. White, my mule, and to my daughters Amanda E. White, and Minnie J. White, each one feather bed a furniture, and one cow or calf each (to be given them at the death of my wife) to them and their heirs and assigns forever.

Item: 8th My will and desire that, that (after the death or intermarriage of my wife.) all the residue of my estate, after taking out the devices and legacies above mentioned, shall be sold, and the debts owing to me collected; and, if there should be any surpluses over and above the payment of debts, expenses and legacies, that such surplus shall be equally divided and paid over to my said children, James A. White, Estus White, William M. White, John T. White, and Mary P. Keeter, Amanda E. White, and Minnie J. White, in equal portion, share and share alike, to each and every of them, their heirs, executors, administrators and assigns, absolutely forever.

And lastly, I do hereby constitute and appoint my son Estus White, my lawful executor to all intents and purposes, to execute this my last will and testament, according to the lone intent and meaning of the same, and part and clause thereof, hereby revoking and declaring utterly void all other wills and testaments by me heretofore made, and declaring this to be my will and desire.

In witness whereof, I, the said Joseph W. White, do hereunto set my hand and seal, this the Seventh day of

January, A.D. 1888.

Joseph W. White (seal)

Signed, sealed, published and declared
by the said Joseph W. White, to be his last will +
testament, in the presence of us: who at his request and in
his presence do subscribe our names as witness hereto.

Geo. W. Cobb
George H. Cobb

(Executors Oath)

State of North Carolina)
Bertie County)

In the Probate Court

I Estus White do solemnly swear or (affirm) that I believe this writing to be and contain the Will and Testament of Joseph W. White deceased; and that I will well and truly execute the same by first paying his debts and then his legacies, as far as the said estate shall extend, or the law will charge me; and that I will well and faithfully execute the office of an executor agreeable to the trust and confidence reposed in me, and according to law, so help me God.

Sworn and subscribed before, this 29th
day of April 1889.

Estus White (seal)

W. L. Lyon, C.S.C.
(seal)

North Carolina)
Bertie County)

In the
Superior Court

Be it known that on this 29th April 1889 is exhibited before the undersigned, Clerk of Superior Court for the County and State aforesaid the foregoing and annexed paper purporting to be the last will and testament of Joseph W. White deceased, and the execution thereof by the said Joseph W. White was proved by the oath and examination of Geo. W. Cobb and Geo. H. Cobb the subscribing witnesses thereto: who having duly sworn say that they are subscribing witnesses of the said will: That the said Joseph W. White signed the said will in their presence and that at his request, in his presence and in the presence of each other they subscribed their names as witnesses thereto: That at the time of executing the same the said testator was of sound mind and memory, of full age to execute a will and under no undue restraint or influence. The said will is admitted to probate and [?] ordered to be recorded and filed.

At the same time Estus White the Executor therein named was duly qualified as such by taking and subscribing the required oath.

Witness my hand this 29th April 1889.

W.L. Lyons (seal)
Clerk Superior Court

State of North Carolina)
Bertie County)

In the
Superior Court

A paper purporting to the Last Will and Testament of Joseph W. White, deceased, is exhibited before me, the undersigned, Clerk of the Superior Court for the said county, by Estus W. White, the executor therein mentioned, and the due execution thereof by the said Joseph W. White by the oath and examination of Geo. W. Cobb and Geo. H. Cobb the subscribing witnesses thereto: who being duly sworn, depose and say, and each for himself, deposes and saith, that he is a subscribing witness to the paper writing now shown him, purporting to be the last and Testament of Joseph W. White; that the said Joseph W. White, in the presence of this deponent, subscribed his name at the end of said paper writing which now shown as aforesaid, and which bears date of the 7th day of January 1888.

And the deponent further said, That the said Joseph W. White, the testator aforesaid, did, at the time of subscribing his name as aforesaid, disclose the said paper writing so subscribed by him and exhibited, to be his Last Will and Testament, and at the request and in the presence of the testator subscribed his name to the said will as aforesaid, and at the time of deponent's subscribing his name as an attesting witness thereto, as aforesaid, the said Joseph W. White was of sound mind and memory, of full age to execute a will, and was not under any restraint to their knowledge, information or belief of this deponent. And further these deponents say not.

Geo. W. Cobb (seal)
George H. Cobb (seal)

LAST WILL & TESTAMENT OF JOSEPH W. WHITE
Dated January 7, 1888

and subsequent probate documents

Transcribed April 12, 2004
by W. P. Goodwin, Jr.
(great-grandson of the deceased)

from copies provided
by the

North Carolina State Archives

to Nina J. Cobb
(great-granddaughter of the deceased)