

In the name of the benevolent Father of All, I Elisha Phillips of Perry County in the State of Indiana, being of sound mind and disposing memory, and being desirous of disposing of what property I may be possessed of at the time of my death, do make and publish this my last Will and Testament.

First; I devise and bequeath to Josiah C. Nash and to his heirs by Annia Nash (my daughter) the sum of Eleven Hundred (1100) Dollars in cash money to be paid to him and said heirs at or after my decease.

Second; I devise and bequeath to Andrew H. Phillips my son and to his heirs the sum of Eleven Hundred (\$1100.) Dollars in cash money; to be paid to him & his heirs after my decease.

Third; I devise and bequeath to Mrs S. Aldredges Son of Elizabeth Aldredges (my daughter) the sum of Two Hundred (200.) Dollars in cash, to be paid to him after my decease.

Fourth; I devise and bequeath to Fiddia Williams wife of Charles Williams and to her children the sum of Eleven (1100) hundred Dollars in cash to be paid to her and her children at my decease.

Fifth; I devise and bequeath to my son John J. Phillips the sum of One dollar, he having already received as his proportionate share in my Estate the sum of \$1100.<sup>00</sup> for which I hold his receipt in full.

Sixth; I devise and bequeath to my son Elisha H. Phillips as and for his interest in my Estate the following described Real Estate To Wit: The West half of the South East Quarter of Section No Nineteen (19) in Township No Six (6) South of Range No Thirteen (13) West containing 80 acres more or less, and a part of the East half of the South West Quarter of said Section 19 in Twp 6 South of Range 13 West, bounded as follows, beginning at the South East corner of the said S. W. 1/4 Section. Thence North 166 poles to the North East corner of the aforesaid quarter Thence West 9 poles & nine tenths of a pole. Thence South 166 poles, Thence East nine poles & nine tenths of a pole to the place of beginning, being about 10 acres more or less, and also all my personal property, money, notes and accounts that I may be possessed of at the time of my decease and out of said Effects am bequeathed to him the said Elisha H. Phillips given he shall pay all of the heretofore mentioned

"over"

bequests and gifts except the one to John T. the one to Andrew H. Phillips (the said John T. Phillips having & holding Andrew H.'s share now in his hands, and in the said Elisha H. Phillips hands, I leave my remains to be disposed of and buried in a respectable manner.

Seventh, I hereby constitute and appoint my son John T. Phillips Executor of this my last Will and Testament hereby revoking all other Wills by me ever made.

In Witness Whereof I have hereunto set my name and seal this the 12<sup>th</sup> day of February 1844.

Elisha Phillips

Signed Sealed and acknowledged by said Elisha Phillips as his last Will and Testament in our presence and by us signed as Witnesses at his request in his presence this the 12<sup>th</sup> day of February 1844, said Will written on four pages of this Paper.

Perry Allen  
Field A. Pentecost,

State of Indiana, Posey County, Ind;

Be it Remembered, That on the 19<sup>th</sup> day of April 1845, Field A. Pentecost, one of the subscribing witnesses to the within and foregoing last Will and Testament of Elisha Phillips, late of said County, deceased personally appeared before me William Nelson clerk of the Circuit Court of Posey County, State of Indiana, and being duly sworn by the clerk of said Court, upon his oath declared and testified as follows, that is to say; that on the 12<sup>th</sup> day of February 1844, he saw the said Elisha Phillips sign his name to said instrument in writing, as and for his last Will and Testament, and that this deponent at the same time heard the said Elisha Phillips declare the said instrument in writing to be his last Will and Testament, and that the said instrument in writing was at the same time at the request of the said Elisha Phillips and with his consent, attested and subscribed by the said Perry Allen and Field A. Pentecost, in the presence of said testator and in the presence of each other as subscribing witnesses thereto; and that the said Elisha Phillips, was at the time of the signing and subscribing of said instrument in writing, as aforesaid, of full age (that is more than twenty-one years of age) and of sound and disposing mind and memory, and not under any coercion or restraint, as the said deponent verily believes and further

"over"

deponent says not.

Sworn to and subscribed by the said Field A. Pentecost before me William Nelson, clerk of said Court at Muncie, Ind<sup>a</sup>, the 19<sup>th</sup> day of April 1875, in attestation whereof, I have hereunto subscribed my name and affixed the seal of said Court.  
 Field A. Pentecost  
 William Nelson, clerk.

State of Indiana, Posey County, I.D.  
 I William Nelson Clerk of the Circuit Court of Posey county, Indiana, do hereby certify that the within comes Mill and Testament of Elisha Phillips has been duly admitted to probate and duly proved by the testimony of Field A. Pentecost one of the subscribing witnesses thereto; that a complete record of said Mill and of the testimony of the said Field A. Pentecost in proof thereof has been by me duly examined made and recorded in Book No 1 at pages 486 487 & 488, of the Record of Wills of said County.  
 In attestation whereof, I have hereunto subscribed my name and affixed the Seal of said Court at Muncie, Ind<sup>a</sup> this 19<sup>th</sup> day of April 1875.  
 William Nelson, clerk  
 Circuit Court of Posey County.

Recorded April 19<sup>th</sup> 1875.  
 Wm Nelson Clerk

Posey Co., Indiana, Will Records, Vol 1, 1852-1875, pages 486-488.

Source: Ancestry.com. Indiana, Wills and Probate Records, 1798-1999

<http://search.ancestry.com/>

Names sons Elisha H., Andrew H. and John T.; dau. Fidelia Williams, wife of Charles, and her children; son-in-law John C. West and his heirs by dau. Nineva; grandson William L. Aldredge [sic], son of dau. Elizabeth Alldredge [sic]. Son John T. named executor.

Witnesses Perry Allyn and Field A. Pentecost.

Dated 12 Feb 1874.