

James D Johnson being fully in body but sound in mind make this request  
in the presence of witnesses to be executed after his decease

1<sup>st</sup> I wish my Administrators to make to John Day a  
good title to the tract of Land on which he now resides  
containing 80 acres more or less, as the said John Day has  
paid for the same

2<sup>nd</sup> I give to Leroy Johnson fifty acres of land  
around the place where the said Leroy Johnson now  
lives to be so laid off as to not materially disturb the shape  
of my tract or settlement of land

3<sup>rd</sup> It is my wish and I give to Mrs Sarah A Petty after  
my death decease for and during her life the life of Mrs  
Petty Wife of Thomas Petty a negro woman named Mariak  
about twenty two years of age the woman that Mrs Petty  
now has and has had for many years and after the  
death of Mrs Petty to return to my legal heirs.

4<sup>th</sup> I give to Mrs Martha Russell a bay mare to  
be given up to her at the end of this year. I also wish  
my man Cole to be allowed to select his home and wish  
my Administration to sell him to the person he selects for  
a reasonable fair price and turn over the effects to  
my legal heirs. It is my wish that Mary and her  
three children Alexander Robert and Analiza that  
belong equally to my Nephews and nieces the children of  
B. C. Whitley and W. C. Whitley borned of my sisters Mariak  
& Frances Whitley, I wish my part so far as Mary  
and her children will go to be set apart to me and  
she to be permitted to select her home and they sold

for a reasonable price to be appraised by disinterested persons and the proceeds of such sale to be turned over to my heirs and heirs entitled to my estate not otherwise disposed of.

I find that my negroes be kept on the plantation and all my effects be and remain together untill my legal heirs can come and take possession of the property. And I request & Request to act as agent untill the property untill the property is delivered over or an administrator is appointed on my estate if it is necessary for an administration.

The above and foregoing will in part was made by James D Johnson after he was too feeble to sign his name in presence of us on the 1st day of November 1864

J. Reynolds  
J. M. Hardwick  
J. D. Roseberry

We the Special Jury find that the paper pronounced is the nuncupative will of James D Johnson deceased and set up the same as such.

John Harris  
J. M. Hardwick

James D. Roseberry  
Propounder

W. A. Whately for  
himself & others heirs  
at law of James  
D Johnson and

Nuncupative will of James D Johnson and propounded  
disapproved by Court and  
appeal, and said setting up  
the will at March term 1864

Whereupon it is considered and adjudged by the Court that the paper propounded as the nuncupative Will of James D Johnson deceased is the last will and testament of said deceased, and it is ordered that the papers in said cause together with this order be remitted to the Ordinary and that the case will be admitted to record in pursuance of the Statute in such case made & provided and that the Propounder do recover of the said, Canceled the sum of Ten Dollars and twenty five cents for his cost in this behalf lawfully expended  
John M. Spur  
Judge, Arch. Court

I certify that the foregoing is a true extract from the minutes  
This 31st March 1866

A. K. Richardson  
Clerk

Gorgia  
Newton County

In the name of God Amen  
I Augustus G. Booth of said county and State  
being of sound disposing mind and memory, do make this my last will and testament, hereby averring all other

I am first, I is my wife that all my just debts be paid and a debt as well as all other kind of property that I own at pot for my family so long as my wife shall live a widow and my children minor, but if my wife should marry then the property to be sold and an equal division to be made between my wife and children.

I am third, I hereby give to my wife who I intend as the Executor of this my will, power to sell as put in or private sale any portion of my property, without obtaining the money in other property to be under the same control and restrictions as the original property before sale.

I am fourth, I hereby constitute my wife Emily G. Booth Executor of this my will, and guardian of my children so long as she remains a widow.

Signed and acknowledges as the last will and testament of Augustus G. Booth by him before us

who signed the same  
in our presence, we in  
his and in the presence  
of each other  
John Guinn  
Albert G. Banks  
W. M. Clark

Proven in solemn form April 3rd 1866  
and ordered to record

Wm. D. Lawrence, Clerk