

Last Will & Testament of Elam Alexander, Deceased
 1854-1865
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Georgia } I Elam Alexander of said County, in the heretofore
 Bibb County } of a privilege conferred on me by laws of my
 Country, being of sound mind & memory and impressed with the
 great uncertainty of life, and the certainty of death, and being
 desirous to dispose of my temporal affairs, by which after my death
 no Contention may arise in relation to the same,

First I bequeath my body to the dust, and my soul
 to God who gave it; hoping for a happy immortality through
 the atoning merits of our Lord and Savior Jesus Christ, my
 desire is that my body may be decently interred in Rose Hill Cemetery
 in a lot to be selected by my Executors for that purpose.

Second I give and bequeath to some fit & proper person
 to be selected by my Executors hereinafter named, in trust to
 and for the sole & separate use of my deceased wife's daughter
 Mrs. Martha Ann Davenport (who has always been an affectionate
 child to me) for and during the term of her natural life, free
 from the debts or contracts of her husband, one hundred shares
 of the Stock of the Central Rail Road & Banking Company of the
 State of Georgia, and Ten thousand Dollars in bonds of the South
 Western Rail Road Company, and after her death to be equally
 divided between her children and in case of the death of a child
 leaving children, the Grand children are to take the share of
 their deceased parent. I also give and bequeath to Mrs. Martha
 Ann Davenport the new parlor furniture now in my Parlor Room
 and the hair & mod Matros & bedsteads now and always her
 tofore in my Wife's bedroom. In case of the failure of the Central
 Railroad & Banking Company to pay dividends, and of the
 failure of interest on the Bonds, it may become necessary to
 encroach on the principal for the support of Mrs. Davenport &
 family, In that case the trustees with the written consent of
 Mrs. Davenport, shall have power to sell & convey such part of
 said Stock or Bonds as may be necessary for the support of
 herself and family, the balance of my furniture being old and of
 little value I wish to be as nearly equally divided as possible
 among my female Slaves Maria Rose, Georgia, Josephine, and
 Milly, without regards to inventory or valuation, or being in anywise
 considered as part of my estate for which my Executors are in
 any way chargeable, my personal clothing is to be divided
 among my male Slaves, men & boys, who may be living at the
 time of my death.

Third I will and desire that all the Slaves that may belong
 to me at the time of my death, shall remain the property of my
 Estate for the term of fifteen years from that date, that their
 labor may create a fund for the Education of certain slaves
 hereinafter named, my House and lot on which I now live
 is a part of my estate for the support of my family.

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are disposed of agreeable to the instructions of this my last will and Testament. The Lot is to be divided in half, by a fence from Second street to the alley, and suitable buildings erected on the North half with such repairs as may be necessary to the buildings may an in for health & comfort of the Negroes for a home for them, the other half of the Lot with the dwelling house is to be Rented from year to year to such persons as will allow the Negroes the use of the well back Gate. My Negroes are to be placed under the immediate charge and control of Daniel H. Clarke of the City of Macon, whose duty it shall be to attend to them and hire them out, or cause them to produce such wages as they may be able to earn in any other legal manner, I wish them kindly treated, and their wants well supplied in Sicknes & Health, Maria being old & infirm I desire that no wages in money be required of her, but that her time be occupied in taking care of, and raising her younger children and in nursing any of her older children who may be Sick her Boy Children is soon as they may arrive at a proper age, I wish placed where they can learn some mechanical trade so that they may be rendered more valuable to my Estate, Mr. Clarke is to receive a Salary hereinafter named, and shall be required to make a yearly statement to my Executors of his receipts & expenditures, The net Proceeds of the income from the hire of my Negroes, are to be apportioned in the following manner viz; one hundred Dollars annually to be paid to Daniel H. Clarke for the Education of his son Elam Alexander Clarke, one hundred Dollars annually to Samuel M. Duberg, for the Education of his son Alexander Duberg, Two hundred Dollars annually to Daniel H. Clarke as a Salary for attending to his Negroes, and Twenty Dollars annually as a present to each of the Negroes, over & above their expenses & the first payment of aforesaid Twenty Dollars to each of the Negroes to be made immediately after my death, and on the commencement of each & every year thereafter should the net income be more than sufficient to pay the above sums, the surplus is to be added, yearly to my estate, and placed at Interest, but if the said net income should be insufficient to pay the aforesaid sums then the deficit is to be paid out of any money in the hands of my Executors, belonging to my estate, and they are hereby directed at all times to keep a sufficient amount in their hands to meet such contingencies should it arise, should either of the aforesaid children for whose benefit this bequest is made die before the expiration of the fifteen years then in that case the legacy if the one is dying is to cease, at the expiration of the fifteen years the Negroes living at the time are to be sold at some reasonable price so as to allow them to select Masters

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of their own choice so that they may get good homes; and they are not to be sold without allowing them this privilege nor are Maria and her children to be separated from each other without the consent of the mother & child to be separated from her, if in the judgment of my Executor it be deemed advisable to sell one or more of the foregoing Negroes sooner than the expiration of the aforementioned term of fifteen years then it is my wish that they may be sold and the amount of the purchase money added to my estate first giving the Negro sold one hundred Dollars as a present, which amount is hereby directed to be given to each & every one of them as they are sold, if any of my Negroes should become helpless or unsalable from age or any other cause, I wish ample provision to be made for them during their lives by my Executor at the expense of my Estate at the death or Refusal of Daniel Clarke to serve I wish my Executors to appoint some other fit & proper person to act in his stead and if at any time the acting agent does not properly do his duty he is to be dismissed by my Executors and some one else appointed in his place, In the event of William the husband of my Negro woman Maria who is now the property of Mr James A Knight of the City of Macon having to be sold and thereby separated from her, I wish and hereby direct my Executors to purchase him & place him on the same footing as the balance of my Slaves, to be sold at the end of fifteen years with the same privileges and under the same restrictions as the balance of my Slaves,

Fourth- I will and bequeath to my Brother Oliver Alexander of the State of Tennessee, the lot of land on which he now resides for his use & occupancy during his life, and at his death to be equally divided among his children share & share alike and I also will & bequeath to him Ten Shares of the stock of the Central Railroad & Banking Company of the State of Georgia upon the same terms & limitations, and these bequests if my brother should die before I do, are to go directly to his children,

Fifth- I will and bequeath to my niece Amanda Moore daughter of my Sister Sally McHenry now residing in Waxahatchie Ellis County Texas Ten Shares of stock in the Central Railroad & Banking Company of the State of Georgia and to her daughter Kate Moore I also give Ten Shares of stock of the Central Railroad & Banking Company of the State of Georgia,

Sixth- I give to my nephew Franklin Morrison now living at Cartersville Georgia Ten Shares of stock in the Central Railroad and Banking Company of the State of Georgia,

Seventh- I will and bequeath to Elam Alexander son of Daniel & Clarke Twenty Shares of stock in the Central Railroad & Banking Company of the State of Georgia,

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and used in any way his Father or Mother may deem best for his interest I also give to Daniel A Clarke Ten Shares of Stock in the Central Railroad and Banking Company of the State of Georgia, Eighth I will and bequeath to Samuel M. Sanders Fifteen Shares of Stock in the Central Railroad & Banking Company of the State of Georgia.

Ninth after the payment of the foregoing legacies I will and direct that the residue and remainder of my estate real and personal after paying all claims for legacies, and others of every nature remain in the hands of Executors and be placed at, Interest, the Interest to be annually appropriated to the furthering the Cause of Independence of the Confederate States of America in ^{and} my Executors may deem best after the War is closed and the Independence of the Confederate States has been acknowledged by the United States of the North the residue of my Estate that may remain in the hands of my Executors, save and except the amounts set apart for the education of the sons of Daniel A Clarke and Samuel M. Sanders, is to be paid to the Governor of the State of Georgia, and bonds issued therefor under the act of the Legislature of Georgia passed 17th December 1859, said Bonds to be held and controlled by the Mayor & Council of the City of Macon & their Successors in office, the interest of the Bonds to be expended for the establishment of a Free School in the limits of the City of Macon the interest only to be used, the principal forever to remain as a fund for the purpose above specified. If the authorities of the City of Macon will not accept the Bonds, then in that case my Executors are to turn the Bonds over to the Trustees of the Macon Free School the Interest to be appropriated as above directed for the establishment of a Free School in the City of Macon.

Finally I hereby constitute & appoint John Fresham John L. Jones Henry L. Jewett & Daniel A. Clarke Executors to this my Last Will & Testament, the said will being contained in the foregoing six pages of foolscap paper hereby revoking all other by me heretofore made. In Witness whereof I have hereunto set my hand & Seal this 11th day of April 1862.

Elam Alexander



Signed Sealed & published by the Testator in our presence, who signed the same as witnesses in his presence & at his request & in the presence of each other. J. B. Clayton

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 Last Will & Testament of Elam Alexander

Georgia } I Elam Alexander of Said County do hereby make
 Bibb County } publish & declare this to be a Codicil to my last
 Will & Testament, which is dated on the 11th day of April 1862
 hereby fully ratifying & confirming said will & last as far as
 altered by this Codicil,

I own in the Empire State Iron & Coal Mining Company two
 hundred & fifty shares of stock which has all been paid
 up. of this stock I give & bequeath to Dr William M. Fick
 of Charleston one third being Eighty three & one third shares
 in trust for the support & maintenance of Julia Alexander & her
 child if she shall have one born and hereby conveying to her
 then child a full title to said property.

Second I give & bequeath to Daniel A. Clarke one
 third of said stock to wit Eighty three & one third shares, and
 I give & bequeath unto Samuel M. Subers the remaining
 third of said stock to wit Eighty three & one third shares.

In Witness whereof I have hereunto set my hands
 & Seal this 29 day March 1863. his

Signed Sealed & published in our
 presence by the testator who signed
 the same as witnesses at his
 request & in his presence & in the
 presence of each other
 D. M. Hammond
 Edmund Fitzgerald
 W. P. Goodall

Elam X Alexander Test
 Mark

Recorded April 8th 1863 Wm. Riley Ordinary

To the Honorable the Court of Ordinary
 of Bibb County
 The Petition of John J. Grisham and Daniel A. Clarke two
 of the Executors named in the last Will & Testament
 of Elam Alexander Respectfully present to the Court the
 accompanying purposes as the last Will & Testament and
 the Codicil thereto of the late Elam Alexander of
 Said County. Petitioners propose the same for
 Probate & pray that the same may be admitted to probate
 and that Letters Testamentary be issued to Petitioners
 April 6 1863
 John J. Grisham
 Daniel A. Clarke

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Probate of the last Will & Testament of Elam Alexander

Georgia

Bibb County

Court of ordinary

April Term 1863

Personally Came into open Court John E Jones
 one of the subscribing Witnesses to the annexed foregoing will of
 Elam Alexander late of said County deceased and the said
 John E Jones being duly sworn Says that he saw Elam
 Alexander on the 11 day of April 1862, sign Seal publish
 & declare the said paper now propounded as his last
 will, to be his last will & Testament, that he signed the
 same as a witness in presence of the Testator & at his
 request and that he saw Robert B Clayton & James N
 Washington likewise sign the same as witnesses
 in his presence & in the presence of the testator.
 Sworn to in open Court John E Jones
 this 6th day of April 1863

Wm W Riley ordinary

Georgia

Bibb County

Personally Came into open Court Edmund

Fitzgerald one of the subscribing Witnesses

to the codicil to the will of Elam Alexander and the
 said E Fitzgerald being duly sworn Says that he saw
 the said Elam Alexander sign Seal publish & declare
 the annexed paper dated on the 29 day of March 1863
 to be a codicil to his last will & Testament, that he
 signed the same as a witness in the presence & at the request
 of the Testator, and that he saw J W Hammon &
 Wm Goodall likewise sign the same as witnesses
 in the presence of the Testator,
 Sworn to & subscribed
 before me this 6th April 1863

Wm W Riley ordinary

Edmund Fitzgerald