

Georgia

Chatham Co. Will Bk B 1788-1791

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In the Name of God Amen

I James Maxwell of the Parish of Saint-Philip in the Province of Georgia Planter being in health of Body and of sound and disposing mind and memory (praised be God for the same) And being desirous to settle my worldly affairs - whilst I have strength and capacity so to do. DO make and publish this my last Will and Testament hereby revoking and making void all former Wills by me at any time heretofore made And first and principally I commit my Soul into the hands of my Creator who gave it, and my Body to the Earth to be interred at the discretion of my - - - - - Executives, and Executors herein after named And as to so much worldly Estate wherewith it hath pleased God to entrust me, my just Debts and - - - - - funeral Expenses being first fully paid and satisfied I dispose of the same as followeth -

I Give devise and bequeath unto my beloved Wife Ann Maxwell Young Coffey. Manick his Wife, Quark, Landinick, Carolina. Cusinder her Child Flora Lina her Child. Derry & Mogo - Also I give devise and bequeath unto all my Children of this present Marriage that shall be alive at the time of my death and also to such Child or - - - - - Children which my said Wife shall or may - happen to ensue with at the time of my death All the rest and residue of my Negroes, Slaves, and other personal Estate equally to be divided between them and their respectively attaining the Age

Age of twenty one Years or Day of marriage which shall first happen the said full and equal share of such Child or Children to be ascertained on their respectively the Age of twenty one Years or Day of marriage which shall first happen which shall first happen by a calculation to be made by my Executrix and Executor herein after mentioned or by the Survivor of them of the said Estate hereby devised to my said Children. and shall then pay the full and equal share and proportion thereof to such Child so being married or coming of age as aforesaid - ALSO my Will is that if any of my said Children shall happen to die before the day of marriage or Age of twenty one Years that then the share or proportion of such Child or Children so dying shall be equally divided between my said Children so surviving and my said Wife (if then alive) and if only one survive then wholly to that one - ALSO I constitute and appoint my said Wife Executrix, the Honorable James Mackay Esquire and William Maxwell - Executors of this my Will and Testament and also Guardian of my said Children and their Estate In Witness whereof I the said James Maxwell have to this my last Will and Testament contained in two sheets of Paper fixed together in the Margin and sealed and to the second sheet have set my hand and Seal and to the first sheet set my hand declaring this to be my last Will and Testament this thirteenth day of March in the Year of our Lord one thousand seven hundred and seventy two -

Signed Sealed Published and declared by the said James Maxwell as and for his last Will and Testament in presence of us who at his request and in his presence and in the presence of each other have subscribed our names as Witnesses thereunto - James Hardie, Thomas Padden, Samuel Laniro

James Maxwell

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Roger Kilsall Esquire being duly —  
sworn saith that he is well acquainted with the —  
hand writing and manner of subscribing both of James  
Maxwell and James Hardie and verily believes the —  
hand writing or subscription above to be the hand —  
writing or subscription of the said James Maxwell and  
James Hardie but knows nothing of the Will or Instrument  
proceeding —

Given before me  
the 13<sup>th</sup> July 1700

R Kilsall  
Jas. Wright

I do hereby certify that James Mackay nominated and  
appointed by the Testator James Maxwell an Executor of  
his last Will and Testament was duly qualified for  
that Trust by taking the Oath of an Executor before me  
agreeable to a Law of this Province —

Savannah 13<sup>th</sup> July 1700 - Jas. Wright:

Georgia

Before George Jones Esquire —  
Register of Probates for the County  
of Chatham in the State aforesaid —

Personally appeared John Hill of the same  
place Merchant who being duly sworn on the —  
Holy Evangelists of Almighty God maketh Oath  
and saith That he is well acquainted with the hand  
writing of James Maxwell late of the County and  
State aforesaid Esquire deceased and that he verily  
believes the name "James Maxwell" subscribed to the  
aforesaid paper writing purporting to be and contain  
his last Will and Testament is of the proper hand  
writing

Writing of the said James Macphee And the  
Depoent further saith that he is also well acquainted with  
the hand writing of James Hardie one of the subscribing -  
witnesses to the aforesaid last Will and Testament of the said  
James Macphee and that he verily believes the name -  
"James Hardie" is of the proper hand writing of the said  
James Hardie And the Depoent further saith not -

Sworn to at Savannah  
this 20<sup>th</sup> Day of December 1783  
Geo Jones.

John Hall -