

218

State of Georgia }
City of Savannah }

In the Name of God

I James Spaulding of the Islands of St. Simons
Planter but now in the said City, being of Sound and dispo-
-sing Mind, but moving from daily experience the in-
-certitude of Life and being desirous of settling my worldly
affairs whilst I have Strength and Capacity, 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, I Principally wish to be
interred in a decent and plain manner, And that all
my just Debts, as shall be by me owing at my Death
Shall be fully paid and Satisfied. Then my Will is

Imprimis that Whereas prior to my Marriage
with my present Wife Margary Spaulding a Marriage-
Settlement was then made and now Subsisting in which
she is provided with a maintenance in case of my
Death, And having then Expectations of making addition
to the same which hopes and Misfortunes have since
frustrated, I Nevertheless Do hereby ratify and
Confirm the said Marriage Settlement in its full force
and effect, And do order and will that no Impediment
whatsoever I should

James Spaulding

307
be put by my Executors to the full execution of the same

same, and in further Consideration of my regard and veneration for my said Wife ~~Margory Spalding~~, I ~~do~~ hereby give and bequeath to her, her Executors, Administrators, and Assigns four Negro ~~slaves~~ to be taken at her own Choice and Option without any Control — whatsoever from the Slaves, and Servants attending the house and family, and also all the stock, and furniture in general and without Exception which is on the Plantations now in her Occupation.

And Lastly as to the rest and residue of my real and personal property and Estate (except what I have herein before given and Bequeathed to my said Wife ~~Margory Spalding~~) I do hereby give and Bequeath unto my beloved Son Thomas Spalding, his heirs, Executors administrators and Assigns for ever together with my Books, Bonds, Notes, Accounts, vouchers, and Papers, whatsoever, and in fact all such Estate, Right, Claim and Demand of whatever Nature, and wheresoever I may be justly intitled to and have a Right thereto.

And I do hereby Constitute and appoint Thomas Gibbons Esquire Attorney at Law of the said City, and my said Son Thomas Spalding to be my Executors to this my last Will and Testament. ~~James Spalding~~ My

Witness whereof I the said James Spalding the Testator ^{have} to this my last Will Consisting in writing of the foregoing Sheet of Paper, Signed my name at the bottom of the same and to this Set my Hand and Seal this first Day of November in the Year of our Lord one Thousand

Seven hundred and Ninety four
Signed, Sealed published & Declared
by the said James Spalding the Testator
as for his last Will and Testament
in the presence of us, who at his
request, and in his presence, and
in the presence of each other have
Subscribed our Names as Witnesses
thereto

215
James Spalding
Hwy

Wm W McIntosh

John Hamilton
Charles Harris

Georgia

Before me James Whitefield, Register of Probates for the
County of Chatham in the State aforesaid. Appeared
John Hamilton one of the Subscribing Witnesses to the foregoing
Will and Testament of James Spalding Esquire Deceased
who being sworn on the holy Evangelist of almighty God saith
that he was present and did see the said Testator sign
seal, pronounce publish and declare the same to be and
contain his last Will and Testament and that he was of sound
mind at the time (to the best of this Deponents belief)
and that Wm W McIntosh and Charles Harris together
with this Deponent Subscribed their Names as Witnesses at
the request and in the presence of the said Testator & each
other

Sworn 5th Feby. 1845

Whitefield

R. D. C. C.

John Hamilton

216
State of Georgia

Chatham County

Whereas James Spalding former of the County of Glynn Deceased did make his last Will and Testament, dated the 1st Day of November in the Year of our Lord one Thousand Seven hundred and Ninety four, and made and appointed Thomas Spalding and Thomas Gibbons Executors of such his said Will, duly Recorded in the Register's Office, And whereas the said Thomas Gibbons nor the said Thomas Spalding are neither of them willing to qualify as Executors or to act upon the said Will. Now to all to whom the Presents shall come, Know ye the said Thomas Gibbons and Thomas Spalding Attorneys at Law of the City of Savannah in the County aforesaid Executors named in the said Will, to free themselves from the same as by these Presents, Renounce, Relinquish, Disclaim the said Executorship and all the trusts, Interests and Benefits that are imposed in them, or either of them, by the said Will and do fully, freely, and entirely disclaim, and abandon the Executorship aforesaid to any Person or persons Lawfully entitled to the Administration of the Estate of the said James Spalding the Testator. In witness whereof the said Thomas Gibbons, and Thomas Spalding do hereunto set their hands and seals, at Savannah this Twenty Seventh day of August in the

Year of our Lord One thousand Seven hundred
and Ninety five —

Witness —
William Wines

217
H^l Gibbons (ls)
Thomas Spalding (ls)

In the Name of God Amen I Martha Way
late of Liberty County, but now of the City of Savannah
Spinster, being very sick and weak in Body but of Perfect Mind
and Memory, Thanks be given unto God. Calling unto Mind the
Mortality of my Body and knowing that it is appointed for
for all Men once to Die do make and Ordain this my last Will
& Testament that is to say principally and first of all I give
and Recommend my Soul into the Hands of Almighty God that
gave it, and my Body I Recommend to the Earth to be buried in
Decent Christian Burial, at the Discretion of my Executor —
Nothing doubting but at the general Resurrection I shall
Receive the same again, by the Mighty Power of God.
All as Touching such worldly Estate wherewith it has
Pleased God to Bless me in this Life. I Give Devise and
Dispose of the same in the following manner & form.
First I Give & Bequeath to Susannah Pickett my dear Sister
Wife of Mr. Thomas Pickett Trunk. Also I give and Bequeath
to Rebecca Way my other Sister, all my wearing
apparel and Trunk and likewise my Horse known by the