

In the name of God amen.

I, William Nicholson of the County of Jackson in the Territory of Florida, mindful of the uncertainty of life and the necessity of making a suitable disposition of my worldly affairs do make this my last will and testament, hereby revoking and annulling all other and former wills by me heretofore made at any time. In the first place I resign my soul into the hands of Almighty God who gave it.

Secondly, I desire that all my just debts be paid by my Executors.

Thirdly, I give devise & bequeath to Elizabeth Ann (the eldest daughter of my wife) a negro boy by the name of Zula and a negro girl by the name of Bessy also all my lands in Jackson and Lee Counties of the State of Georgia in full of her part both of my real and personal Estate & Slaves

Fourthly, I give devise & bequeath to my dear wife Mary Nicholson her heirs & assigns forever in full of her part & bequeath & furnish also my carriage and carriage horses and an equal share with my children (viz Arabella Archabald, Mary Ann, Angus Malcolm and any other child or children if alive at my death) in my real and personal Estate & slaves giving her the prerogative of selecting her lot of Slaves ~~before~~ provided she takes a family of negroes as nearly as may be practicable

Fifthly, My will & desire is that my Executors keep the Slaves together on my plantation in Jackson County Florida and only make a division of them and the personal property if my wife survives or as each of the children becomes of age or marries assigning to each child his or her portion of the

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the woman to be divided as the other children
becomes of age or marries.

Sixthly. I give devise and bequeath to my wife
Mrs Sarah Ann Fletcher & the lawful begotten
heirs of her body a negro woman by the name
of Julia & her child & their increase forever.

Seventhly. My will and desire is that all my
land in Georgia not already willed and my
stock of cattle on Flint River also my shares in
in the Union Bank of Florida be sold if my
Executors can obtain a fair price for them but
not otherwise & also that there be no division
of my lands in Florida until my youngest
child becomes of age except my wife Mary
which if she does then I will that she have her
due proportion.

Eighthly. I do hereby nominate and appoint my
Brother James Nicholson and W^m H. Stewart Executors
to this my last will & Testament with full power
and authority to carry into execution the various
trusts reposed in the same.

In testimony whereof I have signed
my hand and seal this 18th of November 1838.

Wm. C. Horn

(Signed) M Nicholson [Seal]

J. M. Hanson

J H Lang

Territory of Florida, Gascon County

Having forgotten to insert in
my will a small proviso that I intended making
I am annex it to my will of the 18th of November 1838.

I give and bequeath to my wife Mary Nicholson
the daughter of my deceased Brother Daniel Nicholson
five hundred dollars (if she is alive at the time
of my decease) to be paid out of my estate.

my Executors to see that the same is paid over to him
or his lawful agent within one year after my decease
In testimony whereof I have set my hand & seal
this 10th of April 1839

In presence of
B. McMillin
Daniel M. Hanson

M. Nicholson Sd.

County of Florida }
Gadsden County } ss

Personally came before me David
L. White Judge of the County Court for the County aforesaid
Daniel M. Hanson one of the witnesses to the foregoing
will & codicil who being duly sworn depose and
saith that he saw Malcolm Nicholson sign and
seal the foregoing will and codicil in his presence
and in the presence of Henry C. Horn J. H. Lamy and
B. McMillin who subscribed the same in the
presence of said D. M. Hanson.

Sworn to and subscribed before me
this 20th day of May A.D. 1840

Daniel M. Hanson

David L. White Judge J. C. Ct.

I May 26th 1840 The within named Executors came
before me this day and I administered to them the
oath prescribed by Law

David L. White Judge J. C. Ct.

State of Florida }
County of Gadsden } I C. C. Love Judge of probate in
and for the County aforesaid
do hereby certify that the foregoing is a true and
correct copy of the last will and testament of
Malcolm Nicholson and the proceedings thereon as
filed in my said office.

set my hand and affixed the seal of my
said office this 28th day of December A.D. 1852

E.C. Cox Judge of Probate S.C.



George J. Court of Ordinary
Salem County

February Term 1853

That within a certified copy of the last
will & testament of Malcolm Nicholson from the
office of Judge of Probate of the County of Exeter
& state of Florida being presented by Wiley Blanton
of the County of Thomas & state of Georgia for
Probate & Record at this term of the Court.

It is ordered that the same be allowed & admitted
to record there being no objection

J. Gaid O'iz