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In the name of God Amen - Considering the
uncertainty of life, especially of a volunteer
& in the service of my country the glorious
South, I Robert Benjamin Waller of Denton
County State of Georgia formerly of South
Carolina - being of sound mind & memory
free from the influence of liquor or prejudice
do ordain & declare this to be my (first & last)
Will & Testament - That is to say - First I
desire my Executors (or Army) to pay my
line account medical bills overseas wages
other debts that will not require the sale
of any of my real or personal estate & to offer
a gift of (\$400⁰⁰) four hundred dollars to any
one who will bring my body (if dead) to Quincy
Florida which shall be placed by the side
of my father my brother or Exrs shall erect
a suitable monument to cut not less than
five hundred dollars & place around it an
iron railing - Secondly I desire my Exrs
to pay with the proceeds arising from the
sale of the crops &c made on the farm at
Mableton Georgia all the notes held by the
Army of Est William Williams signed by Rich
an see Waller to whom the farm equally belongs
And after all the debts of the farm shall have
been settled to demand & obtain an equal division
of the entire farm to both real & personal - Thirdly
if the proceeds of the crops are not sufficient
to meet obligations I give the Exrs full power
to buy mules or sell old ones if necessary & to
hire men negroes if deemed necessary by them
to buy provisions sell crops both animal & vegetable
to the interest of the estate, to hire overseers
other men &c that may be deemed by them
necessary - Fourthly - After an equal division

shall have been effected by sale or appraisement
to purchase a farm & such stock as may be
necessary to carry on a farm & to place all of
my negroes or those that fall to me, on said
farm; to hire or sell if necessary & to pay
for said farm & stock with the proceeds
of the crops & after said farm shall have
been paid for or the amount of purchase
money made - to continue the farm seven
years. Fifthly to apply the proceeds of
the crops after the incidental & current
expenses & other obligations which they
may make for interest of farm shall be
paid as follows - to give to my mother &
Sister if they in either be alive each the
sum of three hundred dollars yearly to be
paid alone to them & to loan the remainder
if there be any to one of my present brothers
who shall be chosen by placing a strip of
paper for each one in a hat on one of each
piece shall be written "money" after shaking
the hat raising it above, to draw fairly one
of the strips the one drawing the paper mar-
ked "money" shall be entitled to the use
of the money but shall be required to give
good security & pay legal interest; & to dispose
of the crops of following years in the same
manner leaving out each time the name or
names of those drawing the former prizes
If my brothers should not want the use of
the money then my Executors are desired requested
to loan the money to some reputable person
with two good & prompt securities renewing the
note every two years or until the seven (7) years
shall have expired - reserving each year suffi-
cient money to buy mules, provisions, Land,

living of negroes & other things that may be deemed necessary by them - Sixthly I desire my
 heirs to move or cause to be moved my negroes
 & other property from the State of Alabama & to
 place them on the farm with other negroes
 whether it be in Florida Georgia or any State of
 the present Southern Confederacy - to sell my
 interest in other lands lying in Florida &
 elsewhere which they may deem necessary to the
 interest of my farm and when all debts shall
 have been paid & seven years expired or seven
 crops be made to sell my entire estate both
 real & personal & every thing belonging to me or
 my estate & after giving the sum of five thousand
 dollars to the first legitimate son of one of my
 present brothers who shall bear the name of
 Robert Archibus Haller - if said nephew be not
 born - then the amount of five thousand dollars
 be applied to the education of a poor man
 for the Baptist Ministry every year till said
 sum ~~shall have~~ been spent it having been
 placed in the care of Hestry Trustees by my
 heirs - And then finally to divide the remain-
 der if there be any equally between my sister
 & brothers provided my mother be supported & in-
 dependent till death - Should any of brothers or
 my sister be dead then the amount be divided
 equally among the living ones of my mother's
 family - Should a nephew bear the name of
 Robert Archibus Haller not live to the age
 of twenty one then the amount given to him is
 to be given to next nephew who shall bear same
 name - I also will my man Helen to my
 nephew Albert M. Kilcrease, my gold watch to
 my brother James L. Haller - my horse & gun to my
 brother Goddard Haller my violin to my youngest

brother Edward Attaller - I will that my remaining knee wheels be sold & the money to be used for the purchase of a fine gold watch & chain to be presented to my niece Bessie Kilmer when she shall attain the age of fifteen - I likewise will to each of my brothers who shall act as my executors the additional sum of three hundred dollars yearly besides the legal percent And I further will that should any of my brothers attempt to break or set aside this my last will that said brother or brothers be deprived of his or their portion of my Estate - his or their portion being distributed equally to the others

And I hereby nominate constitute appoint my brother Godene Attaller & Pelius Attaller in case of their deaths of either of them the remainder of my brothers - the no more than two shall act at once to be executors of this my last will and Testament - There is four intubinations appear to complete since none containing more than 4 words

In witness whereof I have hereunto subscribed my name & affixed my seal this the twenty sixth day of March in the year of our Lord one thousand eight & sixty one (1861)

R. A. Attaller *[Signature]*

The above written instrument was subscribed by the said Robert Attaller in our presence & acknowledged by him to each of us to be his last will & Testament

Am Harris

J. B. Gibben

William G. Cox of Luning Sta

Georgia
Deane County } Court of Ory At Chambers
October 21st 1863

Present H M Beach Ory

Personally came S B Love Esq of H E Kilcrease
representing Mrs Elizabeth Kilcrease one of the legats of the
last Will & Testament of Robert Atkaller late
of said county was produced before said Court
the last Will & Testament of said decd & Jellon
E. Gibern one of the witnesses to said Will
who being duly sworn deposes that
he saw Robert Atkaller the Testator sign seal
declare & publish the instrument now presented
as his last Will & Testament freely voluntarily
and of his own accord and without any comp.
ulsion or influence whatever - that at the time
of the execution of said Will said Testator
was of sound & disposing mind & memory - that
deponent (said witness) signed said Will as
a witness in the presence of the Testator and
at his special instance and request and in
the presence of Anderson M. Harris and William
G. Cox two other subscribing witnesses to said
Will who signed the same as witnesses at the
like instance and request of Testator and in
the presence of each other

Have subscribed before me } Jellon E. Gibern
this Oct 22^d 1863

H M Beach Ory

Georgia , Court of Ory Nov 2^d 1863

Deane County } Present H M Beach Ory

It appearing to the Court that the
last Will & Testament of R Atkaller has been proved in
testation in common form on the oath of J E Gibern
(there being no objection) It is ordered that the
same be recorded

H M Beach Ory