

Georgia
Declarer County I William M^cEloy Senior of the County
and State Judge William being of sound & disposing
mind do make Ordain & constitute this my Last will & Testament
henceforth all & every other will by me made Infirm. I desire that
my Executors hereinafter made shall pay all just debts as follows
I give & bequeath to my wife Elizabeth all the property both real & personal
which I obtained by any marriage with her to be by her disposed as she
may think proper the property above bequeathed I contract in a tract of
land in Leon County Florida containing Six hundred & forty acres a house
& then lots in the Town of Blountville Four Negroes to wit Make a
Man & Harriet a Woman & her boy Sam & Martha & Emily her child
all the books of her library together with the house hold & kitchen
furniture that she brought with her or that what she may have purchased
since. I also give to my wife during her life or widowhood the use of my
dwelling house and all other houses together with so much of my farm
as she may wish to cultivate and all that would be necessary for her use
& comfort.

I give and bequeath to my Daughter Mary Whittaker
One Negro girl Olive I want said negro to be kept in the hands of
my Executors by them to be hired & the proceeds to be paid over to the said
Mary Whittaker during her life then to be the property of her son Martin
Whittaker also thirty head of Stock Cattle which she is to receive & keep
in her possession.

I give & bequeath to my son John M^cEloy a Negro Man Baldwin & one half
of the two hundred and forty acres of land which lies in Gadsden County
Florida to him and his heirs.

I give to my son George M^cEloy Ten dollars.

I give to my son William M^cEloy one third of the land & Mills
in Early County to him and his heirs.

I give to my son Francis M^cEloy a Negro girl Ellen also one
third of the land & Mills in Early County also the one half of two
lots of land one being known as lot No 73 in the 5th district of
Houston County the other being lot No 65 in the 9th dist. of Georgia
Early over Baker County to him & his heirs.

I give to my son Harmon McEly a Negro boy named Shant the tract of land on which I live containing Six hundred & thirty acres more or less the one half of the lands in Houston & Baker Counties all my Stock of Cattle at the home plantation with the exception of six Cows which I intend giving my wife one horse Saddle & Bridle and one third of my Stock of Cattle on the west side of Flint River after the thirty given to my daughter are taken out to him & his heirs. —

I give to my son Lanron McEly a Negro Boy Robert also one half of the Two hundred and forty acres of land in Gadsden County to him and his heirs. —

I give to my son Noah McEly Ten dollars to him & his heirs. —

I give to my daughter Francis Martin a Negro girl Amanda together with one third of my Stock of Cattle on the west side of Flint River after the thirty had given to my Daughter Mary Ann taken out to her and her heirs. —

I give to my wife Elizabeth one horse & six Cows to be by her selected also one third of my Stock of Sheep & Hogs. —

I make it my will that my son Lanron shall have five hundred dollars to complete his education which fund is now in hand for the Special Use. —

It is my will that the other two thirds of my Stock be left on the plantation for use of the plantation & family but whenever my wife dies or I should choose to leave the same then the whole to vest in my son Harmon. —

I give to my two Sons Harmon & Lanron each a feather bed and furniture to them & their heirs. —

All property which I have hitherto given to any of my children at their Marriage or when they left my house or since was not intended in this it is my will and desire that they keep the same in quiet possession independent of what I have given. —

I give to Grand daughter Polary McEly one feather bed. —

It is my will that all the property either Real or personal that has not been disposed of by will or otherwise shall be sold at the Expense of the War after my death and my son Harmon shall have three hundred dollars for his attention. — The proceeds of this sale

be divided betw my four Sons & two Grand Sons namely John
McEly Francis McEly Harmon McEly & Landon McEly
and my two Grand Sons J W McEly & H C McEly My
son John shall have two hundred dollars more than the other names
sons and Grand Sons. —

It is my Will that my Executors should Retain in their possession
the Estate belonging to my two Grand Sons until they become of
age & should either of them die the other shall inherit the whole. —

I do constitute and appoint my son in Law John Kelly & my
sons Harmon McEly & William McEly my Executors to
this my last Will & Testament —

In Witness whereof I have this 24th day of April 1842

Witness

Daniel T Lane

John McEly

Elizabeth Smart
marks

William McEly

William McEly

Inferior Court May Term 1842
Georgia
DeKalb County Personally appeared in open Court Daniel T Lane
and Elizabeth Smart who being duly sworn depose and
testify that they saw William McEly sign & seal publish and
declared the above & foregoing to be his last Will & Testament & that they
also saw John McEly sign the same as a witness together with themselves
sworn to & taken before in open Court Elizabeth Smart
Attest A D Smart Clerk Daniel T Lane

Georgia
DeKalb County Court of Ordinary May Term 1842
The above & foregoing last Will & Testament
of William McEly having been sworn in open Court upon the oath
of Daniel T Lane & Elizabeth Smart. — Ordinance that the
same be admitted to Record