

Georgia
Elbert County Court of ordinary May Term 1838.
Personally came Elbert County, Georgia Wills 1836 to 1860
www.georgiapioneers.com Barden Rucker, William Brown & Joseph Crisler and being sworn saith that they were present and saw Benager Tearley now deceased sign the foregoing and annexed instrument of writing as his last will and Testament and that they signed the same as witnesses in the presence of the testator and at his request, and that they believe the testator to have been of sound mind and disposing memory at the time of executing the same. Sworn to in open Court this 7th of May 1838. Attest
W^m B. Nelms c.c.o. Barden Rucker
William Brown
Joseph Crisler

Georgia
Elbert County Court of ordinary May Term 1838.
the within last will and Testament of Benager Tearley deceased having been proven at this regular term in open Court upon the oaths of Barden Rucker, William Brown and Joseph Crisler, ordered that the same be Recorded
Attest W^m B. Nelms c.c.o.
Recorded the 9th of May 1838. W^m B. Nelms c.c.o.

James Banks Jr's Will

I the name of God amen I James Banks Jr of the State of Georgia and County of Elbert being at this time in perfect both mind and memory thanks be to God for the same and calling unto mind the mortality of my body and knowing that it is appointed one for all men to die do make and ordain this my last will and testament revoking all others by me heretofore made

I do give and bequeath my sole into the hands of God who gave it me hoping to receive a full pardon for all my sins and as to my body I recommend to the earth to be buried in christian burial nothing doubting but I shall receive the same again at the general resurrection of all men and as touching such worldly estate wherewith it hath pleased God to bless me with in this life, I give and bequeath the same in the following manner and form that is to say I do give and bequeath to my beloved wife, Milley A. Banks all my estate both real and personal with my stock of all kinds and plantation twos household and kitchen furniture after all my just debts are paid of for to dispose of as she may think proper amongst my my seven children Charity A. Banks formerly but know Charity A. Shin. Elizabeth Banks. Sarah Ann Banks James Jones Banks. Mary Ann Banks. Prescillar Banks and

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After the Emily Banks and all other provided, I shall have any more by my present wife Milley A. Banks if she the said Milley A. Banks shall continue my widow and provided shall or does marry again then all the above named property and all I may be possessed of or shall come into my possession to be equally divided between the above named children and all others that I may have by my present wife Milley A. Banks with this exception that Sarah Ann Banks shall have the sum of two Hundred dollars more than any of the rest on the account of misfortune in being a cripple to them and their wives only for ever and that at any time any of said mentioned property shall be given to any of said mentioned children after they shall marry or before it is not to go pay the debts of their husbands but is only the property of my children and their wives and them alone. I now the last I constitute and appoint by beloved wife Milley A. Banks, Thomas Jones and James W. Jones her two Brothers Executors of this my last will and Testament In Witness whereof I have herewith set my hand and fixed my seal this tenth day of December one thousand Eight Hundred and twenty Nine and in

In the Presence of
Attest Barden Rucker
Alfred H. Teasley
James J. Banks

James Banks Junr. 

Georgia Court of ordinary January adjourned Term 1839
Elbert County Personally came into open Court Barden Rucker and being sworn saith that he was present and saw James Banks Junr. sign seal and deliver the within instrument in writing as his last will and Testament and that he saw Alfred H. Teasley and James J. Banks sign the same as witnesses in the presence of the testator & at his request and that the testator was of sound mind & memory at the time of executing the same to the best of his knowledge & belief
sworn to in open Court this 22^d

January 1839
Attest W. B. Nelsons c.c.o.

Barden Rucker

Georgia Court of ordinary January adjourned Term 1839
Elbert County The within last will and Testament of James Banks Jr having been duly proven at this term in open Court upon the oath of Barden Rucker, ordered that the same be admitted to Record Attest W. B. Nelsons c.c.o.
Recorded the 24th of January 1839. W. B. Nelsons c.c.o.