

Instrument to set my hand and seal this November the 10<sup>th</sup> 1847

Test Hiram Brown

Elbert County, Georgia Wills 1836 to 1860

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Asa J. Haynes

Wm Bowers J.P.

John Meritt *J.B.*

Georgia  
Elbert County } Count of ordinary January Term 1848  
Personally came into open Court Asa J. Haynes and William Bowers two of the subscribing witnesses to the within will and being sworn saith that they were present and saw John Meritt sign and seal the within instrument of writing as his last will and Testament and that they together with Hiram Brown signed the same as witnesses in the presence of the testator and at his request and in the presence of each other and that these deponents believe the testator to have been of sound and disposing mind at the time of executing the same.  
Sworn to in open Court this 10<sup>th</sup> day of January 1848.  
Attest Wm Bowers, C.C.O.

Asa J. Haynes  
Wm Bowers

Georgia  
Elbert County } January Term 1848. Court of ordinary It is ordered by the Court that the within will be Recorded  
Attest Wm Bowers, C.C.O.  
Recorded the 10<sup>th</sup> day of January 1848  
Wm Bowers, C.C.O.

## James S. Middleton's Will

State of Georgia } In The name of God, Amen.  
County of Elbert } I, James S. Middleton being of sound mind and disposing memory do make and publish this my last will and testament hereby revoking and annulling all other wills ever made by me and I first leave and bequeath unto my beloved wife Amanda S. S. Middleton one thousand Dollars in money and also all property which I have heretofore received or may hereafter receive by virtue of my intermarriage with my said wife.  
Second. I leave and bequeath unto Thomas J. Heard one negro boy named King to be by him the said Thomas J. held in Trust for the sole and separate use of his son Robert Middleton Heard & his heirs.  
Third. I leave and bequeath unto Dunston B. Virdell a negro boy named William about ten years old being the oldest of two

by that name which I own, to be by him the said Dunston B. held in trust for the separate use of his sister Martha Elizabeth Verdell & her heirs.

Fourth. I leave and bequeath unto Dunston B. Verdell a negro girl named Milley about seventeen years old also her child named Susan Frances about ten months old, with a strict injunction and request that he the said Dunston B. Verdell shall treat said negroes humanely & kindly and for the better enabling him the said Dunston B. so to do, I further leave and bequeath unto him the said Dunston B. Verdell the sum of Seven Thousand and Five Hundred Dollars (\$7500.)

Fifth. It is my will that all the remainder of my negroes, Household property, money, notes, accounts due me, and choses in action or other demands due to me in law or equity shall be equally divided as follows viz. one moiety or half to Thomas J. Heard to be by him held in trust for the sole and separate use of his wife Nancy D. Heard and her heirs, and the other moiety or half to Dunston B. Verdell to be by him held in trust for the sole and separate use of his mother Sarah C. Verdell and her heirs, it is also my will that all my crops, stock, farming utensils &c &c be sold and equally divided between said Thomas J. Heard & Dunston B. Verdell in trust as aforesaid. And lastly I nominate and appoint Thomas J. Heard and Dunston B. Verdell Executor of this my will. Given under my hand and seal & published as my last will, being first truly read to me this Eleventh day of February Eighteen Hundred and Forty Five.

Signed, sealed & published by testator in our presence, & by us attested & subscribed in presence of testator & at his request & in presence of each other

Wm. A. Swift  
John F. Edwards  
Robt. McMillan

James L. Middleton  
test

Georgia } Court of ordinary January Term 1848.  
Elbert County } Personally came John F. Edwards one of the subscribers  
witnesses to the within will in to open Court and  
being sworn saith that he saw James L. Middleton sign &  
seal the within instrument as his last will and Testament

and that this deponent together with William A. Swift and Robert  
McMullan signed the same as witnesses in the presence of the testator and  
at his request and in the presence of each other and this deponent  
believes the testator to have been of sound mind & memory at the  
time of executing the same  
sworn to in open court this 10<sup>th</sup>  
of January 1848.

Attest Wm B. Nelson, c.c.o.

John F. Edwards

Georgia 3 Count of ordinary Jan. Term 1848.  
Elbert County 3 ordered by the court that the within will be  
set up so far as the personal estate  
Attest Wm B. Nelson, c.c.o.

Records do the 14<sup>th</sup> day of January 1848. Wm B. Nelson, c.c.o.

Margarett Smith's Will 1848.

Georgia 3 In the name of God Amen.

Elbert County 3 I, Margaret Smith of the State and County aforesaid,  
being weak in body but of sound mind and memory  
and being desirous to make some disposition of my worldly estate do  
make order and publish this my last will and Testament. To wit,  
I give and bequeath unto my son William B. Smith all the tract of  
land whereon I now live (except that part which I have decided to  
my son George C. Smith) adjoining lands of Timothy W. Tucker,  
William A. Bowen, Henry Cartton and others, one negro man named  
Hitt about 23 years old, and also one half of all the perishable  
property of my estate after paying all my just debts (which debts are to  
be paid by the sale of my perishable property and a negro woman  
named Delfy) also two beds and furniture with the express  
understanding that my said son Wm B. Smith will furnish his brother  
Thomas B. Smith with a bed and furniture when he becomes of age  
or when the said Wm B. shall deem it necessary.

Second, I give and bequeath to my son George C. Smith one hundred  
and thirty acres of land more or less adjoining lands of H. Lovinood,  
Isa Christian and others, thirty acres of land more or less adjoining  
T. W. Tucker on the east and the land hereby devised to Wm B. Smith  
on all other sides (which lands I have decided to my said son George  
C. Smith) one negro man named Dick about 23 years of age, one  
half of my perishable property after paying my just debts (which are  
to be paid by sale of said property and a negro woman named  
Delfy) and also two beds and furniture with the express understanding  
that the said George C. Smith is to furnish his brother Luther Green  
Smith with a bed and furniture when he becomes of age or the said