

Georgia
Elbert County ³ Court of Ordinary April Term 1853
Personal and Sole Executor of the Will of Thomas Burton
James W. Bond and being sworn to that they saw
Thomas Burton sign the within instrument of writing as his last will
and testament and they together with Calvin F. Milhight signed the
same as witnessed in the presence and at the request of the testator
and in the presence of each other and these deponents believe the testator
to have been of sound mind and memory at the time he executed
the same -

Sworn to in open Court

this 4th of April 1853

Attest Wm B. Nelson Ordinary

Ephry W. Bond
James W. Bond

Georgia
Elbert County ³ Court of Ordinary April Term 1853
The within will of Thomas Burton having been
proved at this regular term of the court on the oaths
of Ephry W. Bond & James W. Bond two of the subscribing
witnesses - It is ordered by the court that the said will be
set up and established and be recorded

Wm B. Nelson Ordinary
Recorded April 7th 1853

Singleton M. Allen's Will 1853

State of Georgia
Elbert County ³ In the name of God Amen
Singleton M. Allen of said County & State do make
& declare this to be my last will and testament; hereby revoking
all former wills, & papers testamentary, by me heretofore made.

It is my will and desire that all my estate, both real and personal, shall
descend to, and vest in my heirs at law according to the laws of this State
for the distribution of estates, with the following exceptions and conditions
That is to say -

It is my will that the portion or share of my estate which by the foregoing
provisions would be left to my grand-son Bernard M. Allen, son of my late
son Bernard M. Allen shall not vest in him absolutely at my death; and
that out of the same there shall be set apart & taken for my daughter in law
Isabella T. Allen formerly Isabella T. Blackwell, so much in amount to
vest in her absolutely, as shall be sufficient when added to what she now has
to make her property in her own right equal to what it would have been had
she never married - as my late son Bernard M. Allen died before I had given
him much property & that which she got by my said daughter-in-law in his
marriage having to be shared with his son, it is my wish to place her in an
equal position with regard to property as if she had never married - and

will that the remainder of the share so left to my said grand-son shall be managed and controlled ^{Elbert County, Georgia Wills 1838 to 1860} ~~to the use of~~ the annual profits or proceeds of the same as shall be necessary, shall be expended for the proper raising & education of my said grand-son; and if he shall live to attain the age of twenty one years, then on his arrival at said age of maturity the same shall vest in him absolutely, but in case my ^{said} grand-son shall die before he arrives at the age of twenty one year, then it is my will that said interest in my estate be left to my said grand-son together with whatever increase or profits of the same shall be left after paying his necessary expenses shall at his death go to & vest absolutely in my heirs at law according to the Statute of distribution of this State - and I desire that my said grand-son shall have no further interest in my estate than what is hereinbefore provided.

I desire that my wife Jane L. Allen shall have in addition to her share upon the general division of my estate according to the just provision of this will the following property to wit: My pleasure carriage & Carriage horse, - all my household & kitchen furniture including my library books, the furniture of the work house, together with the furniture and Wood of the cellar, dairy & Smoke house over & above the necessary annual provisions for the family & Negroes; to have & enjoy during his lifetime, & at her death whatever may remain of the same shall vest in my children & their heirs - I further will that there shall be no inventory or appraisement of the foregoing property ^{willed to my wife} during his life time.

It is my will that upon the division of my estate, each one of my heirs or legates under this will, shall account for all advancements made by me to them in life or at death and on the same terms as provided by the laws of this State in case of intestate estates.

I hereby constitute and appoint my son-in-law William M. McIntosh of Elbert County, Young L. G. Harris of Clarke County, Georgia; and George R. McCalla of Abbeville District South Carolina to be my Executors of this my last Will and Testament.

Our testimony whereof I have hereunto set my hand & affixed my seal & declare this to be my last will & testament this 11th day of March 1853 -
The word "daughter" on the first page interlined before signed -
Singleton N. Allen - (Seal)

Signed, sealed, declared & published by Singleton N. Allen of Elbert County as his last will & Testament in the presence of us, the subscribers, who subscribed our names hereto, as witnesses, in the presence of said Testator & at his special request and in the presence of each other, this the 11th day of March 1853

Thomas S. Heard
Stephen H. Tucker
Jasper J. Morrison

Georgia
Elbert County
Court of Ordinary
July Term 1853 -

Personally came into open Court Jasper J. Morrison and Stephen H. Tucker and being sworn both that they saw

Singleton M. Allen sign the within instrument of writing as his last Will and Testament and they also saw him sign the same and he was of sound mind and they together with Thomas J. Heard signed the will and codicil as witnessed in the presence and at the request of the Testator and in the presence of each other and they believe the Testator to have been of sound mind at the time he executed the same
Survorn to in free book
this 1st of July 1853
Attest Jm B. Nelson - Ordinary

Codicil

Georgia
Elbert County I Thomas J. Singleton M. Allen did on the eleventh day of March in the ^{present} year of eighteen hundred & fifty three, sign, seal, declare & publish my last will and Testament in the presence of Thomas J. Heard, Stephen H. Tucker & Jasper J. Morrison, who signed the same as witnessed; and whereas I desire to alter & change the provisions of my said Will with reference to the interest of my grand-son Gerrard M. Allen in my estate, to the end that my Executors may be relieved & discharged from the responsibility as such within a reasonable time & also that the interest of my said grand-son may be managed by some competent person without danger of loss or damage to himself; I do therefore make & publish this codicil to my said will.

First. It is not my will or desire to change in any manner the provisions of my said Will made for the benefit of my daughter-in-law Isabella J. Allen but I wish the same carried out as expressed in my will.

I hereby revoke and annul that provision of my said Will which declared that the interest or portions of my estate left under said Will to my grand-son Gerrard M. Allen should not vest in him absolutely at my death; and in lieu thereof, I hereby give & bequeath to my said grand-son for and during his natural life only; that portion of my estate which by law would descend to him, after deducting & taking therefrom the portion of the same bequeathed to his mother Isabella J. Allen as set forth in my said will; unless my said grand-son shall live to attain the full age of twenty one year in which event the same shall vest absolutely in him. But it is my will that if my said grand-son shall die before he arrives at the age of twenty one year, then at his death all the interest & estate left to him under my said will and this Codicil, together with all the income & profits of the same after deducting his necessary expenses shall vest in my heirs at law under the present Statute of distribution of this State.

It is my will that in the management of the property hereby left to my grand-son Gerrard M. Allen his guardians shall have the right & duty

of vesting the same or any part thereof in any manner which in the judgment & discretion of said Guardian shall be most likely to promote the value & the permanent welfare & security of the same, provided that all such investments shall be made with the discretion or approval of the Ordinary; and in no case shall such Guardian be chargeable at the instance of his said ward or others with any loss or damage that may accrue, in the event, in the event that any such investments shall prove unprofitable or unsuccessful. The privilege hereby given to the Guardian of my said Grand-son to make investments at discretion with the concurrence of the Ordinary is not to be construed to allow the sale of the Negroes which may be allotted to my said Grand-son upon the division of my estate as in my judgment the permanency of his estate will be most promoted by keeping, at least, the larger portion of it invested in land and Negroes.

It is further my will that the amount of the annually accruing income of the property left to my said Grand-son, to be expended from year to year for his proper raising & education, shall be left to the reasonable discretion & judgment of his Guardian & that the charges & expenses which the said Guardian shall annually pay for these objects shall not be disputed or controverted by the said Ward or others, if the same shall have been paid and approved by the Ordinary.

It is further my will, that as there will be a considerable annual income from the estate of my said Grand-son after paying his expenses, which his Guardian may not be able always to invest at once, the said Guardian shall not be accountable to his said ward or to others for interest on the surplus of the income of the estate, until after the expiration of six months, after the receipt of each year.

+ It is my will that in any disposition or transfer which my Executors may make of the tract of land upon which my wife & mother died, they shall reserve the family grave yard, and I also wish my Executors to cooperate with the other members of the family, committed in such a land as they may think right & proper to make a permanent inclosure for the grave yard, and for providing Tomb Stones for such members of the family as may be desired by the family committee.

It is my will that all the provisions of my said will of March 11th 1853 shall be executed as therein specified, except the one overruled by this Codicil.

In testimony whereof I have hereunto set my hand & seal & now declare & publish this to be a Codicil to my will as hereinbefore set forth - This twentieth day of April 1853

Singleton W. Allen

Seal

Signed, sealed, declared & published by Singleton W. Allen as the codicil to his Will and Testament of the Eleventh day of March eighteen hundred and fifty three; in the presence of the subscribers, who subscribed our names hereat as witnesses in the presence of said testator, & in the presence of each other at his special instance and request & in the presence of each other

this the thirteenth day of April 1853

Elbert County, Georgia Wills 1836 to 1860
www.georgiapioneers.com

Thomas J. Heard
Stephen H. Tucker
Jasper S. Morrison

Georgia
Elbert County Court of Ordinary
July Term 1853

The last will and Codicil of Singleton M.

Allen deceased having been proved at this regular term of the Court on the oaths of Jasper S. Morrison & Stephen H. Tucker two of the subscribing witnesses

It is ordered that said Will & Codicil be recorded
this 4th July 1853

Wm B. Nelson, Ordinary

Georgia
Elbert County Court of Ordinary
July Term 1853

Personally came into open Court Thomas J. Heard and being sworn saith that he saw Singleton M. Allen sign the within and annexed instruments of writing as his last will and Testament and Codicil thereto and that he together with Stephen H. Tucker and Jasper S. Morrison signed the said instrument as witnesses in the presence and at the request of the Testator and in the presence of each other and he believes the testator to have been of sound mind at the time he executed the same

Sworn to in open Court this

5th July 1853

Attest Wm B. Nelson Ordinary

Thomas J. Heard

Recorded July the 6th 1853

Abraham Parks' Will 1853

State of Georgia Elbert County -

I Abraham Parks, knowing that it is appointed me for man to die and by the blessing of God I am in the possession of some of the world's property and being now of sound but of disposing mind think proper to make and constitute this my last will and testament in manner and form as follows -

1st I resign my spirit to God who gave it and with body buried after my death as a Christian like manner -

2^d I have given to my son Marshal Parks land and other property to the value of three hundred dollars -

3^d I have given to my son Lindsay Parks land and other property to the amount valued of three hundred and fifty dollars

4th I will and desire that there be sold be more either private or publicly by my Executors the lands that I own in Cherokee County also such simple perishable property as my family can best spare and out of the funds that