

Will of Benj. Butler.

State of Georgia In the name of God Amen I Benj. Butler of said State and County of Floyd County of advanced age and knowing that I must shortly depart this life deem it right and proper both as it respects myself and family that I should make a disposition of the property and which a kind Providence has blessed me do therefore make this my last will and Testament hereby revoking all others heretofore made by me

Item 1st I deem and direct that my body be buried in a decent Christian like manner my soul I trust leave unto God who gave it

Item 2^d I desire and direct that all my just debts be paid without delay by my Executor herein after appointed as I am unwilling any of my Creditors should be delayed in their rights especially as there is no necessity for delay

Item 3^d I give bequeath and devise to my beloved Wife Elizabeth for and during her natural life only one third part of the settlement of Land where I now live consisting of five (5) forty acre lots four of which are situated in the third (3^d) district of the fourth section of Cherokee at the time of survey but now Floyd County and known as number nine hundred and thirty seven (37) nine hundred and thirty eight (38) one thousand and second and one thousand and eight (100) and the other situated in the sixteenth District of said section and known as number two eight (28) together with the buildings on said settlement also my negro Woman Sarah about twenty five years old and my negro boy Randall about seventeen years old one cow and calf and the good feather bed and furniture

Item 4th I give bequeath and devise William L. Simmons in trust for my daughter Comfort and her heirs the remaining two thirds of the settlement of Land mentioned in the third Item together with all the rights mine and appurtenant thereto unto the same belonging for ever and I also give bequeath to the said William L. Simmons in trust for my said daughter Comfort my negro Woman Dinah about twenty seven years old my negro boy of yellow complexion known by the name of Little Bob my horse known by the name of Bess and her bed and furniture and one cow and calf

Item 5th I give bequeath and devise to my Grand Daughter Ann Simmons my negro Girl Manda about eight years old and also her bed and furniture and one cow and calf

Item 6th I give bequeath and devise to my son John Simmons my negro boy about seven years old and two hundred dollars in cash

Item 7th I give bequeath and devise to my son Frederick my negro boy Henry about nineteen years old

Item 8th I give and bequeath and devise to Richard L. Simmons

Floyd County Wills 1852-1861
www.georgiapioneers.com

in trust for my daughter Abby Summons my negro man
Robt about forty years old and two forty acre lots of land
situated lying and being in the third district of the fourth
section of formerly Cherokee now Floyd County and Union
in the place of said district as lots number one thousand nine
(189) and one thousand & two (110)

Item 9th I will and desire that my Executor Admin after to be
appointed to sell my negro boy Jerry and divide the money arising
therefrom equally among the heirs of the body of my deceased
Daughter Annie Williams and also one hundred and fifty
Dollars of the money arising from the sale of my other effects
to make the value as near equal as possible to the other negroes
given off in the above bequests

Item 10th I will and desire that all the remainder of my estate
whether it be lands tenements or household goods other than what
has been before disposed of be sold and the money arising from
said sale together with the money arising from the collection
of out standing debts and cash on hand be equally divided
among my heirs to wit the children of my deceased Daughter
Annie Williams to receive one part to be equally divided among
them with the exception of the above named Fannista Williams
who is to have only fifty Dollars of that part my son John one
part my son William one part, Richard S. Summons in trust
or assigned for the use of my daughter Comfort one part
and William S. Summons one part assigned for the
use of my daughter Comfort one part.

Item 11th I will and desire that at the death of my beloved
wife before named the negroes and other property belong to
her during life in the S. State (the same excepted to sell and
the money arising from said sale be divided equally among
my several heirs as above mentioned

Item 12th I hereby constitute and appoint my worthy friend
William S. Summons sole Executor of this my last will
and testament and also trustee for my daughter Comfort who
is hereby authorized to charge by sale or otherwise with the
consent of the use any of the property she may receive as such Executor
It is I hereby constitute and appoint my friend Richard S.
Summons trustee for my daughter Abby Summons with like
powers This 9th day of January 1862. R. S. Summons

signed sealed declared and published by
Richard S. Summons as his last will and
testament in the presence of us the subscribers
who subscribed and names ourselves in presence
of said testator at his special instance and
request and of each others this 9th day of
January 1862

Leah J. Johnson (D)
Isabella G. Gile
Wm. D. Howell

Floyd County Wills 1852-1861

www.georgiapioneers.com

State of Georgia: Before me this day of January 1852
Floyd County of said County is open court personal
William S. Simmons Executor of the last will and testament
of Benjamin Batten late of said County deceased, and before
me the last will and testament of said Benjamin is produced
and the Minutes of said Will test John H. Bice and Mr. D. L. Lott which witnesses being duly sworn
depose and say that they saw Benjamin Batten the testator
sign seal declare and publish the instrument now presented
as his last will and testament freely & voluntarily and of his own
accord, and without any compulsion or influence whatever
that at the time of the execution of said Will said Testator was
of sound and disposing mind and memory that before he
signed said Will as Testator in the presence of the Testator
at his special instance and request and in the presence of
other
shown to and subscribed before me this February 2nd 1852. John H. Bice
Jesse Lambeth Ordinary Mr. D. L. Lott

State of Georgia Floyd County
I William S. Simmons do solemnly swear that the Will
contains the true last Will of the within named Benjamin Batten
deceased as far as I know or believe and that I will well and
truly execute the same by passing just the bills and then the
Floyd County Wills 1852-1861
www.georgiapioneers.com
legacies contained in the Will as far as his goods and
chattels will extend and will draw up for me and that I will
make a true and perfect Inventory of all such goods and chattels
to help me God
Feb'y 2nd 1852
Jesse Lambeth Ordinary Wm S. Simmons

Recorded May 31st 1852.
Jesse Lambeth Ordinary

Last Will and Testament of John Casow Deceased,
In the name of God Amen

Knowing all others I make this my last will and Testament
Item 1st I give and bequeath all the Land whomever I know lies
to my beloved Wife Martha Casow during her natural life
Item 2nd it is my Will that my Executors manage my property in
the best way that their judgment may direct and if they disagree
in judgment they shall refer their opinions to my Father Capt John
Furness and his opinion shall govern my Executors are hereby authorized
to hire out my Negro or such as can be hired to pay my debts and
if need be to sell one or more of my Negroes for that purpose and if
my debts are paid I desire that my Children be maintained &
educated if the hire of or profits of their Labor and as my
children arrive at the Age of twenty one years if they desire
I will that they may have a part of my Estate such as my
Executors shall point out this said property to be valued by