

My hand this day and year above written

Sut. James Martin Junr
Robert Williams
James M. Miller.

James Miller

Georgia }
Franklin County } Came into open court James M.
Miller One of the witnesses to the within
will, who being duly sworn, saith, that the
said James Miller lego and nominate the within, to be his
last will and testament, and that the said James Miller
at the time of signing the same, appeared ~~appeared~~ to
be of sound mind, and perfect memory, and that James
Martin Junr was a subscribing witness at the time of signing
the same. Robert Williams One of the subscribing witnesses,
to the within will also came into court, & being duly
sworn, saith that James Miller acknowledged the within
will to be his last will and testament before him, this 12th
day of September 1827.

Sut. J. S. King, Cles

James M. Miller
Robert Williams

Recorded 7th Novr. 1827.

Georgia }
Franklin County } Be it remembered that I Henry Avery
of the State and district above said -
being weak in body, but of sound
perfect mind and memory, blessed be God for the same,
do make and publish this my last will & testament in
manner following, that is to say, first of all I recommend
my soul to God who gave it, and my body to its mother
dust. I wish my body to be buried in a Christian like
manner, as to the worldly goods that it hath pleased
God to bless me with, I give and dispose of in the following
manner -

Avoy, all that tract or parcel of land lying the north
side of bare Creek, being part of the plantation on
which I now live adjoining of John L. Reed, also one
Negro man named Lewis also one Negro boy named
Daniel, one Cow and calf, one bed and furniture, one
spinning wheel and cards, one chest, also the above named
property, The rate and title to be stated in my son James
Avoy, it being his portion and legacy in full of my
Estate, with what he has theretofore had, at the decease
of his mother Nancy Avoy.

Item, I give and bequeath unto my daughter Mary M.
Attaway one negro man named George, one negro girl
named Mary, one tract of land in Appling County, lot
496 second district.

Item, I give and bequeath unto my daughter Jane Baird
one negro woman by the name of Kate, and one negro
boy named Jerry, also one lot of land in Swain County,
lot 176 16th district, this being her portion and legacy in
full of my estate, with what she has had theretofore.

Item, I give and bequeath unto my daughter Estelida Avoy
one negro boy named Sam, one negro girl named Hannah
one tract of land in Appling County, lot No. 443, 3rd district
two Cows and their calves, one bed bedstead & furniture,

Item, I give and bequeath unto my daughter Mary Donna
two one negro girl named Eliza, one tract of land
in Early County, lot No. 18, 5th district and three
hundred and twenty five dollars in money, to be paid
in twelve months after my decease.

Item, I give and bequeath unto my daughter Nancy A. Avoy
one negro man named Ben, one negro girl named
Mariah, one tract of land in Early County, lot No.
288, 2nd district, two Cows and ^{their} calves, one bed bedstead
and furniture.

Item, I further give and bequeath unto my two
daughters Mary M. Attaway and Estelida Avoy
one tract of land in Swain County, lot No. 31, 6th
district to be equally divided between them.

be their full portion and legacy &c.
Item. I further give and bequeath unto my two
Daughters, Fanny Donahoe and Nancy A. Avery,
one tract of land in Irwin County, lot N.E. 434
5th district, to be equally divided between them
this to be their full portion and legacy -
As to the rest, residue and remainder of my land
goods and chattels, of whatever kind they may
be, to be sold, and after paying all my debts, dues,
and demands &c. then if any monies should remain
it to be equally divided amongst all my lawful
Heirs (viz, John Avery, Mary M. Attaway, John
Baird, Matilda Avery, Fanny Donahoe, Nancy A.
Avery - I hereby appoint James Avery & John
Deabow, sole Executor of this my last will and
Testament, hereby revoking all former wills by me
made. In witness whereof I have hereunto set my
hand & seal this 26th of October 1827.

Signed, sealed and declared by the named Henry
Avery to be his last will and Testament, in the
presence of us who at his request, and at his
present request set our names
as witnesses to the same -

Joseph Reed

John Deabow

Henry J. Mitchell

His
Henry Avery
D. Mark

Georgia Clerk of Court
Franklin County
Court of Ordinary
personally came Henry J. Mitchell & Joseph
Reed Esqrs. who being duly sworn, testify that they saw Henry Avery
sign, seal, & acknowledge the within as his last will & Testament, &
that they subscribed the same as witnesses, and saw John Deabow,
do so likewise.
Subscribed this
1st of January 1828.

Henry J. Mitchell
Joseph Reed