

WILL OF JOHN RUDISELL

Hancock County.

I, John Rudisell desirous of disposing of my estate for the benefit of my wife & children while I am blessed with the possession of my understanding and memory do make & declare the following disposition thereof after the payment of any & all Just demands against me I direct that my lands in this County & Taliaferro - also in Early County (except the tracts herein given to my sons Edmund and Franklin) be sold by the Executors hereof and such as shall qualify also, all my perishable property stock furniture &c. In the sale of the lands the Executors to exercise their discretion as to the time or times & terms & conditions of the sale and whether by private contract or public sale - and if they shall deem it expedient, they are authorized to divide the lands in portions for the purpose of such sale.

(94)

The moneys due me to be collected as soon as conveniently may be done which with the sales of the property, cash in hand at my death, after payment of just debts, expenses of Administration, to be divided with my slaves amongst my beloved wife & my children, being nine in number, and subject to abatement from the portion of each child of the value of the property heretofore advanced to each & also if such sum & value of property that I shall herein - or at any hereafter give to such child - and to prevent any misunderstanding with my beloved children on this matter I have made an estimate according to the best of my recollection & judgment of the amount & value of property & money advanced to each child prior to this time, & of the property herein specifically given.

To my daughter Margaret Jones I have heretofore given negroes land & other property of the value of two thousand six hundred & fifty five dollars - all which is hereby confirmed to her.

To my daughter Susan Ann Newman I have heretofore given negroes & money & other property to the amount and value of twenty six hundred & five dollars which is hereby confirmed to her this does not include mulatto girl Caroline who was merely loaned and is part of my estate.

To my son, Edmund I have given negroes & personal property and the use of the tract of land bought of Seals, about two hundred & five acres which land I now give & devise to him, and confirm to him the right to the negroes & other personal property heretofore put into his possession. All which I estimate at the sum of three thousand & forty two dollars.

To my son John I have heretofore given negroes & personal property & an education more expensive than that of the others - all which I estimate at three thousand & forty dollars which property so given to him. I hereby confirmed to him.

To my daughter Nancy Smith I have given negroes & property to the value of Eighteen hundred & twelve dollars which is hereby confirmed to her.

To my other children, Mary, James & Franklin I have as yet given no specific property & therefore they are to be subject to no deduction, unless they should hereafter receive property from me.

To my son Franklin I give & devise the tract of land adjoining Powelton of about 400 acres bought of Burch, to be taken by him as part of his portion at the value of Two thousand dollars and to my beloved wife I give mulatto girl Sarah - also a headstead, the usual bedding, Bureau, Walnut table, wash stand to be selected by her. Also I give to her one ninth part of my estate after payment of debts, expenses &c, and after deducting what may be required to make the portion of each other child equal to the amount herein & heretofore given to my son Edmund - all which I give to her during her life - and on her decease what may be left unconsumed by the natural & Ordinary use I direct should be equally divided between all my children then in life and the child or children of any one or more that shall have died before her (a child or children to stand in place of a deceased parent) And as to the amount that may accrue to my daughter Margaret Jones from my estate to render her portion of property heretofore given equal to that of Edmund. I direct that such amount as difference shall be paid to my two grandchildren, John I. & Virginia Shivers, in equal portions, or their Guardian - if either be dead at the time of the division the survivor to receive the whole, and if neither be in life then my daughter Margaret to receive it. As to the amount due from me as guardian to said grandchildren which is apparent from my returns in the Court of Ordinary I direct that the same be paid with interest from the notes taken by me as Guardian.

I direct that a substantial stone wall be made around the family graves - and in the sale of my land I direct that one fourth of an acre including the graves be reserved to my heirs with the right of access & ingress to the graveyard to inter members of the family & to make necessary repairs.

I have been acting as Guardian for Miss Hannah Butler for several years - & have made returns thereof to the C. of O. of Taliaferro; whatever amount may be due to her I direct shall be promptly paid him from the note taken in her behalf or from my estate.

I direct that no sale or division of my estate be made at a time that may interfere with the perfecting or securing of the growing crop - and further that if any of my children shall fail to return to the Executors any property that I have declared or shll declare to have been loaned such child shall not participate in a division until the property shall be restored (Acts of God & inevitable causes excepted & saved)

I nominate & appoint my sons Edmond D. & John W. & my friend Nathan C. Sayre executors of this my will

Signed & declared by the testator to be his will in our presence this 5th day of Feby 1850



Tuttle H. Audas

JOHN RUDISELL (Seal)

Thomas Whaley

Lorenzo S. Stewart

HANCOCK COUNTY. Be it known that on this the 20th day of April in the year 1852. I John Rudisell being still of sound & disposing mind & memory do make & declare the following as a Codicil to the foregoing will. I have given to my daughter Nancy Smith a negro girl valued by me at four hundred

dollars which I confirm to her as part of her portion on the division at this sum.

To my daughter Susan Ann Newman I have given a negro girl valued at three hundred dollars which I confirm to her as a part of her portion in the division. The Girl Caroline named in said will as loaned to her has been returned to me.

To my son James I have given four negroes some Stock & furniture &c valued by me at two thousand seven hundred & ninety five dollars and which I confirm to him as part of his portion on the division.

As to my daughter Mary Frances I have not set apart or given to her any property, except negro girl Mary which I confirm to her as part of her portion - and as others of my children have been advanced in part & are enjoying the use of the property I direct that on the division of my negroes she shall have the selection of three negroes at valuation to be taken as part of her portion.

From peculiar circumstances I am induced to revoke the appointment of my son Edmond as one of the Executors of my will; and in his place I appoint my son-in-law Henry D. Smith an Executor of this will. Hereby confirming all parts of said will not herein altered or modified.

In Witness whereof I have hereto subscribed my name & have set my seal this 20 Apl. 1852.

Signed & declared by the testator to be his will in our presence who in his presence have hereto subscribed our names



T. H. Audas
L. S. Stewart
Charles W. DuBose

JOHN RUDISILL (Seal)

HANCOCK COUNTY,

Be it known that on this the 1 day of March in the year 1854. I John Rudisall still of sound mind do make & declare the following as an additional Codicil to the foregoing will & Codicil.

I give to my wife during her natural life in addition to a child's part heretofore given, the house & lot on which I reside the following Servants, Arthus, Aurica, Dias & boy Jesse and my carriage & horses.

Item 2. As I fear the valuation I have put on property heretofore advanced my children might act unjustly from change of times I direct that each child shall return to my Executors the character of the property received the amount of other advancements received; my Executors with two respectable neighbors to value it, as my negroes left are valued having regard to age, size & character of the property when received and all having had or who may have advancements charged accordingly.

Item 3. I give to my son Franklin the Burch tract of land as a part of his portion to be valued as above and the property loaned to my wife after her death to return back to my estate to be divided equally between my children and representatives of children to stand in place of deceased parent.

Item 4. I appoint my friend James Thomas in place of my friend Nathan C. Sayre one of Executors.

In Testimony whereof I have hereto set my hand & affixed my seal the day & year above written.

Signed by the testator in our presence
& by us in his presence & in presence
of each other.

Linton Stephens

JOHN RUDISALL (Seal)

Daniel S. Humphrey

James Atcherson