

Georgia Hancock County

Monday 2nd March 1835. This being the day appointed by Law for holding the Court, and a majority of the Justices failing to attend.

Present their Honors

Joel Crawford }
Wilson Bird } Justices

The Will of James Butts sen. dec^d was presented to the Justices present and the due and legal execution thereof and the sanity of the testator at the time of making the same being proved to the satisfaction of the Justices present by the evidence of James Thomas and Benjamin Harper, it is considered by the Justices present that said Will be deemed fully and legally proved, and that it be filed in the Clerk's Office of this Court until the next sitting of the Court of Ordinary.

Georgia Hancock County.

Inferior Court sitting for Ordinary purposes

Saturday 7th March 1835. The Court met pursuant to adjournment. Present their Honors

Joel Crawford }
Wilson Bird } Justices
Wilkins Smith }

The last Will and testament of James Butts sen. having been satisfactorily proved on the second day of this month before their Honors Joel Crawford and Wilson Bird and ordered to be lodged in the Clerk's Office of this Court; James S. Daniel and James S. Butts the nominated executors in said Will, appeared in open Court, and upon their application, it is ordered by the Court now here that said Will be admitted to record, and that said Executors be duly sworn.

Whereupon James S. Daniel and James S. Butts were duly sworn and qualified as Executors of said last Will and testament, and Letters Testamentary were issued to them in the premises.

Georgia Hancock County

I James Butts of weak in body but of my do make and pub hereby revoking all for

Item 1. It is my wish and a Executors pay any just the payment of any leg I desire my whole es together for the benefit money can be raised

Item 2. I give and bequeath Simmons, Keziah But and Edmund Butts, one negro girl each to in making this estate them such girl children us say to be one year

Item 3. I give and bequeath the sum of one thousand money to be raised by such property as the property when so purchased said Francis during his rate use free from the manner that it may debts of his present or of the said Francis, to the Children of the

Item 4. I give and bequeath the sum of One thousand

Item 5. I give and bequeath to and for the use of pinwall the sum of however, that the said use said thousand to be conceived most con

Georgia Hancock County

I James Butts of the County and State aforesaid being weak in body but of sound and disposing mind and memory do make and publish this my last Will and testament hereby revoking all former wills by me made.

Item 1. It is my wish and desire that after my death that my Executors pay any just debts which I may be owing; before the payment of any legacy herein given, and for this purpose I desire my whole estate to be kept together and worked together for the benefit of my estate untill sufficient money can be raised to pay off my debts.

Item 2. I give and bequeath to my grand children Katharine Simmons, Keziah Butts, Arthur Butts, Mary Butts and Edmund Butts, Children of my son Simmons Butts one negro girl each to be worth one hundred ten dollars in making this estimation I expect my executors to give them such girl children as are weaned from their mothers say to be one year old at least.

Item 3. I give and bequeath to my grand daughter Frances Davis the sum of one thousand dollars which amount of money to be raised by my Executors I wish laid out in such property as the said Francis shall direct, which property when so purchased I give and bequeath to the said Francis during her natural life to her sole and separate use free from the controul of her husband and in such manner that it may not be taken for the payment of the debts of her present or any future husband after the death of the said Francis, I give and bequeath said property to the children of the said Francis their heirs assigns.

Item 4. I give and bequeath to my grand son Hull Butts the sum of One thousand dollars.

Item 5th. I give and bequeath to James L. Daniel in trust to and for the use of my grand daughter Eleanor Aspinwall the sum of one thousand dollars provided however that the said James L. Daniel is expected to use said thousand dollars in such manner as may be conceived most conducive to the interest of the said

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Eleanor during her minority or remaining unmarried to be at liberty to apply any part of the profits of said one thousand dollars to the benefit of the said Eleanor when the said Eleanor shall arrive at lawful age or marry it is my wish and desire that said money should be laid out in such property as the said Eleanor shall direct which property so purchased I give and bequeath to the said Eleanor during her natural life, to be held by her free of the control of her husband and to her sole and separate use after her death to her children in fee simple. But in the event that the said Eleanor should die before she marries or arrives at lawful age it is my will and desire that said money should be returned back into my estate to be disposed of as hereinafter expressed.

Item 6. After the payment of my just debts by my Executors it is my Will and desire that all my estate both real and personal except my negroes be sold by them and after paying off the legacies herein before expressed it is my will and desire that the balance of my whole estate be equally divided into eight equal shares and also that my negroes be divided into eight equal shares to be equally divided between my children Parker Butts, Lewis Butts, Matt C. Butts, James J. Butts, Eliza Daniel, Benjamin R. Butts, David Butts Washington Butts.

Item 7. I give and bequeath to Lewis Butts & James W. Simmons in trust to and for the use of my son Parker Butts during his natural life and after his death in trust to and for the use of his children the distributive share of my Estate which would be the portion of the said Parker Butts under the sixth clause of my Will, the said Lewis Butts and James Simmons to take into their possession this property and to appropriate the proceeds thereof to the use of the said Parker Butts's support and his children, and provided also that if the children of Parker Butts should all die without issue it is my Will and desire that said property be returned into my estate to be divided according to the sixth clause of this my Will.

Item 8. I give and bequeath to my executors in trust to and

for the use of my death the distributive portion of Matt C. Butts my Will provides is to have possession which time I hope and for fear of my clause I would the portion of Matt C. Butts payment of debts give and bequeathment of his debts, C. Butts should that such portion as respects debts executors to collect two executions be for the use of it & Moore & myself together with the thrown into one sixth clause and it is my wish the share.

Item 9. Lastly - I name and my son in Law my last will and

In testimony
this 16th day
Signed and acknowledged
presence of us written
in presence of each
Jas Thomas
Benjamin Harper
Charles Roe

Upon the application

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is in trust to and

for the use of my son Matt C. Butts for five years after my
death the distributive share of my estate which would be
the portion of Matt C. Butts under the sixth clause of
my Will provided however that the said Matt C. Butts
is to have possession of said property for said time, by
which time I hope he will be enabled to pay all his debts
and for fear of misconstruction of my intention in this
clause I would state that my intention is to protect
the portion of Matt C. Butts from levy and sale for the
payment of debts for five years, after that time I
give and bequeath said ^{property} portion to him subject to the pay-
ment of his debts provided however that if the said Matt
C. Butts should die without any child or children
that such portion should return back into my estate -
as respects debts due me by Matt C. Butts I wish my
executors to collect out of Matt C. Butts the one half of
two executions belonging to me in the name of John Butts
for the use of A. B. Williams against Butts Aspinwall
& Moore & myself, the notes which I hold against him
together with the one half of said executions I wish
thrown into one common stock to be divided under the
sixth clause and in the amount given to Matt C. Butts
it is my wish that said amount be deducted from his
share

Item 9 Lastly - I nominate and appoint my son James S. Butts
and my son in Law James C. Daniel my Executors to this
my last will and testament.

In testimony whereof I have hereunto set my hand
this 16th day of February 1835.

Signed and acknowledged in
presence of us witnessed by us
in presence of each of us.
Jas. Thomas
Benjamin Harper
Charles Roe

James Butts decd.

Upon the application of James S. Daniel and James S. Butts

Executors of ¹/₂ of James Butts ^{sen} ^{dec} it is ordered that Benjamin Harper, John B. Simmons, James M. Simmons Henry Gary, George Arnos & Robert W. Pinion be and they are hereby appointed appraisers of the personal estate of said ^{dec} and that they or any three or more of them do appraise said estate according to Law.

Inventory and appraisement of the Estate of James Butts ^{sen} ^{dec} March 26th 1835.

Kitchen Utensils 10.00	3 Tubs 2.00	5 Spinning Whels 10.00	22.00
1 Loom & Warping Bars 10.00	1 Copper Kettle 15.00		25.00
1 Tin Baker 3.00	Crockery Ware 10.00	1 Iron Mortar & Stone Jar	14.00
1 lot Tin ware 2.50	Knife Box & Knives & Forks 2.50		5.00
1 Set measures 1.00	Folding pin Table & Side Board 7.50		8.50
1 Folding Walnut Table & ends 10.00	1 Walnut drop Table 3.00		13.00
1 Pine Press 15.00	1 lot Crockery & Plates 15.00		30.00
Medicine & Physicians Scales 1.50	Sturges Map of Georgia 5.00		6.50
1 Silver Watch 25.00	1 Wood clock & Case 10.00		65.00
1 Piano Forte 300.00	Desk & Book Case 50.00		350.00
Scotts Commentaries on the Bible			10.00
1 large Family Bible & Library 15.00	2 Gilt looking Glasses 14.00		29.00
Painting of Washington with gilt frame			5.00
1 set china Ware 5.00	2 Decanters & 15 Tumblers 2.00		7.00
1 Silver Saddle & 11 Table Spoons & 11 Tea Spoons			30.00
Auger & Tong 25 ^c	1 doz Minion & 1 doz Wide bottom Chairs 9.00		9.25
1 Rifle & 2 Shot Guns 15.00	2 Brass Candelsticks 3.00		18.00
2 Bedsteads & 1 Bed & furniture 30.00	1 small looking glass 1.00		31.00
3 Beds & 4 Bedsteads 60.00	1 Arm Chair 2.50		62.50
2 Trunks & 2 Chests 4.00	1 Fire stand & Iron 5.00		12.00
2 pr. Wrought Andirons 5.00	1 Jersey Wagon 10.00		45.00
1 Ox Cart 25.00	1 Iron mill & Hand mill 15.00		40.00
1 Thrashing Machine 15.00	1 Silt Death & Iron 15.00		30.00
20 Bushels Wheat 15.00	27 Bush peas 280 ^c 21.60		36.60
9 Hogheads 50 ^c 450	1 Gin 10.00	2 pr. Scales 150 - 300	47.50
Stock Sheep 52 head 100 - 5200	3 Gray Colts 20.00		112.00
1 Cutting Knife & Box & 1 doz Hooks 1.50	1 Corn mill 25.00		26.50
5 quib hair 1 lot wood Ware 600	2 Sprades 125	4 Sages & Corns 600	13.25

1 Cross Cut Saw 300 1
 1 pr. Cart wheels 500 1
 3 Iron Wedges 225 1
 1000th Bacon 10^c 400.00
 1 Barrel Mares 50.00 1
 5 Mules & Hs 300.00 5
 9 Club Axes 900
 Absalom 200. Robin
 Windsor 300 Ben 500
 Fort 350 Andrew 450
 Sharper 400 Tuesday
 Willis Blacksmith, 1000
 Celia Wednesday 400 Na
 Patey & 3 children, Ag
 Hannah & 2 children G
 Phillis & July 650 Ma
 Letty 375 Mirny 425
 Tempy 50 Harry 600
 Stock Hogs consisting
 105 Barrels corn 5 = 52
 2 Iron pots 200 7.3000
 10 Raw hides 50^c 500

We do certify, upon
 by the executors the
 appraisement of the
 of James Butts ^{sen} ^{dec}
 understanding.

I do hereby certify
 perform their duty
 sixth day of March
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ordered that
as Mr. Simmons
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Butts Sec.

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112.00
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1 Cross Cut Saw 300 1 lot old plow hoes 1000 Chest & Tools 1500 28.00
1 pr. Cast wheels 500 1 old Saddle 100 2 Bells 150 7.50
3 Iron Wedges 225 1 Grind Stone 200 1 Packing Iron 100 5.25
4000th Bacon 10 400.00 54 Feigs & Jars 175 6.75 406.75
1 Sorel mare 50.00 1 Pick House 50 1 Gray Horse 2500 75.00
5 Mullers 250 300.00 8 Plows & gear 100 1 Cart 12.00 328.00
9 Clab Axes 900 9.00
Absalom 200 Robin 50 Nat 550 Fair 600 Edlar 700 2100.00
Windson 300 Ben 500 John 750 Julia 200 Jacob 400 2150.00
Fart 350 Andrew 450 Chance 400 Monday 400 1600.00
Sharper 400 Tuesday 350 George (Blacksmith) 1200 1950.00
Willis (Blacksmith) 1000 Sucky & 2 children Saturday & Flora 6.50 1650.00
Belia & Wednesday 400 Nancy & 3 children Sally, Friday & Louisa 1000 1400.00
Patsy & 3 children Aggy, Dianna and Tom 1100.00
Hannah & 2 children Emily & Muck 900, Harriet & child March 650 1550.00
Phillis & July 650 Mary 500 Milly & Charlotte 500 1650.00
Litty 375 Mimy 425 Cain & Rose 25 Lerrey 100 925.00
Tompy 50 Harry 600 Sam 300 Fanny and child 700 1650.00
Stock Hogs consisting of 90 head of every description 180.00
105 Barrels corn 5 = 525 144 head of Cows 350 = 1512.00 679.00
2 Iron pots 200 7.3000th Tadder 2100 = 735 2000th Cato 75 = 15.00 90.00
10 Raw hides 50 = 500 5.00

We do certify, upon oath that as far as was produced to us
by the executors the above and foregoing contains a true
appraisement of the goods chattels and credits of the estate
of James Butts Sec. dec'd, to the best of our judgment and
understanding.

J. M. Simmons
Mr. B. Simmons } Appraisers
Benjamin Harper }
Henry Gary }

I do hereby certify that the above appraisers were sworn to
perform their duty as appraisers according to Law, this twenty
sixth day of March One thousand eight hundred and thirty
five.
Robt. B. Pinion J.P.