

Marion Court of Ordinary.

May Term 1847

It appearing upon the application of Robert Burton & Benjamin Burton Executors of Eliza Smith late of Talbot County deceased and they are desirous of removing the returns to upon said Will to this Court.

Therefore Ordered by the Court said returns proceeding to be returned to this Court & Exemplification and that the said be recorded in this Court of Ordinary same the County of Talbot.

State of Georgia in the name of God Amen
Talbot County } I Eliza Smith of the county and
late aforesaid being of weak bodily health but
of sound and disposing mind and memory
knowing the uncertainty of life and the certainty
of death do make, ordain publish and de-
clare this writing to be my last will and testa-
ment hereby revoking and annulling all others
by me heretofore made.

- Item 1st I commend my immortal soul to God maker in him
be reliance on Christ my Savior and will I desire
that my body be decently interred.
- Item 2nd To my son Robert Burton (having given him a
portion heretofore) I give and bequeath a certain ne-
gro man named Sunday and a negro girl named
Martha.
- Item 3rd To Homer Burton son of Robert Burton I give and bequeath
a negro girl named Matilda.
- Item 4th All the balance of my property of every description
Land negroes, stock utensils furniture bedding and
every thing I possess I give bequeath and devise to my
son Benjamin Burton after the payment of my just
debts for the purpose of which payment of my debts I
give unto him notes now held by me.
- Item 5th Should my son Benjamin Burton die without children
it is my will and I do hereby in the event of the death
of my son Benjamin Burton without children, I give
bequeath and devise all of my property of every de-
scription which shall be found remaining at the death
of my son Benjamin together with all the increase
that may arise therefrom to my son Robert Burton to
him and his heirs forever in fee simple.
- Item 6th I do hereby appoint and constitute my sons Robert Burton
and Benjamin Burton my Executors of this my last will
and Testament
In testimony of all of which I have hereunto set
my hand and seal, this the eighth day of

(Continued)

July in the year of our Lord Eighteen Hundred and forty six

Signed, sealed, published and delivered in presence of
 Charles H. Stillwell }
 William Bagland } Eliza Smith [L.S.]
 A. G. Perryman }

Georgia } Personally appeared before us,
 Talbot County } Thomas W. Blease and (Zachariah B. Price
 Justices of the Superior Court of said county, William Bagland and A. G. Perryman who being duly sworn deposed and said that they saw Eliza Smith the Testatrix sign seal, publish and declare the above and foregoing to be her last Will and Testament, and that they signed the same as witnesses in her presence and in the presence of each other that said Testatrix was at that time of signing of sound and disposing mind and memory and sign the same without compulsion sworn to and subscribed before us Jan^y 11th 1847

T. W. Blease J.S.C. } William Bagland
 Z. B. Price J.S.C. } A. G. Perryman

Georgia } Court of Ordinary
 Talbot County }

January Term 1847

It appearing to the Court that the above and foregoing Last Will and Testament of Eliza Smith has been duly proven before Thomas W. Blease and Z. B. Price Justices of this Court under the oaths of A. G. Perryman and William Bagland subscribing witnesses to said Will, Ordered at this regular Term that the same be admitted to record

Countersigned
 Chas. H. Stillwell C.C.O.

Z. B. Price J.S.C.
 T. W. Blease J.S.C.
 J. C. Leonard J.S.C.

Georgia } I Robert Buxton do solemnly swear that
 Talbot County } this writing contains the true last Will
 and Testament of Eliza Smith deceased so far as I know or believe and that I will well and truly execute the same by paying first the debts and then the legacies so far forth as her goods and chattels will execute and the law charges mean and that I will make a true and perfect inventory of all such goods and chattels so help me God.

sworn to and subscribed

Marion County Will Book

1846-1915

www.georgiapioneers.com

Chas. H. Stillwell C.C.O.

Robert Buxton

Georgia }
 Talbot County }

Court of Ordinary

January Term 1847

(Continued)

7

It appearing to the Court that Robert P. Burton Executor of Eliza Smith deceased is desirous to remove the business of executing said deceased's will to the county of Marion in this State,

Be it ordered that he be permitted to do so and the clerk furnish him with a necessary exemption from this office,

Georgia } Charles H. Stillwell Clerk of the
Talbot County } Court of Ordinary of said county, do hereby
certify that above and foregoing two pages contain
a correct copy (examined) of the Will of Eliza Smith
deceased together with the probate Order to record and
Executor's oath & order to remove Executor of Will all of
record in my office,

Given under my hand and private
seal there being no seal of office. This the 13th day
of January 1847,

Chas. H. Stillwell C. C. O

(Transcribed from the minutes of the Court of
Ordinary, Pages 49, 47, & 48. By order of the Court of
Ordinary of Marion County Ga.

This May 10th 1850

William Williams C. C. O

Georgia }
Marion County } In the name of God, Amen
I George Green Flournoy Mitchell of the county of Marion and
State of Georgia being feeble in body and sound in mind
and memory and knowing that I must shortly depart
from this world deem it right and proper both as
respects myself and family that I should make a dis-
position of the property with which a kind providence has
blessed me, & therefore make this my last Will and testam-
ent hereby revoking and annulling all other wills
heretofore made by me

Item first, I direct and direct that all my just debts be paid with-
out delay by my Executors hereinafter named

Item second, I give and devise to my beloved wife Cherry the whole of my prop-
erty both real and personal after my just debts are paid for
her own use and for the support of the children & have be-
lieved and pray that she may be blessed in her exertions
for the same

Marion County Will Book

1846-1915

www.georgiapioneers.com

Item third

I do hereby appoint my beloved wife Cherry my sole
Executor to manage my property as she may think proper