

Joseph Beck

Georgia
Marion County

In the name of God Amen
I Joseph Beck of the County
and State aforesaid, being of advanced age and
knowing the uncertainty of life, deem it
right and proper that I should make a disposi-
tion of the property with which a kind
Providence has blessed me. I therefore
make this my last will and testament
thereby revoking and annulling all other
heretofore made by me.

Item 1 I desire and direct that my body be
buried in a decent and Christian-like man-
ner with little expense, my Soul I recom-
mend to God,

Item 2 I desire that all of my just debts
and funeral expenses be paid out of my
estate by my executors hereinafter named, as
soon after my death as, by them, be found
convenient.

Item 3 It is my will and desire that my
daughter Frances Beck remain and live with
her mother until she marries or becomes
of age, and I hereby appropriate one hun-
dred Dollars for annum out of my estate
(if so much be needed) for clothing, board &c,
including her services to her mother, and if
said sum of money should not all be con-
sumed for this purpose, then said Frances
shall have and receive the balance when
she becomes of age or may marry, all to be
under the supervision and control of my
executors.

Item 4 I will give and bequeath and set apart
unto my wife Margaret Beck, for and during
her natural or widowhood, (subject to the
limitations and restrictions hereinafter
named) the following property, to-wit:
(and which shall be in lieu of dower) lot
of land number fifty four (54) it being the
lot whereon I now live, also the north
half of lot number fifty three (53) all in
the District of originally Muscogee
Marion County, with all the rights
members and appurtenances to said belong

Joseph Elk

ing or in any wise appertaining - as much of all the farming utensils used and belonging to the plantation of every description to carry on the farming or other useful business, wagons included, as she may judge sufficient for that purpose - three spanned mules or horses ~~as she may choose~~ from all my stock of mules or horses, her choice of one buggy and harness belonging to the place, five cows and calves such as she may choose from all my stock of cows, as many stock hogs as she may choose, three feathered bees, beds and furniture thereto belonging as she may choose, with as much of all other household and kitchen furniture as she may choose (my desk and book case excepted) also as much corn, fodder, bacon and all kinds of provisions as are usually kept on the place as my Executors may judge sufficient for one years support and one hundred dollars in money for her to use at her own discretion - and the Cotton gin -

Item 5

I also will give and bequeath to (and set apart for) my said wife Margaret Elk for and during her natural life or widowhood subject to the limitations and restrictions hereinafter named and to be in lieu of her dower as aforesaid my negro man Dan about forty two years old, my negro girl named Rose about fourteen years old, my negro woman named Venice about forty one years old and her four children to wit; Isaac about sixteen years old, Shade about thirteen years old, Solomon about twelve years old and Reuben about eleven years old, together with all the increase of any of the aforesaid negroes. All of the aforesaid property of every description, embraced in the 4th and 5th items of this will, real personal or mixed, I hereby set apart to my said wife for her support and maintenance for and during her natural life or widowhood, and in lieu of dower, and she shall feed and clothe and pay tax upon and pay all other incidental expenses attached to said property. It is my further will that none of the aforesaid negroes which I have given and set apart

Joseph Beck

as aforesaid, shall be removed beyond the limits of said County of Marion unless they should be sent on an errand with a speedy return or in case of war, invasion or insurrection the safety of said negroes should require them to be removed. I hereby place the same restriction upon all the balance of the property of a movable nature which I have set apart for the support and maintenance of my wife as aforesaid, that is to say, none of said property shall be removed beyond the limits of said County of Marion only upon the contingencies aforesaid, and if any one or all of said negroes or their offspring or if any of the property aforesaid of a movable nature should be removed beyond the present limits of said County of Marion only upon the contingencies aforesaid, by and with the consent, knowledge or approbation of my said wife, then and in that event, it is my will and desire that the negro or negroes or any other property which may have been thus removed contrary to the meaning of this will, shall be forfeited by the said Margaret Beck and that the same withing it be negro or negroes or other property shall revert to and become apart of my estate, and shall be disposed of by my Executors hereinafter named, as they shall be directed by a subsequent clause of this my will.

Item 4

If my said wife Margaret Beck should be dissatisfied with the provisions which I have made for her in the fourth and fifth items of this will and should elect to take down in the lands or any part thereof, of which I may die seized and possessed then and in that event it is my will and desire that she have nothing out of my estate but her dower and that all the property which I have willed given and bequeathed to her by the fourth and fifth items of this my will, of every description whatever and personal or real, shall revert to my Executors hereinafter named, as they shall be directed

Joseph Beck

Item 7 by a subsequent clause of this will And if my said wife Margarette Beck should elect to take her dower and should have the same laid upon any of the lands which I may bequeath to any of my children by this will there and in that event, it is my will and desire that the child or children whose lands may then be taken shall have a fair equivalent therefor out of my estate to be paid to him or them by my Executors.

Item 8 It is my will and desire that at the death or marriage of my said wife Margarette Beck, all the property of every description, both real and personal which I have conveyed to her by this will for and during her natural life or widowhood shall be sent back to my estate and shall be managed and disposed of by my Executors in the same way as I shall hereafter direct my other property not already disposed of by this will.

Item 9 Whereas I have previously given to wit in 1849 to my daughter Henrietta Duke the wife of Francis M. Duke a negro girl named Eliza at that time about eleven years old, I now confirm the gift and bequeath the said negro with all her increase to her and her heirs for ever.

Item 10 I give and bequeath to my son Hollis Beck two thirds of lot of land number fifty five in the fourth District of said County of Marion - it being the north two thirds, the place whereon he now lives with all the rights members and appurtenances thereto belonging or appertaining to him and his heirs for ever.

Item 11 Whereas I have heretofore to wit on the 29th of January 1866 given to my daughter Martha White, the wife of J. B. White, a negro girl by the name of Parkey at that time about fourteen years of age, I now confirm the gift and bequeath the said negro with her increase to said Martha White and her heirs for ever.

Item 12 I give and bequeath to my son Jacob Beck the South third of lot of land number twenty four and the North third of

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land Number Seventy five all the fourth dis-
trict of originally Muscogee County now
Marion County with all the rights mem-
bers and appurtenances to the same in any
manner appertaining or belonging, to him
and his heirs for ever, also I give in
like manner to my son Zachariah Beck one
good feather bed, bedstead and furniture and
two cows and calves -

Item 13

I give and bequeath to my son Joseph
Beck the North two thirds of lot of
land Number Seventy four in the fourth
District of originally Muscogee now Marion
County with all the rights members and
appurtenances thereto belonging or in
any wise appertaining to him and his heirs
for ever, Also I give in like manner to
my son Joseph Beck one good feather
bed, bedstead and furniture, two cows
and calves and a certain mule called
Jack which I bought for him last winter.

Item 14

I give and bequeath to my daughter
Frances Beck one negro named Caroline
about eighteen years of age with all of her in-
crease to her and her heirs for ever, and in like
manner I give to my said daughter Frances
Beck one good feather bed, bedstead and furni-
ture, two cows and calves one bridle and
saddle, two barrels, Dollars in money
and her Ring.

(I have heretofore given off
to my sons Amos and Beck and Benson
Beck certain lands and to my daughter El-
len Smith a certain negro girl and made
to them all thing respective titles thereto
and which gifts I consider equal to the
specific legacies I have already given
to the balance of my children in this
will - as also I gave to Sarah Smith the
wife of Martin Smith a negro girl and
specific title to her share to which I also
consider equal with the balance of my
children.)

Item 15

It is my will and desire that all
the balance of my property of every de-
scription whatever, wherever and whatever
it may be, real personal and mixed, money

Item 16

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notes, or accounts or any other thing of value shall be equally divided (or for the same to be sold and the proceeds of the sale be divided leaving it discretionary with my Executors to choose the most equitable mode of division) into ten equal parts or shares and to be given to my children as follows: to Sarah Nutt, the wife of Martin Nutt, the half of one share or part, the other half of that share or part to be equally divided between the children of Anderson M. Duke, deceased, the first husband of the said Sarah Nutt. The children of Mary Holland to take her share (the said Mary being dead) To Amandas P. Beck, one share or part, To Denson Beck, one share or part. To Henrietta Duke one share or part. To Hallie Beck one share or part. To Ellen Smith (subject to the qualifications and restrictions and limitations hereinafter named) one share or part. To Zachariah Beck one share or part. To Martha White one share or part. To Joseph P. Beck one share or part and to Francis Beck one share or part. And I hereby nominate and appoint my son Denson Beck Testamentary Guardian and Trustee for the children of the said Mary Holland, deceased and I hereby invest my said son Denson with full power to use the money which may be going to his said wards to the best advantage to pay the same over to them before their arrival at full age if necessary, and if the exigencies of the case require it to break in upon the capital sum, as I believe they will need their money mostly in their rearing and education leaving it to the entire discretion of the said Denson to manage for the best. And if it should not be in the power or too inconvenient for my said son Denson to act as Guardian and Trustee as aforesaid then it is my desire that Stephen M. Nutt or his wife Sarah Nutt act as Guardian for said children and I hereby invest them with the same power as herein given to the said Denson Beck. It is my will or desire that the share of my property which may go to Ellen Smith shall be to her

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husband Patterline Smith in trust for said Ellen for and during her natural life and at her death to be equally divided between her children and no no wise to be subject to the present or any future debts contracts or liabilities of the said Patterline Smith or any future husband.

Item 17

Whereas I did, heretofore to wit on the Eighth of November 1858 advance to my son Deason Beck a check for the sum of Four hundred Dollars and again on the 13th of December of the same year advance to him an other check for the sum of Six hundred Dollars making in the aggregate the sum of one thousand Dollars my said son Deason Beck must account in this receiving his share or part of my estate without interest being computed thereon.

Item 18

It is my will and desire that the negroes which I have given off and set apart for my said wife for and during her natural life or widowhood shall remain on the place which I have bequeathed to my wife in like manner, and that they shall not be hired out or the land be rented neither shall she dispose of her life estate in said property in any manner by bargain and sale, but the same shall be kept together for the support and maintenance of my said wife until in case of absolute necessity to be judged by my executors.

Item 19

It is my will and desire that at the death of my said wife or if she should marry, in either event, that all the property of every description, real personal and mixed which I have conveyed to her by the 4th and 5th items of this my last will and testament for and during her natural life or widowhood shall be divided or sold and proceeds divided in same manner among my children grand children and great grand children as directed in the fifteenth item of this my last will and testament. That share share or part going to Ellen Smith

Joseph Belk

shall go to her husband Callisting Smith in trust for her for and during her natural life and at her death to her children and in no wise to be subject to the debts contracts or liabilities of her present or any future husband

Item 2^d

It is my will and desire that my negro man Peter and his wife Mary be not separated or parted in any transaction of my estate, that if my Executors should find it necessary to sell my negroes ~~thereof~~ said negro Peter and his wife Mary shall be sold together or if the negroes shall be divided in lots they shall both be in the same lot

Item 3^d

I hereby nominate constitute and appoint my sons Hallis Belk and Joseph T. Belk Executors of this my last will and testament, and that Hallis Belk have the privilege of acting alone or that the said Hallis & Joseph T. act jointly or whether they act jointly or separately they shall equally divide the Commissions of And I do appoint jointly the said Hallis & Joseph T. Belk Permanent Guardian for my minor daughter Francis Belk. I also appoint them the said Hallis & Joseph T. Belk Trustees to manage and superintend the property which I have set apart to my said wife Margaret Belk in the 4th & 5th Items of this will.

In testimony whereof I the said Joseph Belk have hereto set my hand and affixed my seal, my said will being contained on the within and foregoing thirteen pages this 28th day of October 1861

Joseph Belk LS

Signed, sealed, declared and published by Joseph Belk to be his last will and testament in presence of each other and in the presence of the said pref Belk at his request this Oct 28 1861

Wm. T. Burkhalter
James L. Higgins
Wm. W. McChaffie
James L. Baker
Charles W. Muller

Joseph Belt

Georgia Marion County
Whereas Joseph Belt did on
the twenty eighth of October in the year of our
lord one thousand eight hundred and fifty one
legally deliver and publish my last Will and
Testament in the presence of W^m St Bartholomew
James L Higgins George W McQuiff James
L Baker and Erubert M Miller who signed
the said Will and Testament as witnesses and
Whereas I am desirous of revoking divers
bequests therein made to my son Zachariah
Belt who has lately deceased and died in-
testate and without issue I therefore
make and publish this Codicil to said will

First I revoke and make void the 12th Item of
said will wherein is bequeathed to the afore-
said Zachariah Belt the South third of lot
of land No Seventy four and the North third
of lot of land No Seventy five all lying in
the fourth District of Chatham, Muscogee now
Marion County, and also all bequests
devices, share, of my property, note or money
or any thing else of value that may be
found in said will bequeathed or given to
the aforesaid Zachariah Belt is hereby
revoked and made void. All other parts
of said will to remain in full force -
Entered in 26th line with words "or given"

Item 3 It is my will and desire that all the prop-
erty, both Real and personal, money notes or
any thing else of value or its residue which
was bequeathed or given in my aforesaid
Will to the aforesaid Zachariah Belt be dis-
posed of at my death according to directions
given in the fifteenth Item in said will
as therein is given directions for the disposal
of the Residue of my estate this 18th of
November 1863 Jos. Belt

signed sealed declared and published by
Joseph Belt as a Codicil to his last will and
Testament who subscribed the same in the pres-
ence of Testators as witnesses and in the presence
of each other this 18th November 1863

W M Miller
James L Baker
L C Davis
Lewis Webb
Geo W McQuiff

Joseph Beck

Joseph & Beck &
Hall's Beck

John & White
Martha White his wife &
John & Hunter &
Francis Hunter
his wife Carators

In the matter of the
Probate of the will
of Joseph Beck
deceased
Marion Court of
Ordinary October
Term 1867

The Propounders
having exhibited a paper as the last will
and testament of Joseph Beck, deceased late
of said County, to the admission of which to
probate and record Carators objected upon
certain grounds mentioned in said Carors
And it appearing to the Court that the
same is the last will and testament of
said Joseph Beck, deceased by the testimo-
ny of the subscribing witnesses thereto and
that the same is properly executed and that
said Testator was of sound mind and dis-
posing memory and it further appear-
ing that the grounds of objection were
not well taken and insufficient in law
to render said will invalid.

It is therefore
considered ordered and adjudged by
the Court that said paper be considered
the last will and testament of said
Testator and that the same is duly proved
and admitted to record and that Letters
testamentary as issue to said Hall's
Beck and Joseph & Beck upon this
taking the oath required by law

John M. Lowe
Ordinary

Recorded Oct 18 1867

John M. Lowe
Ordinary