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State of Georgia I Benjamin Gates of said  
Meriwether County and State being

of advanced age and  
knowing that I must shortly depart this life  
deem it right and proper both as respects  
myself and family that I should make a  
disposition of the property with which a kind  
Providence has blessed me do therefore make  
this my last Will and Testament hereby  
revoking all others heretofore made by me.

1<sup>st</sup> Item I desire and direct that all my  
just debts be paid by my executors herein  
after named without delay especially as  
there is no cause for delay.

2<sup>d</sup> Item I give and bequeath to my son  
Samuel H. Gates during his natural life the notes  
I now hold against him the principal thereof being One  
thousand one hundred and fifty dollars & also two  
hundred dollars in cash & after his death the aforesaid  
thirteen hundred & fifty dollars & the Interest that may  
accrue on said notes until my death be equally  
divided amongst my wife Emeline Gates my Grand  
sons Benjamin H. & Samuel M. Gates —

3<sup>d</sup> Item I give and bequeath to my beloved wife  
Emeline Gates for and during her natural life (only)  
the North half of lot of land number thirty three, thirty  
four, thirty five, thirty six, twenty nine, sixty three One  
hundred & thirty five fifty acres of Sixty four, two One  
hundred and twenty one, one hundred & twenty two  
& one hundred & thirty four & one hundred and fifty  
acres of the north part of one hundred and thirty three  
& one acre whereon the Old Gin house stands all  
in the seventh district of formerly Choisy now  
Meriwether County containing in all two thousand  
& twenty two  $\frac{1}{4}$  Acres more or less with all the rights  
and members thereto belonging & also forty one  
acres viz being Ninety Nine Acres & one fourth

Umana, Miss Peter, Suckey, Rix, Gilbert, Rose, Anne  
Scott, Josiah, Ethick, Brook, Agnes, Martha, Hannah  
Grace, Louisa, Semima, Wesley, Julia, Duncan, Maria  
Lake, Rachael, Simon, Eliza, Ellis, Willis, Sam  
Malipa, Heirand, John, W. Charles, Wiley, Big Henry &  
Indians and their increase & also all my house hold  
& Kitchen furniture, The Blacksmith Tools at my  
house place my Cotton Gins & all the out house furni-  
ture at my house place, Salamander Safe, double  
barrel Shot Gun and Revolver used at the death of  
my wife all the aforesaid property to go to my Grand  
children Benjamin E. Gates & Samuel M. Gates,  
during their natural lives and at the death of each  
one of them his portion to his children the Sala-  
mander Safe to Benjamin E. Gates & the balance  
equally between said Benjamin E. & Samuel M.  
Gates 4<sup>th</sup> Item, I give and bequeath to my beloved  
wife Emilene forever my Buggy & the Buggy  
Horse & may have at my decease her Duplex Gold  
Liver Watch its appurtenances all of her Fathers  
estate that I have received or may hereafter receive  
from said estate in her right and one third  
part of the Cash, Notes & accounts that I may  
have at my decease One half of my Prules The  
half of the farming Tools, The half of my Hogs, One  
third of my Cattle in number with the privilege  
of selecting her part of the Cattle all the Sheep  
One half of the Horse Wagon & Harness, four Cows  
which she may choose, The Ox Wagon and Cart  
and Ranch Tools —  
5<sup>th</sup> Item, I give and bequeath to my Grand  
Sons, Benjamin E. Gates & Samuel M. Gates  
equally between them during their natural life  
at their death to their children, lots of land  
numbers twenty seven twenty eight thirty seven  
south half of thirty eight one hundred & eighty four  
& 1/2 acres of number sixty to sixty six and my

Signer place to sixty five & parts of No ninety six & ninety seven all in the seventh district of former Group now Meriwether County containing fourteen hundred & seventy eight <sup>34</sup> acres more or less with all the rights and appurtenances thereto belonging the above land may be sold for a certain time if the said land is sold I desire and direct that the money arising from the sale thereof go to their children at their death each one's portion to his own children equally

6<sup>th</sup> Item I give and bequeath to my Grand Sons Benjamin H. Bates & Samuel M. Bates during their natural lives. Christy Eight <sup>1</sup> Negroes viz. Ben. Oly. Henry Amman & Edy 3<sup>rd</sup> family Draper Hannah C. Nathan, Manron Thomas Biddy, Sandy Jefe & Pheta. 3<sup>rd</sup> family Clark Jane Cundy 3<sup>rd</sup> family Asptum B. Bly, 3<sup>rd</sup> family Wm. H. Cherry & Jefferson, 6<sup>th</sup> family Big Jack, Billy & Thug, 3<sup>rd</sup> family Clem, Sarah, Mary & Charles. Sims. Jordan Arnsted Lower. Will Thomas, Harrison & Levi and their increase to be equally divided between them by families & at the death one of my said Grand Children his portion is to go to his children equally

7<sup>th</sup> Item I give and bequeath to my Grand Sons Benjamin H. & Samuel M. Bates one half of my Hogs one half of my Nucle. The half of my Farming Tools The Balance of my Cattle two thirds in number after my wife has selected one half of my Horse Wagons & Harness The Balance of my Oxen not given to my wife two thirds of the Cash, Notes & accounts that I may have at my decease all to be equally divided between them

8<sup>th</sup> Item I give and bequeath to my Grand Son Benjamin H. Bates three Negroes viz. George, Lerasy & Sophia and their increase

my Gold patent Lever Watch with its appur-  
tenances & my Rifle Gun. I have made a deed  
of gift of Solomon a negro boy to said Benja-  
min & which he is to have at my death  
9<sup>th</sup> Item I give and bequeath to my Grand  
son Samuel W. Bates during his natural life  
& then at his death to his Children lots of land  
numbers two hundred & forty nine & two hundred  
& fifty and fifty Acres of lot number two hundred  
& twenty seven on the north side of Flat Shoal Creek  
all in the Third district of formerly Group now  
Meriwether County containing four hundred & fifty  
Acres more or less together with all and singular  
the rights and appurtenances thereto belonging  
also I give him my single barrel Shot Gun  
10<sup>th</sup> Item I give and bequeath to my wife Emilie  
to my Grand son Benjamin E. Bates & to my Grand  
son Samuel W. Bates equally between them all  
the rest of my property of every description both Real  
& Personal including all that I may hereafter acquire  
11<sup>th</sup> Item I hereby constitute and appoint my  
worthy friend John W. Shepherd and my Grand  
son Benjamin E. Bates Executors of this my last  
Will and Testament

12<sup>th</sup> Item I desire that the Land and negroes  
given to my wife during her natural life at her  
death be divided according to directions in Items  
5<sup>th</sup> & 6<sup>th</sup> without separating families of negroes and  
as the laws of Georgia will not allow freedom of  
Slaves. I desire that my faithful slave Mingo shall  
be favored in case he becomes aged or infirm & be  
well provided for. The two hundred dollars given  
to my wife previously she has put in common stock  
She is to take out before a division this October 10<sup>th</sup> 1853

Benjamin Bates

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Signed Sealed declared and published by  
Benjamin Bates as his last will and Testament  
in the presence of us the subscribing witnesses  
who subscribed our names hereto in the presence  
of the Testator (at his special instance and request)  
and of each other this Oct 7<sup>th</sup> 1833

Stephen Wood  
Wm A McKee  
Robt A Hardwick  
Thomas S McKee

Georgia Meriwether County  
Meriwether County  
Ordinary March  
Term 1834

The within last Will and  
Testament of Benjamin Bates late of  
said County deceased having been proven  
at this regular Term in open Court  
upon the Oaths of Stephen Wood  
William S McKee and Thomas S McKee  
three of the Subscribing Witnesses to said will  
and being duly proved: Therefore Orderence that the same  
be admitted to Record  
6<sup>th</sup> March 1834

D. C. Gresham (Ordinary)  
Essex Office Clerk of  
the Court of Ordinary  
of Meriwether County  
Ga