

State of Georgia } I Marshall Martin of the
County of Meriwether } County and State aforesaid, being
of sound disposing mind and memory, commending
my soul to God, through our Lord Jesus Christ and
trusting in him alone for salvation, and my body to
the dust from whence it came, and to be buried in a
Christian like manner, do ordain this to be my last
will and Testament,

Item first - I desire that all my just debts shall
be paid, which are few and small at this time,
Item 2^d - I will and bequeath to my beloved wife
Jane McGee, Martin, one third part or portion
of my home plantation comprising five lots of
Land (except a portion of one lot which I have
heretofore sold to Henry Harris) said five lots
containing by estimation nine hundred and
ninety seven acres, all of said lots lying and
being in the second District of originally
Trapp now Meriwether County and adjoining
the lands of, Battell Campbell, Francis Boykin,
Henry Harris, Isham Jackson, Thos Parham &
Thos H. McGhee and my will is that my
said wife shall have the whole of my present
dwelling house, and out-houses appertaining thereto.
I also give and bequeath to my said wife
one third part of all my negroes I now have
or may have at the time of my death, one
third part of my stock of all kinds, one yoke
of oxen, one mawgin or oxcart, one four wheeled
carriage, and all or as much as she may
choose to keep of my household and kitchen
furniture, except so much thereof as shall
make my sons, Abram C. Martin and
Peter M. Martin, equal in said household
and kitchen furniture to what I have heretofore
given to my son, William M. Martin in these articles,
The above property which I have given to my

said wife to be held by her during her natural life, and after ~~her~~ death to be equally divided between all my children to wit; Sarah H. McGee, William D. Martin, Polly Ann Ogden, Abram C. Martin, Peter M. Martin and the children of my deceased daughter Elizabeth J. Wellborn, that is the children of my said daughter Elizabeth J. Wellborn are to have one sixth part, or one share equally with each of my said other children of the above property left to my said wife during her life, I also give to my said wife in addition to what I have given her already, fifteen hundred dollars in cash, the above property which I have given to my said wife to be in lieu of dower,

3rd Item.

I give to Abram C. Martin my son one feather bed and furniture, and the same amount of kitchen furniture my older children have heretofore had, also one horse worth one hundred dollars, the same he now has in possession,

4th Item.

I give to my son Peter M. Martin one feather bed and furniture, and the same amount of kitchen furniture my older children have heretofore had, and one horse worth one hundred dollars which horse he now has

5th Item.

I give to my son Abram C. Martin seven hundred and fifty dollars in cash to make him equal with my older children, in cash that I have heretofore given them.

6th Item.

I give to my son Peter M. Martin, six hundred and fifty dollars in cash, to make him equal with my other children in cash, that I have heretofore given them.

My further will and desire is that the rest and remainder of my property not otherwise bequeathed, of whatever character, whether lands, Negroes or other kind of, property, money, notes or other effects shall go to and be equally divided between Sarah H. McGhee, William D. Martin, Polly Ann, Ogletree, Abram C. Martin, Peter M. Martin and the children of my deceased daughter Elizabeth S. Wellborn share and share alike, that is, the six children of my said daughter Elizabeth S. Wellborn, are to have one share of the same, and I further desire that the Negro girl now in the possession of my daughter Sarah H. McGhee, named Angelina and which I have heretofore loaned to my said daughter, be included in the bequest which I have made in this seventh item of my will. My further will and desire is, that all the property which I have bequeathed in this my will to my daughters, Sarah H. McGhee, Polly Ann, Ogletree, and also what I have bequeathed to my Grand daughters the children of Elizabeth S. Wellborn, be held by them for their sole and separate use free from the contracts, debts and liabilities of any husband that any of them may now have or hereafter have, and my said daughters Sarah H. McGhee and Polly Ann, Ogletree, and my said Grand daughters the children of Elizabeth S. Wellborn are to enjoy said property for their sole and separate use as before stated during their natural lives, and after their death to go to and belong to their children, that is the children of each of my said daughters, and each of my said Grand daughters

are to have their portions share after the death of,
my said daughters and Grand daughters,
8th Item,

My further will and desire is that what property
or money I have bequeathed to my son Abram
to Martin be held and controlled by my son
William D. Martin in trust. and for the use and
benefit of my son Abram C. Martin, and so to be
held, controlled by my son William D. that the use
and proceeds thereof, shall be applied for the ben-
efit of Abram C. in such a manner as said
Trustee shall deem most beneficial to the said
Abram C. and in the event of, the death of, the
said William D. before the death of my son Abram
C. that then, the like trust shall devolve in the same
manner, on my son-in-law James Ogletree, and
in the event of, the death of, the said Ogletree before
the death of the said Abram C. then the like trust
to devolve upon my son-in-law Thomas S. Ogletree
and in the same manner as provided for the other
Trustees.

Item 9th

My will and desire is that as a mark of
my love and attachment to the Methodist
Episcopal Church South, among whom, and by whom
I believe I met with a change of heart some
forty odd years ago, to said church I give and
bequeath the sum of Three hundred dollars to
be collected out of my effects by my son William
D. Martin, and handed over by him to the Georgia
Annual Conference, to be divided among the most
needy superannuated preachers, widows and
Orphans of superannuated preachers, but not to
widows and Orphans of, the same family, if
however there should be money enough in my
house at the time of my death, this amount
may be taken by my son William D. Martin

and applied to the above purpose. And I hereby
appoint my son William D. Martin my agent
to carry into effect my object above named,

I Marshall Martin do hereby declare the
above writing to be my last Will and Testament,
Signed, Sealed and published this twenty-
sixth day of January, One thousand eight hundred
and fifty two in presence of,
(Interlined before execution)

W. S. Winkish
James A. Russell
Obadiah Warner
Myron Ellis

Marshall Martin

Codicil:

Georgia Meriwether County Whereas I Marshall Martin did
on the twenty sixth day of January
Eighteen hundred and fifty two, Sign, Seal
and publish my last Will and Testament in the presence
of W. S. Winkish, James A. Russell, Obadiah Warner and
Myron Ellis as witnesses thereto, And as I am desirous
of altering a part of said Will I do therefore make
and ordain this my Codicil to said Will.

First, I revoke and annul the fifth Item in
said will, in which Item I have given to my
son Abram C. Martin, Seven hundred and fifty
dollars in cash to make him equal with my
elder children in cash which I have heretofore given
them, and I hereby substitute the following in lieu
and place of said fifth Item, I give to my son
Abram C. Martin, Three hundred and thirty dollars
in cash to make him equal with my elder children
in cash which I have heretofore given them,
Second, I hereby revoke and annul the sixth
Item in said Will, in which Item I have given
my son Peter M. Martin, Six hundred and fifty

dollars in cash to make him equal with my
elder children in cash which I have heretofore given
them, and I hereby substitute in lieu and place of
said sixth item the following, I give to my son
Peter M. Martin Six hundred dollars in cash to make
him equal with my elder children in cash which I
have heretofore given them,

In Testimony whereof I have hereunto set my
hand and seal to this my Codicil to said Will.
this 29th day of April 1852, in presence

Myrm Ellis
Obadiah Warner
H. S. Mimbish
James A. Russell.

Marshall Martin 

Georgia } Depose me Davis C. Gresham
Meriwether County } Ordinary in and for said County
in vacation. personally came William
D. Martin & Thomas S. Gohue and produced before
me the said last Will and Testament and Codicil of
Marshall Martin deceased, and the witnesses of said
Will and Codicil to wit; Ezekiah S. Mimbish, Obadiah
Warner, and Myrm Ellis, which witnesses being duly
sworn, depose and say, that they saw Marshall Martin
the testator, Sign, Seal, declare and publish the
instrument now presented as his last Will and
Testament and Codicil, freely, voluntarily and
of his own accord and without any compulsion
or influence whatever, that at the time of the
execution of said Will and Codicil, said testator
was of sound and disposing mind and memory,
that deponents signed said Will and Codicil
as witnesses in the presence of the testator,
and at his special instance and request in
the presence of each other,

of such marriage during the life of the said
Abram C. and at the death of the said Abram C.
and wife to have and hold the same for the use and
benefit of said children discharged of this trust.
But should the said Abram C. die leaving a wife
without children born to him in marriage then
then said William D. shall hold the whole of said
property for the use and benefit of my children
and Grand children, my Grand children taking
such portions thereof as their ancestor if alive
would take if said property were inherited
directly from me, discharged of this trust.
For the better execution of this trust, the said
William D. or any trustee who may succeed him
shall have such compensation or commission as is
given by Law in such cases, and in case the
said William D. should die or resign said trust
I then appoint James B. Ogletree trustee of said
property with like power and duties, as those
conferred on the said William D. and in case the
said James B. Ogletree should die or resign, such
trust shall devolve on Thomas H. McGehee with like
powers and duties as above stated.

In Testimony whereof I have hereunto set
my hand and seal to this my last will and
published in the presence of. This 11th day January 1853

Myron Ellis
D. Ellis
Obadiah Warner

Marshall Martin

State of Georgia } Before me Davis C. Graham
Meriwether County } Ordinary in and for said County
in vacation personally came William
D. Martin & Thomas H. McGehee and produced before
me the within and foregoing Codicil, to the last
Will and Testament of Marshall Martin deceased,
and the Witnesses to said Codicil, to wit, Myron
Ellis, David Ellis and Obadiak Warner which
Witnesses being duly sworn depose and say that
they saw Marshall Martin the Testator, sign,
seal, declare and publish the instrument now
presented, as a Codicil to his last Will and
Testament annexed, freely, voluntarily and of his
own accord, and without any compulsion or in-
fluence whatever; that at the time of the execution
of said Codicil said Testator was of sound
and disposing mind and memory, that
deponents, signed said Codicil as Witnesses, in the
presence of the Testator, and at his special instance
and request, and in the presence of each other,
threw to and subscribed to

before me this 3rd July 1856

D. C. Graham
O.M.C.

Myron Ellis
David Ellis
Obadiak Warner

Codicil

In addition to my will and Codicils thereto here-
before made and executed by me, it is my will
and desire to dispose of the residue and remainder
of my Estate of which I may be possessed at
the time of my death; and which I have not
heretofore specifically disposed of, my Will and
desire is, that all the residue and remainder
of my Estate of whatever kind and nature

the same may be, of which I shall or may
be possessed at the time of my death, not
heretofore specifically devised, and bequeathed by
my said Will and Codicil thereto, shall be equally
divided between the several legatees, named
therein, share, and share alike; While it is at the
same time expressly my will and desire that the
share thereof, to which my son Abram C. Martin
shall or may be entitled to under this Codicil, as
well as to what he may be entitled under my
aforesaid Will and Codicil, shall be vested in the
trustees therein specified, for the purposes therein
specified; and in the manner therein specified;
it being my will, and intention, that the several
Trustees, shall so manage, and control the said
property, as well as the rents, issues, and profits
thereof, as shall in their judgement, best promote
the welfare and happiness of my said son
Abram C. Martin, and to prevent any unnecessary
waste, and expenditure thereof, and to effect this
object, it is my intention, to clothe said Trustees
with full and ample power, and discretion;
Feeling confident, that they will so exercise it
as to accomplish the object which I have her-
etofore expressed,

In Testimony whereof I have hereunto
set my hand and seal This 24th day of
May 1854

Signed, sealed and published in
the presence of
John A. Livingston
David Ellis
Myron. Ellis
Marshall Martin

470

Georgia } Before me David C. Grisham
Meriwether County } Ordinary in and for said County
in vacation, personally came William
Martin & Thomas Felt & John and produced before
me the within and foregoing Codicil to the last
Will and Testament annexed of Marshall Martin
deceased, and the said Witnesses to the said Codicil
to wit, John A. Simonton, David Ellis and Myron
Ellis, which Witnesses being duly sworn, depose
and say, that they saw Marshall Martin, Sign
Sical, declare and publish the instrument now pre-
sented, as a Codicil to his last Will and Testament,
freely, voluntarily, and of his own accord, and
without any compulsion or influence whatever,
that at the time of the execution of the said Codicil
said Testator, was of sound and disposing mind
and memory, that deponents signed said Codicil
as witnesses in the presence of the Testator, and at
his special instance and request, and in the
presence of each other.

Given to and subscribed to
before me this 27th Feb 1856
D. C. Grisham
Ord.

John A. Simonton
David Ellis
Myron Ellis

Meriwether Court of Ordinary

March Term 1856

The last will and Codicil of Marshall Martin
deceased late of said County having been proven in
vacation, and no objections being urged, and motion
being made to admit said Will to record. It is
therefore considered that said probate is sufficient
and it is ordered that said will be recorded.

3rd March 1856

Recorded March 26th 1856
D. C. Grisham, Ord.