

In Mitchell County I Elias M. Elkin of the County and State of Indiana being  
of sound and disposing Mind and Memory in view of the uncertainty  
of life and being desirous of Making a certain disposition of that property  
with which a King Providence has blessed me do make this my last  
Will and Testament

First I desire and direct that all my just debts be paid without delay by my  
Executors hereafter named as I am unwilling my Creditors should be delayed  
if their rights especially as there is the necessity for delay

Second I will bequeath and demise to my son Robert M. Elkin the following  
Negroes viz Ned my negro Man about 32, twenty two years of age Alced a  
girl about sixteen years of age, George a boy about two years of age  
Ann a woman about twenty two years of age and her children Rosetta  
about six months and Rebecca a woman about forty eight years  
of age.

Third I will bequeath and demise to my son James D. the following  
Negroes viz Nancy a Woman about forty two years of age Benjamin  
a Man about fifty six years of age Jane a Girl about eight years  
of age Samuel a boy about twelve years of age Henry a boy about  
ten years of age.

Fourth I will bequeath and demise to my daughter Margaret S. Fox wife  
of Polson H. Fox and to her Children by her present or any future  
husband free from the disposition of her present or any future husband  
the following named Negroes viz Cynthia a boy about twenty years old  
Leiah a Woman about twenty two of age Patsy a girl about seventeen  
years of age Eliza a Girl about fifteen years of age Jerry a boy  
about eight years of age Zilpha a woman about sixty years of age  
I appoint my son James D. Trustee for the property herein bequeathed  
to my daughter Margaret S. Fox and her Children.

Fifth I will bequeath and demise to the Children of my son John S. Fox  
Martha J. William J. Susan E. Mary R. John S. and Clara the following  
Negroes viz Hannah a woman about thirty years of age and her three  
Children Fanny a boy about nine years of age Harriet a Girl about twelve  
years of age Fanny a Girl about one year old and Fanny a  
Girl about sixteen years of age.

Sixth I will bequeath and demise to the Children of my son William H. Fox  
Sarah A. William H. and Susan F. the following Negroes viz Henry  
a Man about forty years of age Beth a woman about thirty years of  
age and her four Children viz Mary Jane a Girl about two years  
of age Emily a girl about five years of age Ned a boy about  
three years of age and Felix a boy about two years of age.



# Will of Elias McElvin Continued

My son Robert S. Trustee for the Children of my son William H.  
also my son James S. Trustee for the Children of my son John S.

I also will and desire that each of the above named Lots of Negroes  
to be valued by three disinterested persons and they pay unto the  
respective made equal.

I will bequeath and devise to my son Robert S., James S.,  
and my daughter Margaret S. the following named Lots  
of Land to wit Lot (116) One hundred and eighty Lot (184)  
One hundred and eighty four Lot (185) One hundred and  
eighty five Lot (177) One hundred and twenty seven Lot (178)  
One hundred and twenty eight Lot (143) One hundred and forty  
three, all lying and being in the Eleventh District of Mitchell  
County Georgia. I also will and desire that the above named  
Lots of Land shall be controlled entirely by my son Robert S.  
James S. and my daughter Margaret S. and made  
use of as they may think proper within six months after the  
Ratification of Peace between the United States and the Confederate  
States of America when it is to be appraised by three disinterested  
persons and then the said Robert S., James S. and Margaret S.  
see to do with it as they may think proper. I also will and  
desire that one fifth of the valuation of said Lands be paid  
over to the Children of John S. also one fifth to the Children of  
William H.

It is also my will and desire that all the perishable property  
to be disposed of at such times as the Executors may think  
proper.

I recommend and Appoint my sons Robert S., James  
S., and my son-in-law Polina H. Gee Executors of this my  
last Will and Testament. I will and desire that in the execution  
of their Trust that they shall not be subject to any order or  
decree of the Court of Ordinary or be any wise responsible therefor.

In Witness whereof I the said Elias McElvin have set my  
hand and seal this the 12<sup>th</sup> day of December 1864  
Elias McElvin



Signed sealed published and declared by the above named Elias  
McElvin as his last Will and Testament in presence of us who as his legal  
subscribed our names in the presence of each other as witnesses thereto.

J. H. C. Sashin Pranger do  
Certify that the above is a true Copy  
from the Records of my Office

J. H. C. Sashin

Recorded April 24<sup>th</sup> 1871

J. F. Hussey

Clk Supr Court

Appraisement being

Setts No 143 No 177 No 178 No 184 No 246 and 150 Acres of 185 all in the  
11<sup>th</sup> District

Fronten's land and Acres of land \$4<sup>50</sup> per Acre

\$6300.00

State of Georgia

Mitchell County

I do certify that the foregoing contains a true  
Appraisement and valuation of the goods and Chattels  
of Elias McElvin deceased as produced by R. W. McElvin J. S.  
McElvin and B. H. Lee the Trustees to the best of our judgment  
and understanding  
Novr. 22<sup>nd</sup> 1865

George W. Harris

Hammon McElroy Appraiser  
Isaac W. Brooks

Georgia

Mitchell County

I do hereby certify that the above Appraisement was  
performed by the above named Appraisers of the  
Estate of Elias McElvin deceased according to Law  
Novr. 22<sup>nd</sup> 1865

W. F. Brooks

Clk Supr Court

Recorded April 24<sup>th</sup> 1871

J. F. Hussey

Clk Supr Court

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# Testament of Elias McElven Will

State of Georgia  
 Mitchell County } Before me H. C. Lasher personally known to me  
 B. Carter who being duly sworn I have in open  
 Court on oath that he saw Elias McElven sign said paper  
 and declare the paper now presented to the Court of Ordinary  
 for Probate and which this Affiant is attached as his  
 last Will and Testament and that he this Affiant signed  
 said paper as a subscribing witness thereto and that he saw  
 Spencer E. Barber and William Grantham sign said Will  
 at the same time on the day and date of said paper that  
 it is the year 1864 as subscribing witnesses thereto with this  
 deponent that deponent and Spencer E. Barber and William  
 Grantham signed the same in the presence of each other and  
 in the presence of the said Elias McElven who also at the same  
 time signed said paper as his last Will in the presence of the said  
 subscribing witnesses and that said Elias McElven signed  
 the same freely, voluntarily and of his own accord and  
 that he was at said time of sound disposing mind and  
 memory

Seen to and subscribed before me in open Court this  
 9<sup>th</sup> day of January 1865

H. C. Lasher  
 Ordinary

Allen B. Carter

Georgia  
 Mitchell County } I H. C. Lasher Ordinary do Certify  
 that the within is a true extract from the  
 Records of my Office H. C. Lasher  
 Ordinary

Recorded April 24<sup>th</sup> 1871

J. J. Murrey  
 Deputy Clerk