

In Mitchell County I Elias McElaine of the County and State of Georgia 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
of their rights especially as there is no necessity for delay

Second

I will bequeath and devise to my son Robert S. McElaine the following
Negroes viz Ned my negro Man about 32, twenty two years of age Alice a
girl about sixteen years of age George a boy about ten years of age
John a woman about twenty two years of age and his Children Martha
about six months and Rebecca a woman about forty eight years
of age.

Third

I will bequeath and devise to my son James S. the following
Negroes viz Nancy a Woman about forty two years of age Benjamin
a Man about forty six years of age Paul a Girl about eighteen years
of age David a boy about twelve years of age Henry a boy about
ten years of age.

Fourth

I will bequeath and devise to my daughter Margaret S. Fee wife
of John H. Fee and to his Children by his present or any future
husband free from the disposition of his present or any future husband
the following named Negroes viz William a boy about twenty years old
Sarah a woman about twenty two of age Ruby a girl about sixteen
years of age Ellen 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 S. Trustee for the property herein bequeathing
to my daughter Margaret S. Fee and to his Children.

Fifth

I will bequeath and devise to the Children of my son John S. viz
Martha J. William J. Susan E. Henry R. John S. and Clara the following
Negroes viz Hannah a woman about thirty years of age and her three
Children George a boy about nine years of age Harriet a Girl about twelve
years of age Fannie a Girl about two years old and Perry a
Girl about sixteen years of age.

Sixth

I will bequeath and devise to the Children of my son William H. viz
Susan C. William H. and Susan S. the following Negroes viz Mary
a Man about forty years of age Beth a woman about thirty years of
age and his four Children viz Mary Jane a Girl about seven years
of age Emily a Girl about five years of age Ned a boy about
three years of age and Peter a boy about one year of age I appoint

Seventh

Eighth

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 do will and desire that each of the above named lots of Negroes
be valued by three disinterested persons and they pay out the
costs, until 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 Set (116) One hundred and fifteen Set (184)
One hundred and eighty five Set (185) One hundred and
eighty five Set (177) One hundred and twenty seven Set (178)
One hundred and twenty eight Set (143) One hundred and forty
three, all lying and being in the Eleventh District of Mitchell
County Georgia. I do will and desire that the above named
lots of land shall be conveyed 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 approved by three disinterested
persons and then the said Robert S., James S. and Margaret S.
to do with it as they may think proper. I do 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.

Ninth

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

Tenth

I recommend and appoint my sons Robert S., James
S., and my son in law William H. 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 in anywise responsible thereby.

In Witness whereof I the said Elias McElvin have set my
hand and seal this 12th 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 at his request
subscribed our names in the presence of each other as witnesses thereto

J. H. E. Spasher Ordinary do
Certify that the above is a true Copy
from the Records of my Office

J. H. E. Spasher

Allen B. Carter
Spencer B. Barker
William Grantham

Recorded April 24th 1871

J. J. Murray
May 1st 1871

Appraisment being

Lot No 143 No 177 No 178 No 184 No 236 and 131 Acres of 185 all in the
11th District

Amount hundred Acres of land \$4⁵⁰ per acre

\$6300.00

State of Georgia

Mitchell County

We do certify that the foregoing contains a true
Appraisment and valuation of the good and Chattels
of Elias McElvin deceased as produced by R. W. McElvin J. S.
McElvin and B. H. Lee the Trustees of the last will of deceased
and understanding

Nov. 22nd 1865

George W. Harris

Hampton McElroy

Shadrach Brooks

Appraisers

Georgia

Mitchell County

I do hereby certify that the above Appraisment were
proper to perform their duty as Appraisers of the
Estate of Elias McElvin deceased according to law

Nov. 22nd 1865

H. J. Brooks

Clk. Supr. Court

Recorded April 24th 1871

J. J. Murray

Mitchell County Wills and Bonds 1870 to 1916

www.georgiapioneers.com

State of Georgia
 Mitchell County } Before me H. C. Asher personally known Allen
 B. Carter who being duly sworn I depose in open
 Court on oath that he saw Elias M. Elvin sign said will
 and declare the paper now presented to the Court of Ordinary
 for Probate and to which said Affidavits are attached as his
 last Will and Testament and that he this deponent 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 M. Elvin 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 M. Elvin signed
 the same freely, voluntarily and of his own accord and
 that he was at said time of said signing said and
 memory

I have read and subscribed before me in open Court this
 9th day of January 1865

H. C. Asher
 Ordinary

Allen B. Carter

Georgia
 Mitchell County } I H. C. Asher Ordinary do Certify
 that the within is a true extract from the
 records of my office H. C. Asher
 Ordinary

Recorded April 24th 1877

J. J. Messer
 J. J. Messer