

Charles Chapman's Will

Muscogee County, Georgia Wills

1862-1875

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signed the same in the presence of deponents and that deponents and said Whiteside signed their names as witnesses in the presence of the testator and others

Subscribed before me } W. R. Brown
November 24th 1863 } J. O. Johnson Ordinary }
Georgia Muscogee County

Court of Ordinary December Term 1863

The foregoing writing proved in common form and admitted to record as the last will of Charles Chapman deceased See minutes page 492 Dec 7th 1863 J. O. Johnson Ordinary

James Wimberly's Will

In the name of God Amen I James Wimberly of the County of Muscogee and State of Georgia being of sound mind and memory and considering the uncertainty of this frail and transitory life do therefore make ordain publish and declare this to be my last Will and Testament That is to say

First After all my debts are paid and discharged the residue of my Estate real and personal I give bequeath and dispose of as follows to wit To my beloved wife all the property bequeathed to her by her former husband together with the negro woman Elvira so long as she my wife - should live and at my wife's death then the negro woman Elvira - is to be sold and the proceeds to be equally divided between my then living heirs To my daughter Matilda the negro boy or man Crawford and his daughter Amanda also the sum of three thousand dollars in notes or Rail Road Stock or both It is also my will that the one who takes Matilda takes also her property and use the proceeds of the same for her - Matilda's - board clothing and good treatment At Matilda's death all the property bequeathed to her must be divided equally between all my heirs

I give bequeath and devise all the rest residue and remainder of my Estate to my Children or their heirs who may be living at the time of my decease to be divided equally between them their share alike

Likewise I make constitute and appoint my brother Lewis Wimberly to be Executor of my last Will and Testament thereby revoking all former wills by me made

In witness whereof I have hereunto subscribed my name and affixed my seal this fourteenth day of December in the year of our Lord one thousand eight hundred and sixty three

James Wimberly

The above written instrument was subscribed by the said James Wimberly in our presence and acknowledged by him to each of us And he at the same time published and declared the above instrument to be his last Will and Testament And we at the time were required and his presence have signed our names as witnesses

James Wimberly's Will, continued.

written opposite our names our respective places of residence
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 John Odom County of Muscogee
 Andrew J. Odom
 John J. Odom

Whereas I James Wimberly of the County of Muscogee and State of Georgia have made my last will and testament in writing bearing date the fourteenth day of December One Thousand Eight Hundred and Sixty Three in and by which I have appointed Lewis Wimberly as Executor to said will

Now therefore I do by this my writing which I hereby declare a codicil to my last will and testament and to be taken as a part thereof make constitute and appoint my Son-in-law C. W. Key William Seal and John J. Odom as Executors of that part of my will relating to my partnership business leaving the said Lewis Wimberly as Executor of the remaining part of my will.

Lastly It is my desire that this codicil be annexed to and make a part of my last will and testament as aforesaid to all intents and purposes

In witness whereof I have hereunto subscribed my name and affixed my Seal the twenty seventh day of January in the year of our Lord One Thousand Eight Hundred and Sixty Four

James Wimberly Seal

The above written instrument was subscribed by said James Wimberly in our presence and acknowledged by him to each of us and he at the same time published and declared the above instrument to be a codicil to his last will and testament and to be considered a part thereof and we at the Testator's request and in his presence have signed our names in witnesses hereof and written opposite our names our respective places of residence

Wm. J. Green Muscogee Co Ga

William Smith Talbot Co Ga

John Odom Muscogee Co Ga

Georgia Muscogee County

I do hereby renounce & relinquish the trust conferred upon me by the foregoing instrument as Executor thereof This 12th day of February 1864

John J. Odom

Georgia Muscogee County On this 12th day of February 1864 in session comes Lewis Wimberly Caleb W. Key & William Seal and propound the annexed writing as the last will of James Wimberly deceased late of said County And John Odom Andrew J. Odom & John J. Odom also being present & being duly sworn on oath say that they were present when said writing was executed published & declared by said James Wimberly as his last will that at the time of said execution & publishing of the said writing he was of sound & disposing

James Wimberly's Will

mind & memory and that so far as deponent knows the said testamentary instrument was signed without any undue influence or compulsion by the testator. Deponents signed their names as witnesses thereto in his presence and in presence of each other said testator having first signed his name in the presence of all the witnesses.

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John D Odum
John Odum
Andrew J Odum

And on the same day & year aforesaid comes John D Odum who upon his oath as aforesaid says that he was present when James Wimberly executed published and declared the annexed codicil as a part of his last will that he signed the same in presence of deponent Green & William Smith who at the request of the testator signed their names as witnesses in his presence & the presence of each other that at the time said testator was of sound and disposing mind & memory and that so far as deponent knows or believes it was done voluntarily without any undue influence or compulsion.

Subscribed before me this 3rd day of February 1864 Geo Johnson Ordinary Georgia

John D Odum

Muscogee County Court of Ordinary March Term 1864 - The foregoing will admitted to record &c. du minutes Page 40

Geo Johnson Ordinary

Georgia Muscogee County

I Lewis Wimberly do solemnly swear that this writing contains the true last will of the therein named James Wimberly deceased so far as I know or believe and that I will well & truly execute the same according to the laws of this State. So help me God.

Subscribed before me this 7th March 1864 Geo Johnson Ordinary Georgia

Lewis Wimberly

Muscogee County I Caleb W. Key do solemnly swear that the within writing contains the true last will of the therein named James Wimberly deceased so far as I know or believe and that I will well & truly execute that part of said will assigned to me in accordance with the laws of this State. So help me God.

Subscribed before me this 8th day of March 1864 Geo Johnson Ordinary

Caleb W. Key

Malinda L. Benning's Will

State of Georgia Muscogee County

I Malinda L. Benning in consideration of advancing age and the uncertainty of life and a desire to dispose of my property enjoyed after my death by those of my choice & under a consciousness of sound mind and disposing memory make declare and publish this to be my last will and Testament.

I desire that my wish and desire that my Executor as speedily as possible pay the debt that I may owe at the time of my death.