

Georgia

Newton County: In the name of God amen I William

Heath of the County of Newton State of Georgia being weak in body but of sound disposing mind I am my (I hope be God) do hereby make & publish this my last will and testament in manner & form following (viz)

Item 1st I wish my body to be buried in a plain decent manner

Item 2nd I wish all my just debts paid by my executor

Item 3rd I will and give unto my son in law William B. Allen a certain negro girl named Elonora estimated at four hundred and fifty dollars which she has already in his possession

Item 4th I will and give unto my son Gideon Heath a certain negro boy named Berrell estimated at four hundred and fifty dollars which he has already in his possession

Item 5th I will & give unto my son Erasmus I Heath a certain negro girl named Easter estimated at four hundred and fifty dollars which he has already in his possession

Item 6th I will & give unto my son Epimenides Heath a certain negro boy named Boston estimated at four hundred and fifty dollars

Item 7th I will & give unto my son William Heath four hundred dollars which I have already paid him

Item 8th I will & give unto my son Henry Heath a certain negro boy named Wilquest estimated at four hundred dollars which he has already in his possession

Item 9th I will & give unto my son John Heath a certain negro boy named Dick estimated at four hundred & twenty five dollars which he has already in his possession

Item 10th I will & give unto my daughter Mary Caroline Camp a certain negro girl named Maria estimated at three hundred and fifty dollars which she has already in possession

Item 11th I will and bequeath unto my daughter Beattie Rebecca Slapp a certain negro girl named Amy estimated at five hundred dollars which she has already in possession under a deed of trust

Item 12th I will and bequeath unto my son Epimenides Heath in trust for my daughter Sarah Jane Turner a certain negro girl named Naisa estimated at three hundred dollars which said negro girl & her increase it is my will should be equally divided between her husband John A. Turner & the balance of my Legatee if the said Sarah Jane Turner should be without issue

Item 13th I will & bequeath unto my beloved Wife Mary Heath in trust for my two daughters Susan Francis & Adellie Heath two certain negroes to be paid out of my estate to them whenever they arrive of age or marriage which said negroes & their increase it is my will shall revert to my estate again if they the said Susan Francis & Adellie die without issue the said negroes to be estimated at four hundred & fifty dollars apiece

Item 14th It is my will and desire that my executor pay over to my Legatee mentioned in the foregoing items so much money as will make each of their proportions amount to four hundred and fifty dollars out of the money made on my farm or so soon as it can be made after paying my just debts & support of my family

Item 15th I will and bequeath unto beloved wife Mary Heath during her natural life the following named negroes & their increase (with the exception of the two which are to be paid my daughters Francis & Adellie which are included in this item) Dick, Selvy, Sam, Emory, Sarah, Isabelle, Malinda, Jena, Joseph, Leah, Walter, Henry, together with my plantation whereon I now live

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with all my stock of Horses, Cattle, hogs, sheep, Corn
fodder & also the plantation tools with all my household
furniture

Item 16th It is my will & desire that after the death of
my beloved wife that my estate which may be left at
her death shall be equally divided between my said legates
share and share alike and that portion of it which may
be going to Emily Allen, I will and bequeath to my son
George Heath in trust for my said daughter Emily Allen
and the heirs of his body which may be of the female
sex and that portion of it which may be going to Harriet
Rebecca Phiza Swell and bequeath to my son Epimetheus
Heath in trust for my said daughter Harriet Rebecca
and the heirs of his body & if the said Harriet Rebecca
dies without issue then the same to be equally divided
among the residue of my legates under the same re-
strictions as I have set forth in the 12th Item of this
instrument and that portion of it which may be go-
ing to Sarah Jane Turner to be under the same restric-
tion as the said 12th Item of this instrument, and that
portion of it which may be going to Susan Frances &
Addelle I will & bequeath to my son Epimetheus Heath
in trust for the said Susan Frances & Addelle under
the like restrictions as are set forth in the 12th Item of
this instrument

I hereby nominate, ordain, constitute and appoint my
beloved friend William L Davis and my beloved wife
Mary Heath Executor and Executrix of this my last
will and testament, hereby revoking and setting aside
all other wills & testaments by me heretofore made
In witness whereof I have hereunto set my hand and seal
the 5th day of February 1845

Witness my hand and seal in presence of William Heath Esq
J. M. Davis
F. M. Nix
Cawana Nix

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Georgia
Newton County, Georgia
Personally came into open court Augustin M
Davis Francis M. Nix and Cawana Nix who
being duly sworn depose & swear that they saw William Heath
sign said published and declare the within instrument to be
and contain his last will & testament and that he was of sound
disposing mind & memory at the time of signing the same that he
executed the same freely without compulsion so far as we
know and that we signed the same as witnesses in the pres-
ence of each other & at the request of the testator

Sworn to & subscribed in open

Court this 7th day of July 1845

W. D. Lucier Clerk

J. M. Davis

Francis M. Nix

Cawana Nix

Recorded July 16th 1845

W. D. Lucier Clerk