

Georgia } Court of Ordinary
North County } May Term 1837

95

Personally appeared in Open Court William Wingfield
and Sarah Wingfield who being duly sworn depose
and swear that they saw Simon Churchman a Negro
free and publish the within to contain his last will
and testament and that he drew the same without
constraint and these deponents further sayeth that
he was of sound mind and disposing memory
when he subscribed in Open Court the first
day of May 1837 William Wingfield
Sarah Wingfield
Macmillan Surge
W.C.C.

Registered 13th July 1837

Macmillan Surge W.C.C.

In the Name of God I Am
of William Wallace of the County of Newton
and State of Georgia being in Sound Mind and Memory
On this the twenty second day of April in the year of
our Lord One Thousand Eight Hundred and thirty seven
Make and Ordain that my last Will and Testament
is the following words (to wit) That I give and bequeath
unto my beloved wife Penelope Wallace the lot of
land to her use I now live together with the use of
all thereunto belonging or in anywise appertaining
being lot No 1500 originally patented to Mrs. Martha
Gentry containing two hundred and fifty acres
more or less during her natural life and after
her death the above named lot of land to be equally
divided between my sons John Wallace and
Andrew Wallace and John Wallace
I give and bequeath unto my beloved wife Penelope
Wallace my two shares Pigeon and Dollars to
Calla together with all my farming utensils and
Smith Tools and all other tools of every description
also two cows such as the wife chose and five
head of cattle

I also his land ex. Ship such as Iu Shalle
 Chose all of my house hold and other
 furniture of my abode all in a free Manner
 of my direction to be my wife during
 her Natural life and after her death to be equally
 divided between my three Daughters Martha
 William Lane Wallace Rebecca Wallace and
 Elizabeth Wallace to them and their heirs forever
 I leave my young Horse Bucks to be sold and
 all other of my property not herein mentioned or
 aimed to give always to be sold that is to say
 as it may be this I intend to be sold and first
 I intend to the proceeds of it to my son William
 for a share to my daughter Frances for a share
 to Margaret my daughter and for a share to my
 daughter Abigail and the balance of the proceeds
 of the sale to be justly left to be sold to go to
 pay my said debts and to hold my love and
 my gold for any debt or lands not herein men-
 tioned I leave to be sold and the proceeds equally
 divided between my sons William Alexander and
 Thomas Wallace and my daughter Frances
 my daughter Margaret my daughter Abigail
 And to give and to pay the debt my son William
 Wallace for a share to Cash out of the proceeds
 of the sale of the Horse and to pay to the said William
 Wallace all his debts in my son Alexander
 to be to be paid in the manner as that a share
 of the proceeds of the sale of the Horse shall be
 to them and their heirs forever
 I William Wallace the Testator do Make and
 Ordain my grand Daughters Elizabeth Rebecca
 and Martha my wife and my son William
 Abigail to be my Executors and to have full power
 to do all things my and do all that I have written
 signed sealed and
 in the presence of
 James Wallace William Wallace Esq
 Nathan Gibson
 Secretary &c

Georgia Superior Court Sitting for County }
Fulton County } Charles C. Jones July Term 1837

I personally appeared in said Court James Wallace
Jonathan Gibson and Gideon A. Ship it was
being duly sworn deposed and in the first thing
and William Wallace by me interrogated and
subscribed the annexed writing as his true bill and
affirmant And these deponents further depose that
James and William Wallace sons of James Wallace and
possessing memory and those deponents further depose
that the said James Wallace was the son and of
us can testify without any constraint or compulsion
before us and subscribe to this Court this
first day of July 1837

Gideon A. Ship
Charles C. Jones James Wallace
Jonathan Gibson

Tested with July 1837
Committed George Clark
C.C.

George In the name of god Amen I
Fulton County } Martha's Heir of said County
and being in declining health
but possessing a sound disposing mind and
memory do make and declare the following as
my last will and testament
First
I give my love and desire that my Executors pay
off and satisfy all my just and legal debts
to wit 2nd
I do hereby leave to my Daughter Martha Gibbs
Caroline during her Natural life or longer term
if my sons of land upon which I decided
last year if having been in the North district
of Virginia near Mr. Martin's farm
Wednesday 4th June 1837

Book A, 1834-1851