

Last Will and Testament of David Barnett (1835)
Oglethorpe Co. Will Book D, page 438

Item 1st My will and desire is that
at my death I shall be buried in a decent
and Christian like manner.

Item 2nd My will is that all my just
debts be paid at my death, or as soon therefor
as may be convenient from the sale of property
if necessary.

Item 3rd My will and desire is that at
my death that all my property both real
and personal (except as herein after specified)
be sold at public outcry at the place of my
funeral service, and the proceeds thereof
equally divided amongst all of my children
except Benjamin J. Barnett & William Barnett
to each of whom I give and bequeath one dollar
upon such terms and under such conditions &
with such restrictions and limitations as herein
after contained, my reason for excluding my son
Benjamin J. Barnett & William Barnett
is that I have already had to pay for them
more than an equal share of my estate would
be worth.

Item 4th My youngest son George W. Barnett
has been blind and is now in the arms of his
country and may never live to receive his
share of my estate which his share of my estate to
be paid to be equally divided between his
brothers and sisters of the full blood.

Oglethorpe County Ordinary Office Sept Term 1861

Whereas I, the the servant of God, know,
Oglethorpe County, I David Barnett of
the State and most Graciously
knowing of what I am doing, and of sound
it disposing mind, hereby do make constitute
and declare this to be my last will and testament
not hereby revoking all former wills by me
made.

Item 1st My will and desire is that
my death I shall be buried in a decent
Christian like manner.

Item 2nd My will is that all my just
debt be paid at my death, or as soon thereafter
may be convenient from the sale of property
of my estate.

Item 3rd My will and desire is that at
my death that all my property both real
and personal (except as herein after provided)
be sold at public outcry at the place of my
inmost residence, and the proceeds thereof
equally divided amongst all of my children
except the former J. Barnett & William Barnett
each of whom I give and bequeath one dollar
for such honor and under such conditions &
to such restrictions and limitations as herein
the remainder by reason for evaluating my said

to J. Barnett & William Barnett
that I have already had to pay for them.
and there are equal shares of my Estate would
be left.

Item 4th My youngest son George D. Barnett
is a scholar and is now in the service of his
country and may never live to return in
full I wish his share of my estate to
be paid to him equally divided between his
brother and sisters of the full blood.

Orange County Ordinary Office Sept 1861 459

3rd To the children of my deceased daughter
 Anne McWaye Dyke and Benjamin one equal share
 to estate except Sabitha Dyke for only one Sabitha
 Power wife of Bennett to have share of my deceased
 daughter's share of my estate to go to and belong to her
 children that is to the children of my said grand
 daughter Sabitha Power as aforesaid.

Item 6th To my daughter James Bennett Dyke
 one equal share of my estate.

Item 7th To the children of my deceased
 daughter Mary Power former wife of William G
 Power Dyke and Benjamin one equal share of
 my estate, except Susan Power who is mar-
 ried, and Bennett Power who has not yet been
 a bearing marriage.

Item 8th Dyke and Benjamin to my daughter
 Mary Carl wife of James Carl during her lifetime
 and at her death to go to and be equally divided
 between my said daughter's children share and
 share alike.

Item 9th To my daughter Martha Wood wife
 of Jonathan Wood Dyke and Benjamin for her
 sole and separate use during her lifetime and
 at her death to be equally divided among all her
 children one equal share of my estate.

Item 10th To my daughter Mary C. Dyke
 wife of James Dyke, Mary C. Thompson wife
 of James Thompson, Anne W. McWaye wife
 of Charles McWaye, Eliza McWaye wife of Allen
 McWaye, each one equal share of my estate
 for their sole and separate use and
 at their death to be equally divided among their children
 share and share alike.

Item 11th To all the rest of my children to wit:
 Elizabeth Anne Power, Al. McWaye, David

Superior County Custodian Office Sept. Term 1901
 Samuel H. Atwood John H. Barnett, Samuel C.
 H. Archibald H. Barnett and George W.
 H. V. give out beneath our equal share
 & estate,
 It is my will and desire that all and
 of any children upon me who are to
 in a share of my estate shall part and
 all the advantages I have made to them
 account of which I have kept in book
 & which I wish to be recognized and
 cleared as shown set forth.
 Item 12th It is my will and desire that
 to me Archibald H. Barnett and George
 Barnett and my daughter Elizabeth S.
 I have the privilege of taking my
 any share of land at valuation for their
 home if they choose to do so, if not the land
 be sold and divided as my other property.
 Item 13th I hereby appoint my trusty friend
 Oliver Strickland executor of this my last will
 and Testament.
 The testimony whereof I have hereunto
 set my hand and affixed my seal this 20th
 day of June in the year of our Lord
 eighteen hundred and fifty six.
 Signed Robert Archibald Samuel C. Barnett & Samuel H. Atwood
 in presence of
 John C. Allen
 George W. H. V.
 James H. Chamberlain

George & Court of Admiralty September Term 1767
 The High Court of Admiralty do hereby certify that the said
 Robert & Co. of Bristol County, doers, were exhibited
 and duly sworn at this regular Term of the
 said in open Court before the Judges of the said Court.

Benjamin G. Webb & James A. Chandler all witnesses
 being witnesses to the same and declared that the same
 was read to the testator and he assented.

Witnessed this 4th
 day of Sept 1861

J. G. Gibson R. C. C. C.

I Benjamin G. Webb of the Town of Lexington
 in the County of Oglethorpe and State of Georgia, being
 of sound mind and memory - do make and for that the
 my last will and Testament.

I give and bequeath to my Beloved Father Robert
 Thomson - all of my Estate after all my just and law-
 ful debts are paid, and in case my Father should
 die before me - then the Estate to be equally divided
 among my Brothers and Sisters.

On Testimony whereof I have to set my hand
 and seal, and publish and forthwith come to be
 this to be my last Will & Testament, in presence of
 the witnesses named below - this the first, third
 day of May in the year of our Lord one thousand eight
 hundred and Sixty one.

Benjamin G. Webb (ON)
 Signed, Sealed and published by the said Benjamin G. Webb
 as and for his last Will & Testament in presence of us - who
 at his request and in his presence and in the presence of
 each other subscribed our names as witnesses thereto.

Now I have
 G. T. Vining
 Robert Thomson

Georgia County of Oglethorpe October Term
 1861.
 The within Last Will and

Lastly It is my Will and desire that
 all the income of my property (both
 the above mentioned legacies and funds)
 both real and personal shall be divided
 at such time and in such manner as my
 Executors shall deem most proper between
 my said wife Mary Jones Banks and
 each of my before mentioned children
 viz. Eliza Jones Banks, Joseph Ralph
 Banks, John Banks, John Banks and
 Louisa Banks, share and share alike.

Lastly I do hereby make, ordain and appoint
 my friends Thomas Jones, Young,
 J. H. Harris and William Jones
 Executors of this my Last Will
 and Testament.

In testimony whereof
 I have hereunto set my hand and seal
 this Twenty fifth day of June A.D. 1835
 at London and eight o'clock in the evening
 David Barnett

Witnessed, signed & acknowledged
 in the presence of us who have
 subscribed in the presence
 of each other

Thos. M. Hammond
 James A. Smith
 C. L. M. Co

David Barnett

Georgia
 Elbert County 3 Court of Ordinary
 Personally appeared
 on open Court May 11th 1850
 one of the subscribing Witnesses to
 the foregoing will, who after doing
 duly sworn depose that and testify
 that he heard Thomas & I heard the
 Testator say the same & heard
 him acknowledge the same to be
 his last will and Testament
 & that he was of sound and
 disposing mind & memory at the
 time of so doing & that he
 also saw James & Clark &
 C. S. McGee sign the same
 as witnesses - Done to me
 at open Court the 7th Sept 1850

Attest W. B. Nelson, C. C. O.
 (Seal) Thomas Hammond

Whereupon it was ordered to be recorded
 Attest W. B. Nelson, C. C. O.

I do hereby certify that the within and Thomas L. Danke deceased so
 far as I am concerned and the same shall be paid to the same by paying first the debt on another to
 Legacies contained in the said will as far as I am
 concerned with the same to extend and the same
 charge me and that I will make a true and perfect
 Inventory of all such goods and chattels, to help
 me to do so.
 Done in open Court this 7th
 of Sept 1850
 Attest W. B. Nelson, C. C. O.
 That James
 Young & J. Harris
 William Parry