

the name of her son? I purpose to give up the family of Cherokee Indians living near me and all
of small men and money I made out will be my personal estate and I command my wife to sell
I command myself to go through her in giving out the sum and amount of the same and to have
and expenses incurred upon me during my existence in this charge and care to be paid.

Item 1 I give and bequeath to my beloved son James E. Gibson the following lots of land to his number and description as follows: One hundred and thirty two, six hundred and thirty four, six hundred and thirty one, six
hundred and sixty two, six hundred and fifty three, six hundred and forty one, six hundred and
sixty two, six hundred and eighty two, six hundred and forty one, six hundred and forty one, six
hundred and eighty two, and the note of six hundred and forty one all lying in the same district of the fourth section of originally Cherokee now Polk County.

Item 2 I give and bequeath to my beloved son William T. Gibson the following lots of land to his number and description as follows: One hundred and thirty two, six hundred and thirty four, six hundred and
sixty two, six hundred and thirty one, six hundred and forty one, six hundred and forty one, six
hundred and sixty two, six hundred and eighty two, six hundred and forty one, six hundred and
sixty two, and the note of six hundred and forty one all lying in the same district of the fourth section of originally Cherokee now Polk County.

Item 3 I will and bequeath to my beloved son William T. Gibson the following lots of land to his number and description as follows: One hundred and thirty two, six hundred and thirty four, six hundred and
sixty two, six hundred and thirty one, six hundred and forty one, six hundred and forty one, six
hundred and sixty two, six hundred and eighty two, six hundred and forty one, six hundred and
sixty two, and the note of six hundred and forty one all lying in the same district of the fourth section of originally Cherokee now Polk County.

✓ Item 4 I give and bequeath to my beloved daughter Frances E. Wood the following lots of land to his number and description as follows: One hundred and thirty two, six hundred and thirty four, six hundred and
sixty two, six hundred and thirty one, six hundred and forty one, six hundred and forty one, six
hundred and sixty two, six hundred and eighty two, six hundred and forty one, six hundred and
sixty two, and the note of six hundred and forty one all lying in the same district of the fourth section of originally Cherokee now Polk County.

Item I will and desire that all the lands I own in the County of Butler and State of Alabama or the State of which the
land was sold for, to J. S. Stevens of Alabama, one note for the sum of twenty six hundred and forty one dollars and
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and the other note for the sum of twenty four hundred dollars both notes dated 13th April 1861, shall be sold
as Number of that year, and last mentioned date of 13th April 1861, and both supplied by J. S. Stevens and
payable to James E. Gibson or hiser, and for which lands bond was given by said Gibson to J. S. Stevens to make
title to the same, when said notes were paid, be collected by my executors or said lands to be sold by
them after named, and the proceeds of said notes and land, after deducting the amount of above hundred and forty one
the amount of said notes at the time they became due or that proportion of the amount that may be left, and
and the necessary expenses in collecting said notes and selling said land, be divided as follows to each of us
The net proceeds to be paid to my beloved son William T. Gibson, one third of the net proceeds to be paid to my
beloved grandchild William T. Gibson and the other third to be equally divided between my granddaughters
Sarah E. Wood and Aribella A. Wood, said lands to be sold in such manner as upon such time as my
may deem best.

Item I desire and will that the eleven hundred dollars named as to be deducted from the above named notes as per
Item, or the amount that may be collected on said eleven hundred dollars due in said notes to paid to
my beloved grandchild Sarah E. Wood and Aribella A. Wood equally and first said amount given to
Sarah E. and Aribella A. Wood and in the previous item, to take in lieu of a certain note and bond
and payable to my beloved deceased wife Dolly Gibson for the sum of one thousand dollars which note and bond
lost or destroyed.

Item I desire and will that all my property be kept together and under the control of my son James E. Gibson
in the year 1867 and for him to make a crop in any some place and to pay all expenses incurred in making the same
said crop and to incur one half of the expenses for himself for attending to the same, and all the expenses
to be used in making said crop and for the use of his family during said year without being encumbered by him and
use of the land and stock.

Item I desire and direct that my beloved sister Caroline T. Clarkfield remain with the family of my son James E. Gibson
as supported by him during her life of the same.

Item I desire and direct that all my lands and buildings disposed of in this will and all my personal
property to sold by my executors within eighteen months after my death and all the
and expenses of carrying out this will be to be borne to be divided as follows:

my Island up to Georgia & had not an idea of what would come. The other half he apparently divided with
his wife, Maria, before his death.

Shortly thereafter we expect my stepson to become my executor to carry out this my last will and
testament. Stephen was also named by his father as his last will and testament this the 17th
day of December A.D. 1867 in presence of Springer, P. Bigelow, John A. Puk,
John C. Peeler, Benjamin F. Bigelow

Springer, P. Bigelow, John A. Puk,

John C. Peeler

Benjamin F. Bigelow

The will of Springer Bigelow being produced in open court for probate by the minister James H. Batten
and Benjamin F. Bigelow one of the witnesses to said will having subscribed the following affidavit
intended to set aside will. That I, James H. Batten, of Polk County Court of Ordinary, came into open court, Benjamin
F. Bigelow and being duly sworn say that he saw Springer Bigelow sign and publish the foregoing
as his last will and testament while of sound and disposing mind, that he witnessed the same at his request
and in his presence, and that James D. Thompson, John T. Prior, Julius A. Puk also witnessed the same
at his request and in his presence and in presence of each other, and that the same was executed
 voluntarily by him on the day that it purports to have been executed. Benjamin F. Bigelow
sworn to and subscribed in open court May the 7th 1867, Stephen A. Borders Ordinary

Springer

Polk County of James F. Batten do solemnly swear that this writing contains the true last will and testament
of Springer Bigelow deceased so far as I know or believe and that I will will and truly execute the
same by paying first the debts and then the legacies contained in said will as far as the goods
and chattels will conveniently extend and the law charge me, and that I will make a full and
honest inventory of all such goods and chattels to help me God. James F. Batten
Sworn to in open court May the 7th 1867, Stephen A. Borders Ordinary

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March 1867 In the name of God Amen. I James Batten being of sound mind and disposing memory do make
this my last will and testament. First I command my soul to God the giver of all good
and hope in his mercy through Jesus Christ his only son.

Item 1st

I give and bequeath to my beloved wife Margaret, B. Batten all my real and personal property of every
kind during her natural life for her to controul in such manner as she may think best for the purpose
of securing and the support and education of my children not of age and authorizing her to sell and
dispose of any of said property that she may think necessary in order to raise support and educate my
said children, and for her own support.

Item 2^d

It is my will and desire that at her death all of my said property both real and personal that may not
be disposed of by her in her lifetime, be equally divided among all my children then and then after
her testimony whereof I have hereunto set my hand and affixed my seal this the 1st day of
December A.D. 1867 in the presence of us

James F. Batten, P. Bigelow, John A. Puk

Benjamin F. Bigelow, Springer, P. Bigelow, N. J. Rogers

Polk County of Ordinary Polk County, Ga 1867. Mrs. M. J. Batten, her signature to the will of James Batten to
witnessed the foregoing paper as the true last will and testament of James Batten deceased for probate and
I, P. Bigelow and N. J. Rogers two of the witnesses to said will and being duly sworn deposed and sworn that
they saw James Batten sign and publish the foregoing as his last will and testament with full knowledge
and disposing mind and that they witnessed the same for him at his request and that the same was
executed by him voluntarily on the day it purports to have been executed and that they saw Ben F. Bigelow sign
and subscribe to the witness of testator and in his presence and in presence of us Springer, P. Bigelow, N. J. Rogers
and James Batten in open Court, July 7th 1867, Stephen A. Borders Ordinary

I, N. J. Rogers do solemnly swear that the within is the true last will and testament of James Batten deceased to the best of my knowledge and
believe and I further do solemnly swear the same by paying first the debts and then the legacies contained in said will to be
paid to the children and then to my wife and lastly to my husband profit inventory of said will to help me
in the payment of debts and taxes and to my wife and lastly to my husband profit inventory of said will to help me

M. J. Rogers