

Will of Ebenezer Bird, decd.

Georgia, The verbal Will of Ebenezer Bird, made the twenty-
 Warren County, Georgia Wills 1829-1852
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 fourth day of January & 2. Eightth hundred and
 thirtyfive in presence of Hiram Hubert Joseph, Roberts &
 Benjamin F. Hubert when in his right mind and disposing to
 will and bequeath the whole of his Estate & says as follows
 that I loan all the tract of land whereon I now live
 with all the stock household & kitchen furniture tools &c
 with all the Negroes belonging to said plantation expt Maria
 and her children & increase to my beloved Wife Elizabeth
 Bird and also Lucy & her Children from my other plantation
 I loan to my beloved Wife Elizabeth Bird during her natural life
 and at her death the whole of the above named property I will
 to my beloved Daughter Mary Ann Swain and the lawful heirs
 of her body I also will that my plantation on the waters of
 Williams Creek with the stock tools &c belonging thereto
 with Maria and her children & increase with all the
 Negroes belonging to said plantation Lucy and her Children
 excepted and the plantation whereon James G. Swain now lives
 and also a lot of land lying in Canal County and a Gold lot in the
 Cherokee purchase be immediately after my death the rightful property
 of my Daughter Mary Ann Swain and the lawful heirs of her body

Joseph Roberts,

Benjamin F. Hubert Georgia Warren County Joseph Roberts
 Hiram Hubert Benjamin F. Hubert and Hiram Hubert
 being duly sworn in open Court say that the foregoing is the last
 will and testament (by word) of Ebenezer Bird deceased made
 and declared by him on the twentyfourth day of January
 eighteen hundred and thirtyfive, at the place of his residence
 in the County of Warren in the presence of the subscribing witnesses,
 in his last sickness, with an intention that the same should
 stand as his nuncupative will, and the said Ebenezer
 Bird bade the said witnesses to bear witness that this was
 his last will and testament. Joseph Roberts,
 Benjamin F. Hubert
 Hiram Hubert.

Sworn to and subscribed
 in open Court, March 2nd, 1835.
 Attest Patrick N. Maddux, Ck. C. O.

Recorded March 19, 1835.

Patrick N. Maddux Ck. C. O.

Witnesses

Witnesses

Georgia, Warren County

Warren County, Georgia Wills 1829-1852

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In the name of God amen

I Peoples say of the County aforesaid do make and ordain this my last Will and Testament in manner and form following to wit,
To God I commend my soul and my body to the earth in decent burial

And my temporal goods I give

First. To my Executors. I wish them to pay all my just debts

Second. I give my daughter Martha Pry a negro man Tim, a woman Silvy and her child with future increase, a man Anthony, one bed and furniture, with one half the home plantation, to begin at Smiths line, running thro, the middle to the big survey. Provided she shall first pay into the hands of my Executors or within twelve months, two hundred dollars

Third. I give my daughter Dicy Thomas one negro man Sam.

Fourth. I give my daughter Dicy Thomas in trust for my daughter Susan McBray during her life, and at her death to be equally divided between the children of Susan two negroes Charles and Dinah. Provided she shall pay a note and interest held by Dicy Thomas against Asa McBray. And in the event it is not paid without, I wish Executor to sell the property when and where he pleases and pay the said debt

Fifth. I give my daughter Dicy Thomas in trust for my daughter Siller Davis one negro Dinah

Sixth. I give my grand-children; Children of Moses Pry, the tract of Land whereon my son Moses now lives, containing about sixty or seventy acres, adjoining lands of Robert Walton, Subject to the use of my said son Moses during his life.

Seventh. I give Elizabeth McBray one hundred dollars.

Eighth. I give my wife during her life fifteen acres of land out of any part of my land. She may choose, negroes Nancy, Burrell, Peg and Kelly, four hundred dollars in cash, to be paid in small sums as

her circumstances my require it, to be judged
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 and furniture. And at her death, my daughter Dicy
 and Martha, may take and have what my said
 wife may not use, provided they maintain
 the old negroes. Otherwise it may go into my estate.
 Ninth. I give my grand children children of Jesse W.
 my fifty dollars each, to be raised out of my estate
 and remain in the hands of ^{my} Executors for ^{my} interest
 and paid as they come of age.

Tenth. All the balance of my estate, whether of land,
 negroes, debts or cash, or any other article,
 thing or things, I wish turned into money by sale
 or otherwise, at such times or places as my
 Executors may think best; and the proceeds
 equally divided among all my children that
 may be living at the time of distribution.
 Provided the sale of land or negroes shall be
 made the first Tuesday in the month, at the
 Court house in Warrenton after having twenty
 days notice. And that no sale shall be made
 without twenty days notice.

I hereby nominate, constitute and appoint my
 daughter Dicy Thomas Executrix, and Thomas
 Gibson Executor of this my last Will & Testament.
 In testimony whereof I have hereunto set my
 hand and seal the 19th day of October Eighteen
 hundred and thirty four.

Signed Sealed published and declared, Peoples Joy 
 in presence of

Burch M. Roberts
 Benjamin R. Palmer
 John Gibson

Burch M. Roberts and Benjamin R. Palmer, You swear
 that you saw Peoples Joy, sign, seal, publish & declare this writing to be
 and contain his last Will & Testament. That at the time thereof
 he was of sound disposing mind and memory. And that he did
 it freely, without compulsion to the best of your knowledge. So
 help you God.