

William Fish

State of Georgia

County of Washington

To the Honorable Waynes Woodbrook,
Ordinary of said County,

The petition of George W. Fish and John D. Fish Respectfully sheweth, that whereas, the last Will and testament of William Fish who departed this life on the third day of January Eighteen hundred and forty three was after his death duly and legally admitted to probate by the Honorable Inferior Court of Washington when sitting for Ordinary purposes, George W. Fish one of your petitioners and Sarah Fish, the widow of said deceased, the person named in said Will as Executor and Executrix, having offered or submitted the same for Probate in terms of the laws in such case made and provided

That said Will was proven in form of law upon the Oath of of the subscribing Witness, and that after the same was proven as aforesaid, it was by the judgement and Order of said Court duly recorded or placed upon the record of Wills of said County and the said Original Will filed in the Clerk's office of said Court, That said last will and testament was proven and admitted to record, shortly after the death of said William Fish at the

Term in the year eighteen hundred and forty three of said Court, and at the time said Will was, admitted to probate the said George W. Fish one of your petitioners and the said Sarah Fish were qualified as the Executor and Executrix of said Will and took upon themselves the office and duty of its Execution

That afterwards and after said Will was proven and admitted to record as aforesaid, said Original Will being deposited of file in the Clerk's office of said Court as aforesaid, was wholly lost and destroyed together with the record of the same in the burning and destruction of the Court House and public records of said County of Washington in the Town of Sandersville in said County on the twenty fourth day of March Eighteen hundred and fifty five,

Your petitioners further sheweth that on the sixth day of September eighteen hundred and fifty six the said Sarah Fish Executrix as aforesaid departed this life (dying intestate), and that under the provisions of said Will upon the death of either executor or executrix, the next oldest son of the said Testator, to the said George W. surviving should become one of the Executors in the place and stead of the one so dying.

Your petitioners also sheweth that all the children named in said Will as Legatees are still living except the youngest child Horace Virgil the last named in said Will who is dead, having departed this life on the day of

Eighteen hundred and
Your petitioners further sheweth that Emily Eliza Jones one of the legatees named in said Will with her husband Thomas P. Jones with whom she intermarried prior to the death of testator are residing in the County of Green in said State, John D. Fish one of the Legatees in

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said Will, and one of your petitioners reside in the County of Chatham and in the City of Savannah, I say I Fish one of the legates under said Will reside in the County of Richmond and City of Augusta in said State, William Group Fish one of said Legates reside in the County of Green in said State, George W Fish (one of your petitioners, Thomas Jefferson Fish, David A Fish and Maurum Francis Fish reside in the County of Macon in said State, And Mary Ann W Fish an other of said Legates also reside in the City of Savannah County of Chatham and Margean also one of the legates named in said Will who inter married with Palmer Grapes since the death of testator reside with her ^{husband} beyond the Jurisdictional limits of the State of Georgia or of the United States, that is to say in the Kingdom of Great Britain in Ireland,, That these legates above named with the husbands of the said Eliza and Margean, are all of the legates and persons and parties in interest under said Will and that all of these said Legates & parties in interest under said Will are over twenty one year of age except the youngest, David A Fish who is now in his nineteenth year and has no other children except George W Fish, one of your petitioners.

Now therefore the premises considered your petitioners pray your Honorable Court to pass an Order or Judgement at the next or next Term of said Court or at any prior or subsequent term thereof Establishing the unraped Copy Will as a Copy of said last or destroyed Will of the said William Fish, And that the said be filed when so established in your office or the office of your Honorable Court, and recorded in the proper record of Wills in your office, and be held and taken in lieu and in stead of said lost and destroyed Original, And that said Copy when so established have the same entire efficacy and effect to all intents and purposes, as the said Original when in existence, And also that the said John D Fish one of your petitioners being the next oldest son of testator to the said George W, be permitted under the order and Judgement of your Honorable Court to qualify and become one of the Executors under said Will when established as aforesaid, and your petitioners will ever pray &c

Geo W Fish
John D Fish

We the undersigned being parties interested with the other legates under the Will of the said William Fish deceased do hereby acknowledge service of the within and foregoing petition and application for the establishing of said Copy Will hitherto annexed in lieu of the said last order And we also consent and agree that the said Copy Will hitherto annexed shall be established at the next or next Term or any subsequent term in pursuance of the foregoing

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petition, by the judgement & order of the said Court of Ordinary of said Washington County without further notice to us as a true copy of the said destroyed Original Will of the said William Fish and be taken held and accepted in lieu & stead of the said destroyed Original, And we also consent that the said John P Fish qualify and become one of the Executors under said Will or copy Will when established as aforesaid

James Palmer Greaves
Sarah Morgan Greaves

State of Georgia In the Honorable Augustus Brothman County of Washington Ordinary for said County

The petition of George W Fish and John P Fish Respectfully sheweth, that whereas the last Will and testament of William Fish who departed this life on the day of January Eighteen hundred and sixty three was after his death duly and legally admitted to probate by the Honorable Inferior Court of said County of Washington when sitting for Ordinary purposes George W Fish (one of your petitioners) and Sarah Fish the widow of testator (since deceased) two persons named in said Will as Executor and Executrix having offered or submitted the said for Probate in terms of the laws in such case made and provided that said Will was proven in form of law upon the oath of the subscribing witnesses; and that after the same was proven as aforesaid it was by the judgement and order of said Court duly recorded and placed upon the record (of Wills) of said County, and the said Original Will filed in the clerk's office of said Court, that said last Will & testament was proven and admitted to record that after the death of the said William Fish and at the term in the year eighteen hundred and sixty three of said County, that at said term of the Court and at the time said Will was admitted to probate, the said George W Fish (one of your petitioners) and the said Sarah Fish were admitted as the Executor and Executrix of said Will, and took upon themselves the oath and duty of its execution; that afterwards and after said Will was proven and admitted to record as aforesaid said Original Will being deposited of file in the clerk's office of said Court was aforesaid was wholly lost and destroyed together with the record of the same in the burning and destruction of the Court House and public records of said County of Washington in the Town of Sandersville in said County on the twenty fourth day of March Eighteen hundred and fifty six

Your Petitioner further sheweth that on the day of September Eighteen hundred and fifty six the said Sarah Fish Executrix as aforesaid departed this life (being intestate) and that under the provisions of said Will upon the death of either Executor or executrix the next eldest son of the testator to the said George W surviving shall become

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one of the Executors in the place and stead of the one so dying

Your petitioners also sheweth that all the Children named in said Will as legates are still living except the youngest Child Horatia the last named in said Will who is dead having departed this life on the day of

Eighteen Hundred and

Your petitioners further sheweth that Emily Eliza Jones one of the legates named in said Will with her Husband Thomas Jones, (with whom she intermarried prior to the death of testator) are residing in the County of Green in said State. John D. Fish one of said legates under said Will and one of your petitioners resides in the County of Chatham and City of Savannah, James D. Fish one of the legates under said Will resides in the County of Richmond and City of Augusta in said State. William George Fish one of said legates resides in the County of Green in said State George W. Fish, Thomas Jefferson Fish legates named in said Will reside in the County of Wilcox in said State. Meriam Frances Fish one of said legates under said Will also resides in said County of Wilcox. Mary Ann D. Fish another of said Legates also resides in the City of Savannah County of Chatham, and George Anna also one of the legates named in said Will who intermarried with D. Palmer Graves, since the death of Testator resides with her said Husband beyond the jurisdictional limits of the State of Georgia or the United States, that is to say in the Kingdom of Great Britain. That these legates above named with the husbands of the said Eliza and Margianna are all the legates and persons or parties in interest under said Will, and that all of these said legates & parties in interest under said Will are over twenty one year of age, except the youngest David D. Fish who is now in his nineteenth year and has no other Guardian except George W. Fish, one of your petitioners. And therefore the petitioners sheweth that your petitioners pray your Honorable Court to pass an Order or Judgement at the next term of said Court or at any prior or subsequent term thereof establishing the annexed Copy Will as a Copy of said last or destroyed Will of the said William Fish and that the same be filed in your office and recorded in the proper record of Wills in your office, and be held and taken in law and stead of said lost and destroyed Original, and that said Copy when so established have the same or the same efficacy and effect to all intents and purposes, as the said Original when in existence. And also that the said John D. Fish one of your petitioners being the next oldest son of testator to the said George W. be permitted under the Order and Testament of said testator to be Guardian and to become one of the executors under said Will or Copy Will. when established as a Copy of said Will. your petitioners will ever pray &c.

George W. Fish Executor
John D. Fish

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We the undersigned legates and parties interested under the Will of the said William Fish deceased do hereby acknowledge service of the within and foregoing petition ^{application} for the establishment of said Copy Will annexed, and waive all notice of said application and also waive the issuing and service of a Rule nisi from the Court of Ordinary of said County of Washington upon said petition or application. We also consent and agree that the said Copy Will hereto annexed shall be established in pursuance to the foregoing petition by the endorsement of the said Court of Ordinary without further notice as a Copy of the said aforesaid Original Will of the said William Fish, and be taken held and accepted in lieu and stead of said aforesaid Original, and we also consent that the said John D. Fish shall and become one of the Executors under said Will or Copy Will when established as aforesaid.

Henry T. Fish,
Henry M. Fish,
Thomas J. Fish,
David T. Fish by name,
and also by Geo. W. Fish his attorney
William Fish
Thomas P. Jones
Emily E. Jones
Susan, J. Fish

Copy of the last Will & Testament of William Fish In the name of God Amen

I William Fish of the County of Washington and State of Georgia being sick and weak of body but of sound and disposing mind and memory and understanding - Considering the certainty of death and uncertainty of the time thereof, to the end that it may be the better prepared to leave this world when it shall please my God to call me home, have now determined what disposition shall be made of my property after my decease, and after maturely considering the circumstances and conditions of all those among whom as my heirs at law or the objects of my goodwill and affections in my judgment my estate shall be distributed - I do make publish and declare this to be my last will and testament hereby revoking and making null and void all former last wills and testaments and writings in the nature of last wills and testaments by me heretofore made, And my will is, First that after my decease my body shall be decently buried and that my just debts and funeral charges shall be paid by my Executors hereafter named, And as to the residue of my estate and property with which God has blessed me, and which shall not be required for the payment of my debts funeral charges, and the expenses in

William Fish's will.

and about the Execution of this my will and the administration of my Estate - I give devise and dispose thereof as follows to wit, I give and devise to my beloved wife Sarah Fish my Household and Kitchen furniture at Newbury in Baldwin County, my House and premises and land at the same place in the County of Baldwin, my two Horse wags and Harnes, my Carriage and Harnes and a good pair of Horses. Also the following negroes, to wit Emily a girl about twenty three years old and her child Caroline, also a girl Delpha about eleven years old, also Frank a boy about seventeen, also Bob, a boy about seventeen and Charles, a boy about nine years old, to have and to hold the same during her natural life, and after which all the same property above mentioned shall come to my legal heirs by her, I also give and bequeath to my beloved children, the following sums or amounts to be raised from the residue of my property real personal and mixed to wit, to my beloved son George Washington I give and bequeath two thousand five hundred Dollars to have and to hold the same to him the said George his heirs Executors administrators or assigns, to his and there use and benefit forever.

I give and bequeath to my beloved son John Savage two thousand five hundred Dollars to have and to hold the same to him the said John D. to his heirs Executors administrators or assigns to his and there use and benefit forever.

I give and bequeath to my beloved Daughter Emily Eliza Sum three thousand five hundred Dollars to have and to hold the same to her the said Emily, her heirs Executors administrators and assigns, to her and their use and benefit forever. I also give and bequeath to my beloved son James, three thousand Dollars to have and to hold the same to him the said James his heirs Executors or assigns to his and their use and benefit forever.

I give and bequeath to my beloved Daughter Margaretta three thousand Dollars to have and to hold the same to her the said Margaretta her heirs Executors or assigns to her and their use and benefit forever.

I give devise and bequeath to my beloved Daughter Meriam Francis three thousand five hundred Dollars to have and to hold the same to her the said Meriam, her heirs Executors or assigns, to her and their use and benefit forever. I also give and bequeath to my beloved son William Joseph three thousand seven hundred and fifty Dollars to have and to hold the same to him the said William Joseph his heirs Executors or assigns to his and their use and benefit forever.

I also give and bequeath to my beloved Daughter Mary Ann four thousand dollars to have and to hold the same to her the said Mary Ann to her heirs Executors or assigns to her and their use and benefit forever.

I give and bequeath to my beloved son Thomas Jefferson four thousand Dollars to have and to hold the same to him the said Thomas Jefferson his heirs Executors or assigns to his and their use and benefit forever.

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I also give and bequeath to my beloved son David Augustus four thousand Dollars to have and to hold, the same to him the said David his heirs Executors or assigns, to his and their use and benefit forever, I also give and bequeath to my beloved son Horace Virgil four thousand Dollars to have and to hold to him the said Horace his heirs Executors or assigns, to his and their use and benefit forever.

It is further my will that, these said sums or amounts of money herein and aforementioned be raised from the rest and residue of my property real and personal or mixed, and that the said sums or amounts, be paid to the said heirs, herein above mentioned as attached to each name or parts of said sums or amounts, at such times as my Executors hereafter named, shall think best, and most suitable to the interest of the Estate or of all my heirs, even till the youngest child or heir becomes of age according to law.

It is further my will that should the residue of my property real personal or mixed amount to a sum less than the sum total of the amounts attached to the names of each heir, then each heir shall receive from the Executors hereafter named, sums or amounts proportioned to the several amounts bequeathed to each heir, the said sums or parts thereof to be paid to the said heirs by my Executors at such times as the said Executors hereafter named, in this regard for the Estate and several heirs shall think most advisable. And further shall my property or the rest or residue thereof amount to a sum greater than the sum total of these several amounts attached to the name of each heir or of each of my children herein or above mentioned, then after my Executors hereafter named shall have paid from my property the several sums or amounts of money bequeathed to each of my children or heirs, their heirs Executors or assigns, then the rest or residue remaining from my property shall be paid or divided among my children according to the proportion of the several amounts herein above bequeathed to them.

Lastly I do nominate and appoint my son George W Fish to be the Executor of this my last Will and testament and my wife Sarah Fish to be the Executrix of this my last Will and testament, and further more shall either of them die or shall my wife Marry, then my next son of age or sons shall be my Executors or executors, so that there shall never be less than two Executors or executrix and Executrix to my Estate. In testimony whereof I the said William Fish have to this my last Will and testament contained on one sheet of paper subscribed my name and set my seal this the twenty ninth day of December in the year of our Lord one thousand eight hundred and forty two.

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William Fish's will,

Signed Sealed and declared by the said William Fish to be his last will and testament in presence of us who at his request and in his presence have subscribed our names as witnesses, heirs.

Colman Barnes
Lewis Steel
Gillum Dickins &c.

Anna Sellers will

In the name of God Anna Sellers of the County of Washington and State of Virginia being of sound and disposing mind and memory and being desirous to settle my worldly affairs while I have strength so to do, do make and publish this my last will and Testament, hereby revoking all wills by me at any time heretofore made, and first I recommend my soul to God who governeth and my body I desire to be buried in a decent and Christian like manner, and my worldly estate I dispose of as follows.

Item 1st It is my will and desire that all my last debts be paid as soon as possible after my death by my executors hereafter named and appointed.

Item 2nd I give and bequeath to my beloved son George Washington Sellers the plantation on which I live containing one hundred acres more or less adjoining land of William D. Kearney & Co. and also one Bed and Chest and furniture.

Item 3rd It is my will and desire that my horse and my stock of Hops these with furniture and kitchen furniture to be sold and the proceeds equally divided among the children of my body.

Item 4th I do hereby nominate and appoint my friends Ira Holden and George W. Sellers the Executors of this my last will and Testament.

In witness whereof I have signed set my hand, and affixed my seal this twenty fourth day of December Eighteen Hundred and fifty eight.

Anna Sellers L. S.

Signed Sealed published and delivered by the said Anna Sellers as her last will and Testament in the presence of

Henry J. C. King
Bartholomew
John B. Farris