

James B. Fitzgerald's Will

State of Georgia 3

Wilcox County 3 In the name of God
Amen. I James B. Fitzgerald of said
State & County, being about to depart
and enter into the Confederate Army,
and knowing that I am liable to
depart this life, doing it right and
proper, both as respects my wife, Brothers
Sisters and myself that I should make
a disposition of the Property with which
God's providence has blessed me, do
therefore make this my last will and
Testament hereby revoking all others
heretofore made by me,
1st-

I desire and Direct that all my
Land and Stock be sold and my debts
due me and which hereafter shall due
be collected on the Event I depart
this life before I return home from
the War

2nd I desire and Direct that all my
just debts be first paid by my
Executor hereinafter appointed

3rd I give, bequeath and devise to my
beloved wife Elizabeth the full sum
of Three hundred Dollars in lawful
Money which is to be raised from the
Sale of my effects a bond named
which Sale is to be immediately
after my death

My Effects to be equally divided
between my Brothers and Sisters them
and their heirs and I have a like

Continued

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after all Expenses of Sale and
other incidental Charges paid such
as are just - and right -

Ith I hereby constitute and appoint -
my beloved Father Executor of this
my last will and Testament -
This April 30th 1862

James B. Fitzgerald (S^d)

Signed Sealed Delivered and
published by James B. Fitzgerald
as his last will and Testament -
in the presence of us the
subscribers, who subscribed
our names hereto in the presence
of said Testator and of each
other this 30th April 1862

D. Q. Hermiter
David Troup
Simon Stanley

Georgia
Wilkes County } Court of Ordinances
Oct Term 1862

Before me J. W. H. H. H. Ordinary of said County
came in person Miles Fitzgerald Executor
of the last will and Testament of James B.
Fitzgerald ^{deceased} and also the witnesses to said
will Simon Stanley and David Q. Hermiter who
being duly sworn depose and say that -
they saw the said James B. Fitzgerald
sign, seal, publish and declare the said
instrument - as his last will and Testament -
Voluntarily and freely, without compulsion

Continued

and that they signed said will as
witnesses in the presence of James
B. Fitzgerald and each other
Simon Stanley
D. C. Harvill

Sworn to and subscribed before
me this Oct. 5th 1862

James W. Mashburn
Ordinary
Wilcox County