

STATE CAPITOL



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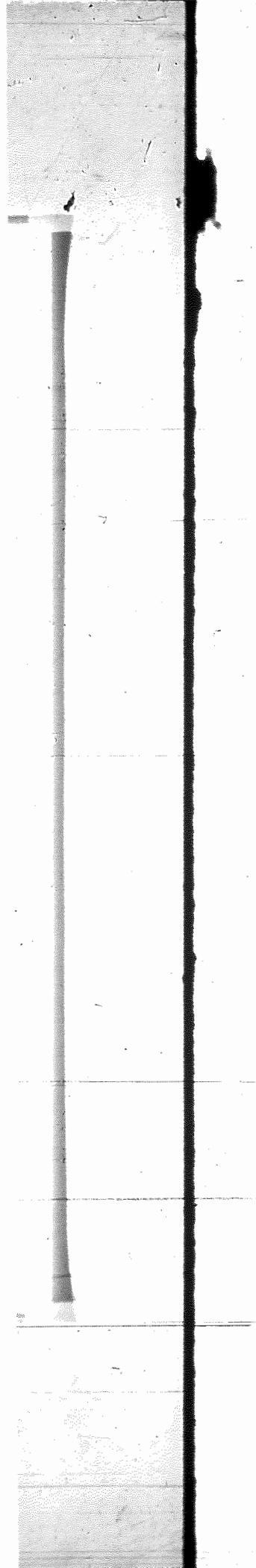
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Date microfilmed: November 23, 1960

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Georgia Department of Archives and History



2-1

Debtors
of his
new Hs
for 22nd

GEORGE the Third, by the Grace of God, of Great-Britain, France

and Ireland, KING, Defender of the Faith, and so forth, To all to whom these Presents shall come, GREETING. KNOW YE, That We, of

Special Grace, certain Knowledge, and our Motion, have Given and Granted, and by these Presents, by Us, Our Heirs and Successors, do Give

Grant unto *Samuel Pastorek*, his _____

*and his wife Anna Elizabeth and
Bona Sua heretofore by aforesaid
to the said Samuel Pastorek*

Having such Slave, Forn, Marks and Bound
Timber-Trees, Lakes, Ponds, Fishings, Water
any wife appertaining, together also with Privi
sioning, nevertheless, to Us, Our Heirs and Successors, One Tenth Part of Mines

and his wife Anna Elizabeth

General for the Time being, or to his Deputy or Deputies for the Time being, yearly and every Year, on the Twenty-fifth Day of March, at the Rate of Two Shillings for every Hundred Acres, and so in Proportion, according to the Quantity of Acres contained herein, the same to commence at the End and Expiration of Years from the Date hereof. PROVIDED always, and this present Grant is upon Condition, nevertheless, That the said *Samuel Pastorek* his

Heirs and Assigns, within Three Years after the Date hereof, clear and work *Three Acres* at least, in that Part thereof as *he* or they shall find most convenient and advantageous, or else do clear and drain *Three Acres* of Swamp or sunken Grounds, or drain *Three Acres* of Marsh, if any such contained herein; and shall and do, within the aforesaid, put and keep, upon every *Fifty Acres* thereof, counted by acre, *Three* neat Cattle, or *Six* Sheep or Goats, and continue the same thereon until *Three Acres* for every *Fifty Acres* be fully cleared and improved; or otherwise, if any Part of the said *Land* shall be stony or rocky Ground, and not fit for Planting or Pasture, shall and do, within *Three Years* as aforesaid, begin to employ the same to continue to work for *Three Years* then next ensuing. In digging any Stone Quarry, or Coal or other Mine, *One* good and able Hand for every *Hundred Acres*, it shall be accounted a sufficient Scating, Plantation and Improvement, to save for ever from Forfeiture, *Five Acres* which shall be cleared and worked, or cleared and drained as aforesaid, shall be accounted a sufficient Scating, Plantation and Improvement, to save for ever from Forfeiture, *Five Acres* of Land in any Part of the *Traict* hereby granted. And the said *Samuel Pastorek* his Heirs and Assigns, shall be at Liberty to withdraw his inheritance, or to forbear working in any Quarry or Mine, in Proportion to such Cultivation and Improvements as shall be made upon the aforesaid Lands, Woods, Sunken Grounds, or Marshes herein contained.

AND if the said *Land* hereby reserved, shall happen to be Arrear and unpaid, for the Space of *One Year* from the Time it shall become due, and no Distress can be made upon the said *Land*, Tenements and Hereditaments hereby granted, that then and in such Case, the said *Land*, Tenements and Hereditaments hereby granted, and any Part and Parcel thereof, shall revert to us, Our Heirs and Successors, as fully and absolutely as if the same had never been granted. PROVIDED ALSO, if this Contract shall not be duly registered in the Register's Office of our said Province, within six Months from the Date hereof, and a Document thereof also entered in the Audit Office of the same, That then this Grant shall be null and void, and of no Effect. WITNESSETH Our Trusty and Well-beloved Governor in Chief of Our laid Province, the *22nd* Day of July *1777*, to the Year of Our Lord *1777*, and in the *Seventh* Year of our Reign.

*in the parish of Saint George in our Province of Georgia
and between Dam Creek to the north and by Land of John good*

*s by a. C. —— thereof hereto annexed, toge
r-Courses, Profits, Commodities, Hereditaments and Appur
taining, Hawking and Fowling in and upon the same, and all
all White Pine Trees, if any should be found growing thereto
and Gold only, TO HAVE AND TO HOLD the said*

— and all and singular other the Premises hereby granted, with the Appurtenances, unto the

*Heirs and Assigns for ever, in free and common Soccage, the said *Samuel Pastorek**

Heirs or Assigns, Yielding and Paying therefore, unto Us, Our Heirs and Successors, or to our Recor

or the Time being, yearly and every Year, on the Twenty-fifth Day of March, at the Rate of Two Shillings

*Years from the Date hereof. PROVIDED always, and this present Grant is upon Condition, nevertheless, That the said *Samuel Pastorek* his*

Heirs and Assigns, shall be at Liberty to withdraw his inheritance, or to forbear working in any Quarry or Mine, in Proportion to such Cultivation and Improvements as shall be made upon the aforesaid Lands, Woods, Sunken Grounds, or Marshes herein contained.

*AND if the said *Land* hereby reserved, shall happen to be Arrear and unpaid, for the Space of *One Year* from the Time it shall become due, and no Distress can be made upon the said *Land*, Tenements and Hereditaments hereby granted, that then and in such Case, the said *Land*, Tenements and Hereditaments hereby granted, and any Part and Parcel thereof, shall revert to us, Our Heirs and Successors, as fully and absolutely as if the same had never been granted. PROVIDED ALSO, if this Contract shall not be duly registered in the Register's Office of our said Province, within six Months from the Date hereof, and a Document thereof also entered in the Audit Office of the same, That then this Grant shall be null and void, and of no Effect. WITNESSETH Our Trusty and Well-beloved Governor in Chief of Our laid Province, the *22nd* Day of July *1777*, to the Year of Our Lord *1777*, and in the *Seventh* Year of our Reign.*

4-1

State of Georgia.

THIS Indenture, made the Seventh

day of June in the year of our Lord one thousand seven hundred and eighty-one and in the
year of the Independence of the United States of America, B/TWEEEN Mathias Ash and Hannah his wife
of Elizabeth County the one part, Edward Powell of the same Buck County

of the other part, WITNESSETH, That the said
Mathias Ash for and in consideration of the sum of one hundred pounds
Edward Powell at or before the sealing and delivery of these presents, the receipt whereof is hereby acknow-
ledged, HE the said Mathias Ash and Hannah his wife HATH granted, bargained, sold, aliened, released, and
confirmed, and, by these presents, DOTH grant, bargain, sell, alien, release, and confirm, unto the said Edward Powell
and to his heirs and assigns forever, ALL THAT TRACT OF LAND Containinge

Two Hundred and Fifty acres to the same more or less Surveyed
for Samuel Blalock the Fourth day February One Thousand Seven Hundred
and Sixty Seven on the Broadman Creek in Buck County and State of Georgia
Surveyed in Two Tracts a Tract John Goods Land and small other sides
by Vacont Land

together with all and singular the houses, out-houses, buildings and improvements, rents, issues, profits, privileges, commodities, and all the right, title, interest, inheritance, benefit, claim, and demand, whatsoever, to the said land, and all appurtenances thereunto belonging or in any wise appertaining: TO HAVE AND TO HOLD the said tract of land, and all and singular the premises above-mentioned, with their and every of their rights, members, and appurtenances; together with all and singular writings touching or any wise concerning the same, or any part thereof, to the only proper use, benefit, and behoof, of the said

Edward Powell his heirs and assigns, forever: And the said Mathias Ash his heirs and assigns, the said tract of land, and premises above-mentioned, and all and every part and parcel thereof, unto the said Edward Powell his heirs and assigns, against him the said Mathias Ash his heirs and assigns, and against all and every other person and persons whatsoever, shall and will forever warrant and defend, by these presents. IN WITNESS whereof the said Mathias Ash hath hereunto set his hand and seal the day and year first above written,

Signed, sealed, and delivered, in presence of

Edward Powell
the Land

Mathias Ash

Former Day

STATE OF GEORGIA.

THIS INDENTURE, Made the ~~six~~ Day of ~~June~~ ^{July} Year of our L O R D, one Thousand Seven Hundred and Ninety ^{Five}, and in the ~~Year~~ ^{Year} of the Independence of the United States of America,

Between ~~Edw Powell & Gracy his wife~~ ^{Edw Powell & Gracy his wife} ~~Richmond County of~~ ^{Richmond County of}

of the one Part, and ~~Eli Cox of Burke County State aforesaid~~

~~Edw Powell and wife Gracy~~ of the other Part, WITNESSETH
the sum of ~~one hundred pounds~~ for and in Consideration of the same

him in Hand well and truly paid by the said ~~by the said Eli Cox and his wife~~ at or before the delivery of these Presents, the Receipt whereof is hereby acknowledged, ~~he said Edw Powell~~ granted, bargained, sold, released, and confirmed, and by

~~Edw Powell and wife Gracy~~ Eli Cox

Heirs and Assigns, ALL THAT ~~other~~ or parcel of Land containing Two Hundred Fifty acres ^{to the same more or less} Surveyed for Samuel Estake the Twelfth of February one Thousand Seven Hundred and Sixty Seven on the River dam Creek Burke County and State aforesaid Surveyed in Two Tracts, adjoining John Goodloe on all other Sides by Vacant Lands

to said Eli Cox - His Heirs and Assigns, to the only proper Use, Benefit and Behoof of Land, being, belonging, or in anywise taining: AND the Remainders, Reversions, Rents, Issues and Profits thereof, and of every Part thereof: TO HAVE AND TO HOLD the said ~~Land~~ ^{Property} and all and singular the Premises and Appurtenances thereunto belonging, as aforesaid, and every Part thereof, unto the said ~~Eli Cox~~ ^{Edw Powell}

Heirs and Assigns, to the only proper Use, Benefit and Behoof

Heirs and Assigns forever. And the said

and their Heirs, the ~~Heirs~~ ^{Heirs} and Premises aforesaid, and every Part thereof, unto the said ~~Eli Cox~~ ^{Edw Powell} and Gracy his wife

Heirs and Assigns against ~~claims of~~ the said ~~Edw Powell~~ and Gracy his wife

and ~~their~~ ^{their} Heirs, and all and every other Person and Persons whatsoever, shall and will warrant and forever defend by these Presents. IN WITNESS

said ~~Edw Powell and Gracy his wife~~ have hereunto set their Hands and Seals the Day and Year first

SEALED AND DELIVERED
IN THE PRESENCE OF

Eckiel Lister

James Williams

Edw Powell

Gracy Powell

State of Georgia. *John. Hillidge*

By his Excellency Governor, and Commander in Chief of the Army and Navy of this State and of the Militia thereof.

To all to whom these Presents shall come, GREETING:

Know ye, That in pursuance of the Act for opening the Land-Office, and by virtue of the Powers in me vested, I HAVE given and granted, and by these presents, in the name and behalf of the said State, DO give and grant unto *the Coopers* Heirs and Assigns forever, all that Tract or Parcel of Land, containing *One hundred and thirty one* Acres, situate, lying and being in the county of *Bucke* in the said State, and having and bounding *Westby Creek*

I am your for *Gatcliff, Westby Buck Creek, and Creek*,
Westby Creek, and Creek

having such shape, form and marks, as appear by a plat of the same hereunto annexed; together with all and singular the rights, members and appartenances thereof, whatsoever, to the said tract or parcel of Land belonging, or in any wise appertaining; and also all the estate, right, title, interest, claim and demand of the state aforesaid, of, in, to or out of the same; TO HAVE AND TO HOLD the said tract or parcel of Land, and all and singular the premises aforesaid, with their and every of their rights, members and appartenances, unto the said *the Coopers* Heirs and assigns, to *them* and their own proper use and behoof forever, in Fee Simple.

GIVEN under my hand and the great seal of the said state, this *Twenty seventh* day of *November* in the year of our LORD, one thousand eight hundred and two and in the *Twenty seventh* year of American Independence.

J. P. Clayton Jr. L. D.

4-3

9-3

This Indenture made this the tenth day of April in the
Lord one thousand eight hundred and twenty-two Between
of the County of Burke and State of Georgia of the one part
S. Jones and James Torrance Adam^{es} on the Estate of Batt Jones
County and State aforesaid do^{ne} of the other part witnesseth
said John Warnock for and in the consideration of the sum of
Dollars the receipt whereof is hereby acknowledged hath given
so to release, and confirmed, and by these presents doth grant
and confirm unto the said Henry S. Jones and James Torrance
said Estate for the benefit of said Estate. All that parcel of
fifty acres more or less situate lying and being in the County
aforesaid and on the little Beaverdam being the North West
of one hundred acres originally granted unto John Lott senior
sold unto John Warnock who gave by his last will unto his son Joe
and by him in his last will and testament gave and bequeathed
of land to his sons John Warnock and Jesse Warnock their heirs
and in a division of said land between the heirs of Jesse Warnock and
John Warnock the said N. West half was awarded or allotted unto
John Warnock his heirs and assigns. To have and to hold said
of land unto them the said Henry S. Jones and James Torrance
heirs Esq^r Adam^{es} and assigns for the benefit of said Estate, together
singular the rights, members and appurtenances therof to the said
manner belonging, to them and the aforesaid proper use benefit
forever in fee simple and the said John Warnock for himself.
the said bargained premises unto the said Henry S. Jones and James
heirs Esq^r Adam^{es} and assigns for the benefit of said Estate will warrant and
defend the right and title thereof against themselves and against
of all other persons whatever in witness whereof the said John Ham
set his hand and seal the day and year above written
Signed Sealed and delivered in presence of

W. Scarborough J. P.
Erikid Lester J. L.

This Indenture made this the buzz day of April in the year
Lord one thousand eight hundred and twenty-two Between John T.
of the County of Burke and State of Georgia of the one part and
S. Jones and James Torrance Adams on the Estate of Batt Jones late
County and State aforesaid ~~deceas~~ of the other part witnesseth that
said John Warnock for and in the consideration of the sum of Three
Dollars the receipt whereof is hereby acknowledged hath granted,
settled, released, and confirmed, and by these presents doth grant, bargaine
and confirm unto the said Henry S. Jones and James Torrance Adams
said Estate for the benefit of said Estate, All that parcel of land
fifty acres more or less situate lying and being in the County and State
aforesaid and on the little Beaverdam being the North West half
of one hundred acres originally granted unto John Lott senior and by
sold unto John Warnock who gave by his last will unto his son James
and by him in his last Will and Testament gave and bequeathed the said
of land to his sons John Warnock and Jesse Warnock their heirs and assigns
and in a division of said land between the heirs of Jesse Warnock and the
John Warnock the said N. West half was awarded or allotted unto the
John Warnock his heirs and assigns. To have and to hold said tract or
of land unto them the said Henry S. Jones and James Torrance Adams
his executors and assigns for the benefit of said Estate, together with all
singular the rights, members and appurtenances therof to the same in
manner belonging, to them and the aforesaid proper use benefit and
forever in fee simple and the said John Warnock for himself his heirs
the said bargained premises unto the said Henry S. Jones and James Torrance
his executors and assigns for the benefit of said Estate will warrant and for
aforesaid the right and title thereof against themselves and against the
of all other persons whatever in witness whereof the said John Warnock has
set his hand and seal the day and year above written
Signed Sealed and delivered in presence of

H. Scarbrough J. P.
Erkild Lester J. P.

John Warnock

John Wanack for 50 acres
of land to
H. S. Jones } Adm^t
James Torrance }

Burke County
on Little Beaver Creek or
Mill Creek
Grantee
John Cott (H)

B

1822

Georgia This indenture made this the
Burke County ³ seventeenth day of November
in the year of our Lord one thousand eight
hundred and four County eight miles from Burke the
of Hephzibah and Harriet his wife of the date
and sum aforesaid to the effect that as
Drewry Custer of the said State and County
of St. Louis joint with both that he the
said James H. Hephzibah and Harriet
his wife for and in consideration of the
sum of Two Thousand and fifty five
Dollars lawful money of Georgia to him
in hand paid by ~~all~~ him the said Drewry
Custer that or before the sealing and del
ivering of this present to the receipt where
at it is hereby acknowledged hath granted
his friends the said Conroy and do
by these presents grant to say party the
sum aforesaid to ~~the~~ the said Drewry
Custer his heirs and assigns etc that
most or all of said estate lying and
being in the County of Burke on the waters
of Little Creek containing one hundred acres
be the same more or less adjoining lands
belonging to the said Custer lands of his
the said Drewry Custer or his lands be low
unto to him the said H. H. Hephzibah
Custer also late of Burke County
and transferred from him to John Burroughs
and now in the possession of Franklin Lewis
to have and to hold unto him the said
Drewry Custer his heirs and assigns the
said Burroughs provides to gather with
all and support the right members and
appertainers thereof to the same belong
ing

belonging to his and their own property
as benefit and school forever to be
enjoyed, and the said J. W. Kilpatrick
and Harriet his wife their heirs executors
and administrators, the said Bargain and
forementioned unto him the said George
Burke his heirs and assigns make
stipulations and forever discharge the said
and will thereof against themselves
and against the claims of all manner
of persons whatever in witness where
unto the said James W. Kilpatrick
Harriet his wife both hereunto or
their hands and affixed their
seals and date first above
written signed sealed
and delivered in presence

of
John Grisby

J. W. Kilpatrick
H. E. Kilpatrick
John Grisby

Georgia ³ Clerks Office Superior Court
Dooly County ³ Records in Record Book C folio
171 & 172 September 10. 1831.

= Mottatt, Clerk

State of Gordon ³ Personally came before me
Burke family ³ John Wilson who
being duly sworn deposes and says that
that he saw James McHelpatrick Esq and
Harries McHelpatrick his wife deal and
deliver his will Provo for the person or
persons mentioned and that he deponent
subscribed the same as a witness thereto
and at Nibberagey as it was
Sworn to and subscribed

before me this 25th day of May 1889

Matthew Spain Jr.

John Grady

C. H. McHelpatrick
et al. Appellants
vs.
C. D. Spain et al.
Defendants
1889

And the said Seppe Cox for himself his Heirs Executors and Administrators the said Bargained promised unto him the said Dorewy keeper his Heirs and Assigns Will Warrants and Forecove defend the rights and Title thereof against himself his Heirs and Assigns and against the Claim of all other persons whatever.

In witness whereof the said Seppe Cox hath hereunto set his hand and Seal the day and year first above written.

Signed Sealed and delivered in presence

of Ezekiel Lester

Leicester Preca

Acknowledged before me this
1st day of November 1828

James Grubbs Jr

Seppe Cox

Georgia 3 Clerks Office Superior Court
Burke County Recorded in Record Book C
folios 170 & 171 September 13. 1828

D. M. Hattis Clerk