

James Whatley Will, Will Book C, 1844-1876, pages 159-162, Pike County, Georgia; microcopy RHS 3330-1; Georgia Archives, Morrow, Georgia [drawer 167, box 45].

Transcribed by Barbara Smallwood Stock, CG

In the name of God Amen.

I James Whatley of the State of Georgia, and County of Pike, make this my last will and Testament, hereby revoking all previous wills.

First

I give to the Church at Mount Zion, one half acre of land in a square form immediately south east of the meeting house, as their burying ground, on which I desire to be interred by my friends in a decent and Christian like manner.

2nd

To my reputed son James Greene Whatley, else James Greene Beasley I will the Interest of Fourteen thousand dollars for the next ten years, at the end of which time, if the said James can give sufficient bond, he is to have the fourteen thousand dollars during his life; but at his death said fourteen thousand dollars shall revert to and become a part of my estate.

3rd

I will to my beloved, obedient niece Susan Jane Whatley a certain family of negroes viz Big George and his wife Judy, also Judys children viz Susan, Eliza, Peggy and Greene with their increase during the life of the said Susan Jane; but at her decease to revert to and become a part of my estate. Nevertheless the said Susan Jane is hereby bequeathed a gold watch worth one hundred dollars and one twelfth part of the balance of my estate not herein disposed of including her distributive share of all revisions for her and her heirs forever.

4th

To my nephew Wilson Poe of Early County, I give one hundred dollars and two negroes viz Aaron and Alexander the first; that and no more. The said two negroes, at the decease of said Wilson shall revert to and become a part of my estate.

5th

To my niece Eliza Taylor of Fayette Count, I give, during her life, a tract of one hundred & fifty acres of land known as the Brooks & Shelton place, And negroes Alfred, Celia and her children viz Clark, Catharine, Silvey & John, with their Increase; but at the decease of the said Eliza Taylor said land and negroes shall revert to & become a part of my estate.

6th

To my niece Lucy Anna Bussey I give a hundred dollars forever; and negroes Solomon, Charity, Lydia and Caroline. Said negroes and their increase to revert to and become a part of my estate at the decease of the said Lucy Anna and not be possessed of by the said Lucy Anna during the lifetime of my mother Catharine Whatley.

7th

To my niece Martha Amelia Allen of the Town of Oglethorpe I give one hundred dollars forever and negroes Sampson, Rachael & her two children & Margaret & Antoinette with their increase - not to be possessed by said Martha Amelia during the lifetime of my mother but after the death of said Martha Amelia said negroes & their increase shall revert to & become part of my estate.

8th

To my nephew John M. D. Whatley, I give one hundred dollars and one hundred acres of land, the west half of lot No. (97) ninety seven, in the Eighth Dist of Monroe Co. forever, and negroes viz Israel, Jemima, Lovy, and their increase, said negroes not to be possessed of by the said John during the life time of my mother and with their increase to revert to and become a part of my estate at the decease of said John.

9

To my nephew James Whatley, son of my brother David, I give one hundred dollars and the east half of lot of land No (97) ninety seven in the Eighth Dist of Monroe Co. forever; and negroes Abram, Lillie [Little?] Judy, Nancy & Lucy with their increase said negroes & their increase to revert and become a part of my estate at the decease of the said James Whatley.

10th

To my niece Rebecca Speir I give one hundred dollars forever; and negroes Alexander the 2nd and emily with increase until the decease of said Rebecca then said negroes & their increase shall revert to and become a part of my estate.

11th

To my sister in law Frances Whatley, I will the services of a negro girl called Victoria with her increase until the decease of said Frances Whatley then said negroes & increase to revert to and become a part of my estate.

12th

To my niece Catherine Watts I give one hundred dollars forever; and negroes John, Rebecca & child and Sophronia and their increase during the life of said Catherine Watts then said negroes & increase to revert to and become a part of my estate.

13th

To my sister in law Lucy Whatley, I bequeath the services of my cook woman Kate, during the life of said Lucy, then to revert to and become a part of my estate.

14th

To my nephews Samuel J. Whatley and William H. Whatley sons of my brother Willis Whatley I give and bequeath each one twelfth part of all the balance of my estate not here before disposed of by this will.

15th

The negro woman Sukey and man Joe and woman Maria shall be my mothers servants during mothers lifetime but in case of Sukeys death first my Executors must make ample provision for the comfort and well being of my mother so long as she may live and deposit her remains in the place she may desire, decently and in Christian order.

16th

All the rest of my estate not herein before bequeathed I give equally to my three brothers viz William Whatley, Wilson Whatley, and Seaborn J. Whatley in fee simple forever to them and their heirs.

17th

I hereby ordain constitute and appoint my trusty friend Dr. James Anderson of Upson County my faithful brother Seaborn J. Whatley of Harris County and my worthy Nephew William H. Whatley of Jones County my legal Executors to this my last Will and Testament.

18th

I hereby constitute & appoint my aforesaid Executors special agents and Guardians in and over all the bequests held in ____ by this my last will and Testament.

Signed and declared this 8th April 1854.

James Whatley

In presence of
Josiah Holmes
James H Fryer
James M Willis

State of Georgia
Pike County

We Josiah Holmes, James H. Fryer and James H. Willis do solemnly swear that we saw James Whatly sign seal and heard him publish and declare this writing to be and contain his will and at the time thereof he was of sound disposing mind and memory

and that he did it freely without compulsion to the best of our knowledge and belief and that we signed the same in each others presence and in the presence of the Testator.

Josiah Holmes
Jas H Fryer
J M Willis

Sworn to & subscribed in open court this 9th day of September 1856

State of Georgia
Pike County

We James Anderson Seaborn J Whatley and William H Whatley do solemnly swear that this writing contains the true last will and testament of James Whatley so far as we know or believe and that we will well and truly execute the same by first paying the debts and then the legacies contained in said will as far as his goods and chattels will thereunto extend and the law charges us and that we will make a true and perfect Inventory of all such goods and chattels So help us God.

Sworn to in open court
September 1st 1856
Joseph C. Beckham
Ordy

James Anderson
William H Whatley
Seaborn J Whatley

Recorded September 10th 1856
J.C. Beckham Ord.