

The Estate Records of Francis Powell, Revolutionary War Soldier

Summary

On January 1, 1838, Benjamin Powell was appointed as the guardian of his father, Francis Powell, who was declared to be insane. Considering Francis was nearing age 82 when this occurred, he was most likely incapable of handling his own affairs due to some health reason. This was one of the reasons insanity could be declared.

Francis apparently had not written a Will, so under Georgia law at the time, his heirs were as follows: daughters, Cynthia Hyde; Nancy Jackson; Mary Powell; Sarah Wortham; Jane Wortham; Caroline Wells; and Elizabeth Burdett, sons, Benjamin Powell; Thomas Powell; and Joseph Powell, who was living in Westchester Co., NY during this time, and grandchildren, Sarah Ann Kendrick; and Tabitha Jane Simpson, daughters of Nelson Powell, the oldest son of Francis and Nancy who died in 1825. Nelson's other child, William (Willis) Powell died in 1836, prior to Francis' estate proceedings.

An inventory of Francis' Personal property was taken on January 6, 1838 by Micajah A. Lane, William T. Lane and James Burdett. The appraised value of this inventory was \$13,097.20, which is equal to \$200,000.67 in the year 2002.

One week later, on January 13, a sale was held to dispose of the perishable property (livestock, produce, grains, foodstuffs and some farm implements) and to hire out Francis' slaves. This sale produced income of \$2,539.90, which amounts to \$38,785.52 in 2002.

Francis apparently died between January 13, 1838 and January 8, 1839. His heirs entered into an indenture with Mark Anthony of Lincoln County, and Francis is stated as being deceased.

March 22, 1839 saw the sale of the remaining property of Francis Powell. In this sale, the remaining farm implements, produce items, household furniture and cookware, and slaves were sold. This sale grossed \$11,630 for the slaves, \$2,400 for the land, and \$403.98 for the remainder.

The total amount received as part of the estate of Francis Powell was \$16,973.88 or \$259,199.47 in 2002 value.

In the pages that follow, you will find transcriptions of the guardianship papers, the estate inventory and appraisal, and the lists created during the sales of the property of Francis Powell. These are taken from official records kept at the Wilkes County Courthouse in Washington, Georgia.

The Guardianship Bond of Francis Powell

State of Georgia }
 }
Wilkes County }

By their Honors the Justices of the Inferior Court
of said County, sitting for Ordinary purposes.

TO Benjamin Powell of said County, GREETING:

Whereas, Francis Powell an insane person deceased [*it is clear that Francis is not deceased at this the writing of this document. The addition of the word "deceased" is merely an error*] possessed in his own right of a considerable estate, by means whereof the power of granting the guardianship of the said Benjamin Powell to us is manifestly known to belong, and for the better securing the estate and more ample maintenance of said Francis, and from the integrity and confidence reposed in you, we do hereby commit the guardianship of the said Francis to you, the said Benjamin, you assenting thereto by your acceptance of these letters: herein charging you, that you maintain Francis in such manner as shall be suitable to his interest and circumstances during his insanity, and that you enquire into, and take charge of his estate, both real and personal, and all other things to do, which by law you ought to do, for your said ward of all which a true and perfect account you shall render to the first term of the Court of Ordinary for said County, in every year, during your continuance in office. And lastly, we do hereby constitute and appoint you, the said Benjamin Powell guardian of the aforesaid Francis Powell during his insanity.

Witness the Honorable Lewis S. Brown, one of the Justices of the said Court, this the first day of January one thousand eight hundred and Thirty-Eight.

John H. Dyson, CCO.

The Inventory, Appraisement and Sales on the Estate of Francis Powell

Georgia } You, Micajah A. Lane, William T. Lane, and James
 Wilkes County } Burdett, do solemnly swear that you will appraise the goods and
 chattels of Francis Powell, an insane person, ready money and notes
 excepted, that shall be produced to you by Benjamin Powell, Guardian of said Francis,
 and a true return make to the said guardian in honor of the Law.

Sworn before me } Micajah A. Lane
 this 6th Jany 1838 } Wm. T. Lane
 W. B. Jones, Clk } James Burdett

| | |
|----------------------------|--------|
| 1 road waggon and gear | 100.00 |
| 1 Bay Horse (Sack or Zack) | 75.00 |
| 1 Bay Filly, Gin | 20.00 |
| 1 Stud Colt, bay | 35.00 |
| 1 Stud Colt, Sirrel? | 35.00 |
| 1 Bay Horse, Jim | 75.00 |
| 1 Blind Mare | 10.00 |
| Wheat 8 Bushels | 12.00 |
| 2 Old Gins | 10.00 |
| 1 New Cotton Gin | 90.00 |
| 1 Lot Rawhides | 5.00 |
| 1 Lot Cotton Seed | 10.00 |
| Running Guard of Gin | 15.00 |
| 3 Farming Ploughs | 5.00 |
| 1 Lot Ploughs | 8.00 |
| 1 Lot Harrows | 12.00 |
| 1 [illegible] | 70.00 |
| 1 Lot Hoes | 1.00 |
| 2 Scythes and Cradles | 2.50 |
| 3 pr Ple[illegible] | 2.00 |
| 1 Crop Cut Saw | 1.50 |
| 1 [illegible] | 6.00 |
| 1 Blk Cow Young Calf | 12.00 |
| 1 Red Cow and Calf | 12.00 |
| 1 Cow and Calf | 12.00 |
| 1 Ox | 6.00 |
| 1 Red and White Cow | 12.00 |
| 1 Heifer White Back | 8.00 |
| 1 Young Yoke Oxen | 16.00 |
| 1 Red Cow and Calf Beauty | 12.00 |

The Guardianship Bond for Francis Powell, 01 January 1838, Wilkes County, Georgia, Guardians and Bonds Book (1832-1875), page 64. Wilkes County, Georgia Probate Court, Washington, Georgia.

| | |
|-------------------------------------|---------|
| Wht Cow and Calf | 9.00 |
| 1 Cow and Calf | 12.00 |
| 4 [illegible, looks like yearlings] | 6.00 |
| 3 y Trailing Hogs | 110.00 |
| 7 sows and 30 pigs | 37.00 |
| 100 Bshls Corn | 400.00 |
| 2 [illegible] Shucks | 6.00 |
| 8 Thousand pounds fodder | 60.00 |
| Ox Cart | 10.00 |
| 1 lot New [illegible] | 2.90 |
| 1 Grind Stone | 2.00 |
| 1 Lot Axes | 3.50 |
| 1 Lot Spring Wheels | 4.00 |
| 1 Lot Bee Stands | 2.00 |
| [illegible] | 8.00 |
| [illegible] | 2.00 |
| Lot Pickle Pork (2000 #?) | 180.00 |
| Lot Lard 120# | 10.80 |
| Lot of Barrels | .50 |
| 1 Hog Head (type of barrel) | .50 |
| 1 Desk and Book Case | 25.00 |
| 1 Cup Board | 25.00 |
| 1 Walnut table folding | 5.00 |
| 1 Walnut table folding | 2.00 |
| 1 pine slab | 2.00 |
| Lot [illegible] | 4.00 |
| 1 Chest | 2.00 |
| 6 Windsor Chairs | 2.00 |
| 1 Clock Red | 1.00 |
| one Negro man Adam | 1000.00 |
| one negro man Sam | 1000.00 |
| one negro man Stephen | 1000.00 |
| one negro man Matt | 750.00 |
| one negro man Clark | 1000.00 |
| one negro boy Ned | 550.00 |
| one negro boy John | 500.00 |
| one negro woman Lucy | 200.00 |
| one negro woman Eve | 650.00 |
| one negro woman Rena | 800.00 |
| one negro woman Jin | 800.00 |
| one negro woman Kate | 800.00 |
| one negro woman Thura | 800.00 |
| one negro boy Nathan | 350.00 |
| one negro boy William | 250.00 |

| | |
|-----------------------|----------|
| one negro boy James | 200.00 |
| one negro girl Sugar | 350.00 |
| one negro girl Amanda | 250.00 |
| one negro child Harry | 200.00 |
| one negro child Leavy | 100.00 |
| | ----- |
| | 13097.20 |

Georgia }
 Wilkes County } By virtue of a warrant to us directed from The Hon The
 Court of Ordinary we do hereby certify that we have duly appraised
 the perishable property of Francis Powell, an insane person that has
 been shown to us by Benjamin Powell, guardian of said Francis, accounting to the sum of
 thirteen thousand and ninety-seven dollars and twenty cents. Given under our hand this
 6th day of January 1838.

Micajah A. Lane
 Wm. T. Lane
 James Burdett

Benjamin Powell, Guardian

An Inventory and Sale of the perishable Property of Francis Powell, an insane person, also
 of the hire of negroes this 13th day of January 1838.

| | | |
|-----------------|-------------------------------|----------|
| Benj. POWELL | 1 Road waggon | 79.00 |
| Jno. WELLS | 1 Bay horse Jack | 75.00 |
| Benj. SMITH | 1 Bay Filly | 25.00 |
| Job R. HINTON | 1 Stud Colt | 26.50 |
| Benj. POWELL | 1 Bay Colt | 20.00 |
| Jos. BURDETT | 1 Bay horse Jim | 50.00 |
| | 1 Blind Mare | .00 |
| Benj. POWELL | 1 New Cotton Gin | 55.00 |
| Zadock SMITH | 1 Old Cotton Gin | 1.00 |
| Benj. POWELL | Gin band and Ring [illegible] | 16.00 |
| Benj. POWELL | 5 Rawhides | 4.00 |
| Benj. POWELL | 1 pnd Cotton Seed | 14.00 |
| Jos. T. BURDETT | 1 Turning Plough | 1.56 1/2 |
| Benj. POWELL | 1 Turning Plough | 1.06 1/2 |
| Benj. POWELL | 1 Turning Plough | .75 |
| Benj. POWELL | 5 Ploughs | 2.50 |
| Jas. BURDETT | Lot Old Ploughs | 1.56 3/4 |

| | | | |
|-----------------|---------------------------------|---------|-----------------------------------|
| Jas. BURDETT | 2 Harrows | | 2.00 |
| Benj. POWELL | 2 Harrows | | 2.06 ³ / ₄ |
| Benj. POWELL | 2 Harrows | | 1.75 |
| William SUTTON | 3 pr. Plough {illegible} | | 2.18 ³ / ₄ |
| William SUTTON | 1 Lot [illegible] Hold | | .43 ¹ / ₂ |
| Benj. POWELL | 6 Shovel Ploughs | | 2.00 |
| Jas. T. BURDETT | 7 Old Rooter Ploughs | | .25 |
| E. R. ANDERSON | 1 Scythe and Cradle | | 1.00 |
| Benj. POWELL | 1 Scythe and Cradle | | 2.00 |
| E. R. ANDERSON | 1 Brindle Cow | | 6.50 |
| Noah HINTON | 1 Wht Cow and Calf | | 10.12 ¹ / ₂ |
| E. R. ANDERSON | 1 Con Spot and Calf | | 10.00 |
| Joseph BURDETT | 1 Red Cow and Calf | | 15.25 |
| Joseph BURDETT | 1 Black Sivid Heifer | | 11.00 |
| Wm. D. STANDARD | 1 Colo Pidell and Calf | | 15.12 ¹ / ₂ |
| Jos. T. BURDETT | 1 Pidell Cow | | 10.00 |
| Wm. D. STANDARD | 1 Blk Cow and Calf | | 14.00 |
| Benj. POWELL | 1 Yoke (Stuns or Stud) | | 23.50 |
| Dan SHUMATE | 4 Yearlings | | 12.06 ³ / ₄ |
| E.R. ANDERSON | 1 Steer | | 1.12 ¹ / ₂ |
| Jos. T. BURDETT | 5 -1 st Choice Hogs | | 17.50 |
| G. B. BUNCH | 5 - 2 nd Choice Hogs | | 15.50 |
| Jos. T. BURDETT | 5 - 3 rd Choice Hogs | | 13.00 |
| F. THURMAN | 4 th Choice Hogs | | 12.93 ³ / ₄ |
| F. THURMAN | 5 th Choice Hogs | | 12.56 ³ / ₄ |
| John T. DENT | 6 th Choice Hogs | | 12.00 |
| Wm. L. ANDERSON | 7 Hogs 1 [illegible] | | 15.00 |
| Jos. T. BURDETT | 1 Bk Sow | | 3.50 |
| Jas. BOATWRIGHT | 1 Red Sow and 7 pigs | | 5.00 |
| Wm. SUTTON | blue sow and pigs | | 3.25 |
| Jas. BOATWRIGHT | 1 Long Spur Sow and 4 pigs | | 2.00 |
| Wm. SUTTON | small sow and 5 pigs | | 2.00 |
| Wm. SUTTON | small red sow and 2 pigs | | 2.06 ³ / ₄ |
| Jos. T. BURDETT | black sow and 7 pigs | | 5.50 |
| Jos. T. BURDETT | 1 [illegible] Shucks | | 1.00 |
| Reuben KENDALL | 1 [illegible] Shucks | | 3.25 |
| Josh KELLEY | 8 Bshls Corn | @4.625 | 37.00 |
| Jos. T. BURDETT | 8 Bshls Corn | @4.75 | 38.00 |
| Jos. T. BURDETT | 8 Bshls Corn | @4.8125 | 38.50 |
| Jos. T. BURDETT | 8 Bshls Corn | @4.9375 | 39.50 |
| Jos. T. BURDETT | 8 Bshls Corn | @4.875 | 39.00 |
| Jos. BURDETT | 8 Bshls Corn | @4.9375 | 39.50 |
| Wm. L. STANDARD | 8 Bshls Corn | @4.875 | 39.00 |
| Benj. SMITH | 2 Stack fodder 81 | | 19.20 |

| | | |
|---------------------|------------------------------|----------------------------------|
| Jos. BURDETT | 2 Stack fodder 81 | 14.15 |
| Reuben KENDALL | 2 Stack fodder 79 | 20.88 |
| E. R. ANDERSON | Stack fodder 76 | 6.58 |
| Benj. POWELL | Ox cart | 14.50 |
| Benj. POWELL | 1 Grind stone | 2.12 |
| Benj. POWELL | 2 [illegible] axes | 2.00 |
| Benj. POWELL | 1 Cut saw | 2.00 |
| Benj. POWELL | [illegible] | 2.45 |
| Jos. BURDETT | 2 axes | 1.75 |
| N. G. BARKSDALE | 2 axes pd | .25 |
| G. WILLIAMS | 2 Spring wheels | .93 |
| N?? THURMAN | [probably two Spring wheels] | 1.81 ³ / ₄ |
| Dan SHUMATE | 3 [illegible] | 2.00 |
| Jos. T. BURDETT | 600 # Pork 14.50 | 87.00 |
| Reuben KENDALL | Negro Adam for Hire | 160.50 |
| Joseph BURDETT | Sam | 150.00 |
| Benj. POWELL | Stephen | 140.00 |
| Guilford PULLEN | Clark | 145.50 |
| John C. STOKY | Ned | 82.00 |
| Joseph T. BURDETT | John | 50.00 |
| Ann SMITH | Eve | 68.00 |
| Benj. POWELL | Rena | 114.00 |
| Jos. T. BURDETT | Jinny | 112.00 |
| William WELLS | Kate | 115.00 |
| Drury CALLOWAY | Rent field Mrs. WILLIAMS | 100.00 |
| Drury CALLOWAY | Rent field Mrs. CALLOWAY | 88.00 |
| Thomas SMITH | field on the road | 9.50 |
| Jos. BURDETT | Wheat field | 60.00 |
| POWELL and ANDERSON | [illegible] of old fruit | 5.00 |
| Benj. POWELL | [illegible] field | 16.00 |
| Benj. POWELL | [illegible] field | 32.00 |
| Wm. SUTTON | 2 Choices and pins | .62 |
| | | ----- |
| | | 2539.90 |
| Add \$14.15 fodder | | 14.15 |
| | | ----- |
| | | 2554.05 |

Benj. Powell, Guardian

List of the Sale of the Negroes of Francis Powell, dec'd.

| | | |
|------------------------------|-----------------|---------|
| Adam | William WELLS | 1000.00 |
| Sam | Thos. POWELL | 1000.00 |
| Clark | Z. WORTHAM | 920.00 |
| Stephen | B. POWELL | 1066.00 |
| Matt | Jos. COLEMAN | 403.00 |
| Eve | Chas. KILGORE | 355.00 |
| Rena and child | Jos. BURDETT | 1060.00 |
| Jinny and child | Samuel WORTHAM | 980.00 |
| Katy | E. JACKSON | 751.00 |
| Thura and child | Mary POWELL | 1085.00 |
| Lucy and old negro | Mrs. HYDE | 25.00 |
| Negro Ned | Jos. BURDETT | 70.00 |
| John | E. JACKSON | 650.00 |
| Nathan | Wm. PETERSON | 282.00 |
| Harry a child | Mary POWELL | 172.00 |
| Susan a girl | Noah CALLOWAY | 431.00 |
| William | E. JACKSON | 300.00 |
| Amanda | W. WELLS | 325.00 |
| Grant tract of Land 50 acres | | |
| B. POWELL | | 800.00 |
| 300 acres House [illegible] | B. POWELL | 800.00 |
| Land next to CALLOWAY | D. CALLOWAY | 800.00 |
| Matilda | William SIMPSON | 580.00 |
| Bessrish | Jno. G. GRANT | 175.00 |

Sale of the Residue of Personal Effects of Francis Powell, dec'd
22nd March 1839.

| | | |
|------------------|---|----------------------------------|
| Daniel SHUMATE | 1 Walnut slab | .50 |
| Felix THURMAN | 1 Lot Crockery | .75 |
| J. T. BURDETT | 1 Waiter and glasses | 1.68 ³ / ₄ |
| James DILLON | 1 Set casters | .12 |
| Wm. SUTTON | 1 Blue Pitcher | .31 |
| Wm. JACKSON | Teapot and Sugar dish | .25 |
| W. B. JONES | Knives and forks | .12 ¹ / ₂ |
| J. T. BURDETT | 1 Cup Board | 26.00 |
| Mary POWELL | 1 [illegible] | 35.00 |
| B. POWELL | 1 Table | 3.00 |
| E. R. ANDERSON | 1 Table | 3.80 ³ / ₄ |
| Chas. BOATWRIGHT | ¹ / ₂ [illegible] chain | 1.00 |
| J. T. BURDETT | 1 Walnut Chest | 3.25 |

| | | |
|--------------------|----------------------------|-------------|
| Benj. SMITH | 1 Bed and furniture | 17.87 1/2 |
| E. R. ANDERSON | 1 Bed and furniture | 20.00 |
| J. D. DILLON | 100 # Bacon | 13.25 |
| E. R. ANDERSON | 100 # Bacon | 13.00 |
| J. T. BURDETT | 1 Loom | 5.00 |
| Jas. LINDSEY | 1 Spring Wheel | 1.00 |
| R. KENDALL | 1 Large Pot | .50 |
| W. JACKSON | 1 Oven and 2 lids | .37 1/2 |
| J. T. BURDETT | 1 Baker | .25 |
| J. T. BURDETT | 500 # fodder 100 | 5.00 |
| B. SMITH | [illegible] | 9.57 |
| J. T. BURDETT | hire negro Matt | 87.00 |
| G. B. BUNCH | hire negro Thury and child | 72.50 |
| B. POWELL | one [illegible] horse | 66.00 |
| POWELL and BURDETT | rent 4 acres Land | 15.50 |
| B. POWELL | 3 Bush potatoes | .75 |
| B. POWELL | 3 Bush potatoes | .60 |
| | | ----- |
| | Amt | 403.98 3/4 |
| | Amt of Sale | 2539.90 1/2 |
| | | ----- |
| | | 2943.88 3/4 |