

Georgia | In the name of God Amen
 Newton County I Andrew J Berry of said State and in being at length
 Randolph and Schell County Ga. free of bond and exposure and knowing
 but deem it right & proper both as respects myself and family that I
 should make a disposition of the property that a kind Providence has
 blessed me with in my own way do here make this last will and testament
 hereby revoking all others made by me heretofore
 Item 1st It is my Will and desire that my body be buried in a decent
 and Christian like manner suitable to my circumstances in life

Item 2nd It is my Will and desire that all my just debts be paid
 as soon after my death as practicable

Item 3rd I leave to my wife Harriet J Berry all my Estate both real &
 personal during her life time or widowhood but in the event of
 said Harriet J Berry remarrying then all of my Estate is to be
 equally divided between my wife Harriet J Berry and my three children
 viz John M. Berry Mary J Berry and Elizabeth A. Berry

Item 4th It is my Will and desire that my said wife Harriet J. Berry after
 receiving an equal portion of my Estate with the said children and should
 marry a second time and then should claim share in my real Estate in
 that event do not receive any other portion of my Estate either real or
 personal

Item 5th Furthermore I will and desire that all property hereafter coming
 to me from any Estate whatever be equally divided among my above
 named three children John M. Berry Mary J Berry and Elizabeth A. Berry
 but if my wife Harriet J. Berry should never marry then as my above named
 children becomes of age (I mean twenty one years old) or should marry
 then

my wife as to give them each an equal
Share

Item 2^d

It is also my Will and desire that at the death of my wife Wmarrd & Berry
all my books be equally divided among my three children John &
Gent Mary & Berry and Elizabeth & Berry

Item 3^d

I hereby constitute and appoint my wife Wmarrd & Berry and my
Fellow George W Berry Executor and Executor of this my last Will and
Testament

This 22nd / 1863

A. J. Berry *LB*

signed sealed delivered and published by Andrew J. Berry to be and contain
his last Will and Testament in the presence of us the subscribers who sub-
scribed our names hereunto in the presence of the Testator and of
each other

A. L. C. Hurst
James Ellington
John W. Swords

Georgia

Court of Ordinary

Newton County

Jan 8th 1866

In open Court personally appeared A. L. C. Hurst of the subscribing nature
to the instrument hereto attached, who being duly sworn deposes and
says that he saw A. J. Berry sign seal publish and declare the said instrument
to be his last will and Testament and that at the time of said signing
sealing and publication he was in the prime of his senses of
sound & disposing mind and memory that he executed the same freely
and without compulsion so far as he knows or believes that he
signed as a witness in the presence of the testator and that he saw
James Ellington & John W. Swords sign the same as witnesses & that they
all signed in the presence of the testator & of each other

Sworn to & subscribed

in open Court

Jan 8th / 1866

Wm D. Lusk

Ordinary

Admitted to record January Term 1866

Wm D. Lusk

Ord