

declared the foregoing writing as his last
will and testament while of sound dis-
posing mind & clear memory. That defendant
instructed the same witnesses in presence of
testator &c. or in other at his special instance
and request. And by presence of J. P. Gould who
also subscribed to the same as witness in pre-
sence of defendant & testator, that the same was ex-
ecuted fully & voluntarily by testator on the 10th
day of October A.D. 1872. Defendants further swear
with the words "sworn in Court &c." were
administered in the solemn view before the same
has been taken.

J. P. Gould

Sworn to & Subscribed before
me this 14th day of
August 1894

J. L. Hayes
J. B. Cowen
W. H. Fay

Provan in Common form of Law and ad
mitted to record in the District & Gra
veyard Court of Ordinary of Newton
County Georgia J. H. Edmunds A. D. 19

Lewis Gachry

Georgia In the name of God!
Newton County Amos. J. Lewis

My dear son, I am now 73 years of age, and have been so long, I feel that I should like to make a statement of my last will and testament, and to make such other arrangements as I may see fit. I now dispose of my effects to take effect after my decease as follows:

Dear Sir - It is my wish first that all my just debts be paid out of my effects. And that my body be buried in a christian manner, and the expenses be paid out of my effects.

Item 3. It is my will that my daughter, Anne be
first paid out of my estate three hundred
dollars as a special legacy on consequence
of her deficiency of third
Item 3m It is my will

Nov 3rd It is my wish that I spend off for my own pleasure & safety for six months and that I be as his security be given up to him as his proportional share of my estate.

Nov 11th It is my wish all

It is my wish after the above items and
 complied with that all my property both
 real and personal including household
 and kitchen furniture stock of every
 description Horse Carriage-plantation
 tools of every description also all my bedding
 and bed clothing. And my house and lot
 on which I now reside and all my lands
 be sold to the highest bidder in the City of
 Birmingham And after it is sold it is my
 wish and will that my estate be equally
 divided as follows between my wife Jane
 & Zachary my daughter Rebecca Elizabeth my
 daughter Olive Zachary my son Edmund
 Zachary the wife named in 3^d item to be
 taken out of his proportional share as
 having been advanced by me to him.
 his interest charged on said note a-
 gainst him. Also my daughter F
 C. Livingston also my daughter Elizabeth
 S. King. I wish my beloved wife and all
 my above named children to share and
 share alike in the distribution of my ef-
 fects except my afflicted daughter
 Ann that I have given her hundred
 dollars extra of the portion I have given
 her.

Item 5th. It is my wish that my Rail Road stock in the Georgia Rail Road, also be equally divided between my wife and the above named children.

Now 6th And all the Stock I may own in other Rail
Roads I hereby appoint my beloved & own
Daughter Ellen Zachry as trustee for my effects &
daughter Ellen Zachry and I hereby ap-
point him my Executor to carry out this
my last will and testament

Signed sealed and published
in the presence of October 1871 by the
testator Louis Zachry in the presence
of the subscribing witnesses and each
other

Louis Zachry

Wm. H. Reynolds
J. P. Shepherd
S. F. Thompson Jr
S. F. Nixon

Winston Court of Ordinary
At Macon Ga. January 26th 1874

Before me at Macon personally came
Thomas J. Shepherd, who being duly sworn
deposes and says that he saw Louis Zachry
execute the foregoing as his last will and
testament while of sound disposing mind
and memory, that deponent subscribed the
same as a witness, in presence of testator, and
at his special instance and request and in
the presence of S. F. Thompson Jr. S. F. Nixon
& W. H. Reynolds who also subscribed the same
as witnesses in presence of testator and of
each other, and that said will was executed
freely and voluntarily by testator on the 3rd day
of October 1871.

Done to & subscribed
before me

J. P. Shepherd

Proven in Common form of law and
admitted to record April Term 1874

W. H. Reynolds
Only