

Georgia, I, Benjamin Reynolds of said County, being weak in
Cass County, body, but of sound mind and memory, and mindful
of the uncertainty of life, and the certainty of death, do
make, ordain, publish and declare this my last will
and testament, hereby revoking and annulling all others
heretofore made by me.

In the first place, I will that my body be decently buried
in hope of the resurrection of the just.

Again. It is my will and desire, that this my home tract
of land, on the North side of the Etowah River, shall
be and continue in possession of my wife Didama

Reynolds, for and during her natural life, and at her
death to be equally divided between my two daughters
Elizabeth Mahala Reynolds, and Mary Virginia Reynolds,
to be conveyed to them by my Executors, hereinafter
mentioned, for and during their natural lives, each,
and if they, or either of them should die, leaving no
lawful living issue, then the said lands are to go to the
rest of my children or their legal representatives.

Again. It is my will and desire that my said wife shall
have the house I am now building with its improvements
finished and furnished with good furniture for her
use, & that she shall have so much of the stock of every
description on the place, as shall be sufficient for the
use of the family, and to cultivate the plantation, and
whenever there is a surplus over & above what is necessary

for that purpose, that said stock shall be sold, to be
divided among my children equally as hereinafter provided.

Again. It is my will and desire that my said wife shall
have the following negroes, and their increase, for and
during her natural life, to wit: Big Ance, Lela Nelson,
Dick, Nony & her two children, Tennessee, Hannah,
Rachel, Larina, Filda, Ruth, Isaac & Silas, and at
her death to be equally divided among all my children
or their legal representatives.

Again. It is my will and desire, that all the rest and
residue of my negroes, and their increase, be divided
among all my children now born or to be born
equally, share & share alike, to be given off to them
as they come of age or marry, for & during the natural
life of each of them, respectively, and if any of my
children should die, leaving no lawful living issue,
then the share of such child shall be divided among the

in the presence of said Testator (at his special instance and request,) and of each other, this seventh day of March A.D. 1855.

John G. A. Norris.
H. L. Martin.
George S. Upshaw.

State of Georgia, Before me, Thos. A. Word, Ordinary for
Cass County, said County, in vacation, personally
came Hawkins H. Price, Executor of
the last will and testament of John A. Upshaw,
late of said County, deceased, and produced before
me the last will and testament of the said
John A. Upshaw deceased, and two of the witnesses
of said will, to wit, William S. Martin and
George S. Upshaw, which witnesses being duly sworn,
depone and say that they saw John A. Upshaw the
Testator sign, seal, declare and publish the
instrument now presented as his last will and
testament, freely, voluntarily, and of his own accord,
and without any compulsion or influence what-
ever, that at the time of the execution of the said
will, said Testator was of sound and disposing
mind and memory; that deponents signed said
will as witnesses, in the presence of the Testator,
and at his special instance and request and in
the presence of each other.

Sworn to and subscribed before
me, this 25th March, 1855

W. S. Martin.
George S. Upshaw

I do Solemnly Swear that This
the Copy hereto attached Contains the true
Last will of the within Named John
A. Upshaw deceased, so far as
I know or believe, and that I will
true and truly execute the same
in accordance with the laws of
this State. So help me God
Sworn to & Subscribed J. S. Upshaw
before me, Nov 10 1876

the survivors or survivors of them and their legal representatives, and when any of my said children shall die, leaving issue, then each one's share to go to such issue. Again, It is my will & desire that my tract of land on the south side of Etowah River in this County, known as the Humlin Place, be equally divided between my two sons, Benjamin M. Reynolds, and Patrick H. Reynolds, and that my tract of land on Etowah River in Floyd County, be given to, and equally divided between my two other sons, John C. Reynolds, & Larkin B. Reynolds, so that taking the two tracts together they shall have as nearly as may be equal shares of the said tracts, and to be made equal by ~~discretion~~ additions of money, to those who may have the less valuable tracts, these lands to be had and held by them for and during their natural lives, and to be given them when, and as they become of age, & if any of my said sons shall die without leaving lawful issue living, his or their share or shares to go to, & be equally divided among all my children & the survivors of them or their legal representatives.

Again, It is my will & desire that all my negroes and stock of every kind, belonging to my said plantation be kept together on them, and that they be cultivated to the best advantage for the benefit of my estate, until such time as I have provided herein, for my children to receive their respective shares, and thus until the last one shall be provided for, and that the produce of such plantations, after defraying expenses & support of my family, to be sold as part of this my estate.

Again, It is my will & desire, that all the rest & residue of my estate, both real and personal, be sold and divided among my children, equally as hereinbefore provided for, and at the times herein stated.

Again, It is my will & desire that all the money thus arising from the sale of property and the culture of said plantations as aforesaid, be either loaned out or used to the best advantage for the benefit of my estate.

Again, It is my will & desire, that my sister, Mrs. [illegible] shall have, so long as she lives, the right to cultivate so much of my land as may be

that she shall also have the use of my said man, Henry, without hire, so long as my said sister may live.
again, I give to my Nephew Larkin P. Arnold, a negro girl named Lilly about five or six years old.
again, I give to my Nephew, Benjamin V. Arnold, a negro boy named Henry, about four years old.
again, It is my will and desire, that if I should have any other children born to me by my said wife, that such child or children, shall have equal share or shares of my estate, and that the division in that event, be so made, as not to interfere with any of the specific legacies herein given and bequeathed before.
again, I do hereby constitute and appoint Richard J. Proctor, Executor of this my last Will & Testament.
Signed, Read, Published and declared by the Testator as his last Will & Testament, this first day of July, 1850
Murrel A. Trippe
A. H. Wooley.

Codicil

It is my wish and will, for John M. Cochran, and Newton Cochran, to be taken from this Will and for Charles M. Mason, and Benjamin Reynolds in their places & my Brother J. V. Reynolds in their place.
A. V. Anthony
B. C. Jackson
Benjamin Reynolds

Codicil

This is to say that my son Benjamin H. Reynolds is left the piece of land on Coosa River, say 500 acres.
Witness
A. V. Anthony
Larkin Reynolds
Benjamin Reynolds

We the Jury find, that this Will should be set up, and admitted to Record, as to both the real and personal estate.
J. D. Melton Foreman

State of Georgia
Cape County
We Richard J. Proctor, and Charles M. Mason do solemnly swear, that this writing is the true last Will of the within named Benjamin Reynolds, deceased, so far as we know or believe.

and then the legacies contained in the said will, as far as his
 goods and chattels will thereunto extend, and the law charge
 on, and that we will make a true and perfect inventory
 of all such goods and chattels, "So help us God."

Sworn to and subscribed before Richard J. Proctor
 me in open Court, the 2nd day of April, 1853 Chas. N. Mayson.
 Thos. A. Word, C.C.C.

Recorded 1st April, 1853 - Thos. A. Word,
 Ordinary.