

Georgia 3 In the name of God, Amen!
 Cass County 3 I, Roger Murphy, of said State and County,
 being of advanced age, ^{but declining mind and declining memory} ~~and declining mind and declining memory~~ ^{and declining memory} ~~and declining memory~~
 depart from this world, deem it right and proper both as
 respects myself, and my family, that I should make a
 disposition of the property with which a kind Providence has
 blessed me. I therefore make this my last will and
 Testament, hereby revoking and annulling all others hereto-
 fore made by me.

Item First. I desire and direct that my body be buried
 in a plain and decent manner suited to my circumstances and
 condition.

Item Second. I desire and direct that all my just debts
 be paid without delay, as I am unwilling my Creditors
 should be delayed of their rights.

Item Third. I give and devise to my beloved wife, Nancy,
 all of my Estate, both real and personal, during her
 natural life or widowhood, with the privilege of
 delivering to each or any one of my children, their
 distributive portion, or any part thereof of my said
 Estate, as hereinafter named, at any time of her natural
 life or widowhood, and at her death or marriage to
 be disposed of and divided in the following manner.

Item Fourth. I give and bequeath to my daughter Elizabeth
 (wife of James White) one hundred and fifty dollars in
 cash, to be paid out of any money that may be on hand,
 belonging to my said Estate, or money that may be collected
 in any valuable papers belonging to my Estate. If there
 should not be money on hand, nor valuable papers to
 pay the amount named in this Item, it to be paid out of
 money arising from the sale of property hereinafter named.

Item Fifth. I give and bequeath to my daughter Elizabeth,
 wife of James White, and her children by her present
 husband, or any future husband, free from the disposition
 of her present husband, or any future husband, my
 negro girl, Caroline, (which negro girl is now in the
 possession of my said daughter Elizabeth, to my said
 daughter Elizabeth and her children forever.

Item Sixth. I give and bequeath to my daughter Lucinda,
 wife of Perry Harris, and her children, free from the
 disposition of her present husband, or any future husband,
 my negro girl Emeline, to her and her children forever, with

Item Seventh. As I have heretofore given my daughter Mary a portion of my Estate, I give and bequeath to her and her children five dollars only.

Item Eighth. As I have heretofore given my son Moses Murphy a portion of my Estate, I give and bequeath to him five dollars in Cash, only.

Item Ninth. I give and devise to my daughter Mary, (wife of William Rich) and her two youngest children, namely, Jesse, Martin, and Sarah Martin, free from the disposition of my said daughter Mary's present husband, or any future husband, my negro girl Jane, who is of dark complexion, and about nineteen years of age, and one lot or tract of land, situate, lying and being in the fifth district and third section, of originally Cherokee, now Cass County, known and distinguished in the plan of said district by the number one Hundred and eighty seven, (187) containing one Hundred and fifty acres more or less, (the plantation upon which my said daughter now lives,) to my said daughter, and her two children, Jesse, Martin & Sarah Martin, forever.

Item Tenth. I give and bequeath to my son Charles Murphy, my negro boy, Joe, forever.

Item Eleventh. The rest of my property, both real and personal, wherever and whatever it may be, I devise and bequeath to my three sons, namely, Ezekiel Murphy, and John Murphy, and Charles Murphy, to be disposed of and divided in the following manner, sold on a credit of twelve months to the highest bidder, the highest bidder to give note or notes, with approved security, and the proceeds of the sale of my said property to be equally divided between my said three sons, Ezekiel Murphy, and John Murphy, and Charles Murphy, to them and their heirs forever.

Roger Murphy (S)

this the Sixteenth of February, 1850.

Signed, sealed, delivered and acknowledged by Roger Murphy, as his last will and Testament, in the presence of us the Subscribers, who subscribed our names hereto, in the presence of said testator and of each other

Ely P. Howell,
James Horrell,
Jas. C. Moulton,

Georgia, Referee Thomas H. Word, Ordinary of said
Cass County, in vacation, personally came John
Murphy, and produced before me, the last will and
Testament of, Roger Murphy, late of said County, deceased,
and two of the witnesses of said will, to wit, Ely P.
Howell, and Hugh Easton, Jr. which witnesses, being duly sworn,
do swear and say, that they saw Roger Murphy, 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 influ-
ence whatever, 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 Oct. 23rd 1854.



Ely P. Howell
Hugh Easton Jr.

Thomas H. Word, Ordinary

State of Georgia, I, Charles Murphy, do solemnly swear,
Cass County, that this writing contains the true last will
of the within named Roger Murphy, deceased, so far as I
know or believe; and that I will well and truly execute
the same, by paying first the debts, and then the legacies
contained in the said will, as far as his goods and chattels
will thereunto extend, and the law charges me, and that
I will make a true and perfect Inventory of all
such goods and Chattels, "So Help me God!"

Sworn to and subscribed before me
in open Court, this 4th day of Decr 1854

C. Murphy

Thomas H. Word, Ordinary

Recording 22nd Decr 1854.

T. H. Word,
Ordinary.