

Georgia
Bibb County

In the name of God Amen

Knowing that it is appointed to all men to die, and mindful thereof, I make and publish the following as my last will and testament, stating what I wish and will to be done after my decease with the worldly goods which I may possess whether real or personal of any kind or description.

Item 1st I bequeath my soul to God who gave it and my body to the earth from whence it was taken - desiring my executor to cause my body to be decently buried as soon as convenient and proper after my death.

Item 2^d I desire my executor to pay my funeral expenses and such debts as I may justly owe, as soon as practicable after my decease.

Item 3^d The rest and residue of my property, I will bequeath to my beloved wife and children share and share alike only subject to the restrictions and provisions herein after mentioned.

Item 4th It is my will and desire that my beloved wife Mary S. Franklin shall retain possession and control of our present Residence or homestead, our House servants, Carriage and Horses and all things appertaining to our present domestic establishment for and during her natural life, and such estate I bequeath and devise to her after her death the property bequeathed in this Item to be equally divided between my children or their descendants the said division whether one or more standing in the stead of the Parents. Should my beloved wife Mary S. Franklin first incline to give up our present Mansion and Establishment in order to seek our demanding less, care and attention it is my particular desire, that she do not take this step until she has considered that matter for two years. Should she think it for the interest of herself and the Children, she can at once of her own free will and in full view of all matters of difficulty and desire her to send very much the advice of my Mother and my Brothers Benjamin and Levidia.

Item 5th It is my will and desire that my daughter shall receive this portion of my Estate.

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this Marriages, or Arriving at the Age of Twenty one years of Age, if that Event happen before Marriages and my Son his Portion, on Arriving at the Age of Twenty One years, or so soon thereafter as my Executor shall be able, to make arrangements to settle up or pay over to Each Child their due share

Item 6th The property herein bequeathed to my Daughters is not to vest in their Husbands on Marriages - and I will, and desire that whatever property my Daughters may inherit from me be made over and settled upon them, in legal form before the Consummation of their Marriages, so that the same may be enjoyed by them and their Children after them -

Item 7th I desire that my Children shall be Educated, well and thoroughly, in the Scientific, useful, and ornamental departments, in such manner as to bestow upon them the full advantage of a perfect Education

Item 8th I do not include my library in the disposition of my property herein before mentioned, My Library I give to my Son Cleveland hoping that he will make good use of it and carefully preserve it, in order that he may give it after him to the Oldest Member of his family, and Endeavour to instill in the mind, of such Member of this importance of following the same advice

Item 9th It is my will and desire, and I hereby vest my Executor herein after named with full power to sell and dispose of any part, or portions, of my Estate, either at public, or private Sale, when he may think it for the interest of myself and the Children, and to execute sufficient titles therefor to the purchasers. My said Executor, according to the Children for their respective portions, of the proceeds of such Sale. And I do hereby vest with full power in making Partition, between the Children, to set apart to Each of my Children, their portion and to execute Conveyances to them, for their respective portions

Item 10th I appoint my Wife Mary L. Maister Sole Executor of this my last will and Testament. I desire that no Security shall be required from her

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for the management of my Estate. I exempt my Estate from the same Discretion and Control of the Court of Ordinary, and Every Court having probate power in all things the law permits. Desiring that my Executors shall be in no wise responsible to the Court of Ordinary but that she shall Execute this my last Will and Testament according to her best Discretion, for the benefit of herself and my Children. In the Event of my Second Marriages, the Control of the property, is in no wise, to pass from her, to her husband, but she is to Control the same, free from his agency or interference with the Management of the same, and her portion of my Estate, is to be deemed held and regarded as her separate property, and my wish is, should she marry again, that she by the Marriage Contract, provide for the same, so that my wishes, in this matter may in no way be interfered with by reason of any Law or pretended Law, that might be invoked to interfere with my wishes, and I truly vest her with the power of disposing of her portion, by Will, and or otherwise, and to Appoint a trustee on her Marriage, to carry this my Will into Effect.

Item 11th Having in the foregoing Items Expressed my wishes, and my Will, in order that they may be carried now fully into Effect, I will begeth and, Advise and Singular my Estate, Real and Personal, to my Beloved Wife Mary (S. D. D.) her, as trustee for herself and my Children, vesting her with the same power to carry the several provisions into Effect, as I might or could do, were I living, and Executing Conveyance, and delivering property, to carry into Effect, my wishes herein Expressed. My said Executor to account to my Daughters, when they arrive at age, or marry, and to my Son, on Attaining twenty one years of age. My Executor's paying particular attention to my wishes as to the property my Daughters may be entitled to at and before Consummation of their Marriage. My Beloved Wife will manage the Estate for the best interest of herself and Children, and account to each Child, as I have ordered, and do Will and advise, and on her Marriage she is truly vested with full power to Appoint a Trustee to carry this Will into Effect.

Item 12th In Case my Beloved Wife should die before my youngest Child attains to majority,

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Then I appoint my daughter Helen Franklin
 my Executor to carry this my will into effect
 vesting her with the same power, and substituting
 her as, and for my Executor in the same terms as
 I hereby appoint my beloved wife, and in case she
 Homestead pay not be disposed of by my Executor
 as herein before provided, I desire that my said
 daughter Helen, shall keep up the Homestead, without
 partition, until my son Cleveland arrives at, and
 full age, and then I desire my children to
 consult together, with regard to the propriety
 of a partition of the same, and if they can so agree
 I would wish for one or more of them to retain
 it as a Homestead, as they may agree, but as they
 live then or off full age - they must act for their
 mutual interest in the manner, time and mode of
 partition

Signed, Sealed, and declared and published
 in presence - of the Subscribing Witnesses, called, by
 me to Witness this my last Will written in the
 foregoing twelve lines written on this and the preced-
 ing six pages my Name signed at the top of the
 first page, and at the foot of, we all sign in
 presence of each other

Marcus A Franklin (S)

Witness

Benj. C. Franklin
 L. A. Whittle
 George Payne
 Robt Collins
 Eliza Smith

State of Georgia
 Bibb County

Before me Mrs. Wm. Macey
 Ordinary in and for said County per-
 sonally came, Robert Collins, George Payne and
 Lemuel A. Whittle, who each being duly sworn depose
 and say that, they each saw, Dr. Marcus A. Franklin
 the Testator, Sign, Seal, declare, and publish the
 instrument now presented, as, and for his last Will
 and testament, freely, Voluntary, and of his own accord
 without any Compulsion, or influence whatever he
 having first made the same; that at the time of
 the Execution of said Will, said Testator was of sound
 and disposing mind and Memory that defendant
 each signed said Will as Witnesses in presence
 of the Testator at his special instance and request

and in the presence of other
known to. Subscribed before
me this 28th April a.d. 1858
W^m J. Massey
Ordinary

L. N. Whittle
George Payson
Roll. Collins

Last Will & Testament of Mrs Ann Wiley

Georgia }
Bibb County } In the Name of God, Amen.

I, Ann Wiley of said County, being aged, and
infirm, in body, but of sound mind, and memory,
do, make, publish and declare this to be my last
will and testament

First = I give and bequeath to Leroy M Wiley
and John B Wiley the following Negroes
to wit: Saucha a man Sixty years of age - Zeniah
a woman about Sixty five years old, and Sarah
a woman about fifty eight years old, to have and
to hold the said Negroes, to the said Leroy M Wiley
and the said John B Wiley, during their joint lives
and upon the death of either of them, then to the
Survivor. With my Express wish that they the said
Negroes should always be taken care of and
well treated

Second = It is my Will and desire that the
Negro woman Maria shall have the privilege