

Georgia
Burke County

In the name of God Amen.

I, William Moore of said State
and County do make this my last will and testament hereby revoking
~~repealing~~ all others heretofore made by me.

I will and direct that ^{Burke Co. GA Wills 1855-1858} ~~my debts~~ shall be paid by my Executors
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I give, bequeath and devise all my property both real and personal
(left after payment of my debts) unto my wife Martha and my four chil-
dren viz, John William Shultz, Mary Catharine, Prayser Clanton, and
Ulla Sarah Marsnock, to be equally divided between my said wife and
Children share and share alike the division to take place at the time

And in the manner hereinafter specified I desire and direct that all my property of every character and description shall be kept together in my place and that my portion shall be kept up by my Executors under their management and provision until a division of my Estate as hereinafter provided for And so long as my property shall remain thus undivided I direct that my wife and Children shall be supported and maintained by my Executors out of the proceeds of the same and that my Children shall also be educated by my Executors out of the proceeds I direct that a division of my Estate shall take place whenever one of my sons shall arrive at the age of twenty one or one of my daughters shall marry or my wife shall marry. In case my wife should marry before the happening of either of the other contingencies she shall be allowed to take off her portion and the balance of my Estate (should my Executors deem it advisable) can be thrown together and kept in my place and worked together for the support and education of my Children (as hereinbefore directed) until it becomes necessary to have another division. And in case my wife does not marry before the happening of either of the other contingencies and a division takes place upon a son becoming of age or a daughter marrying - then and in that case such son or daughter shall be allowed to take off his or her portion and the balance of my Estate (should my Executors deem it advisable) can be thrown together and worked together for the support and education of the remaining legacies (as hereinbefore directed) until it shall become necessary to have another division. As to whether the portion of the remaining legacies shall be taken back together in either of the above cases I leave it to the discretion of my Executors. If they think best they can have a final division at once upon the happening of either of the said contingencies.

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- 4th The portion herein given to my wife Martha I give, bequeath and devise unto her for the term of her natural life and after her death to be divided per stirpes between such of my Children and the representatives of Children shall then be in life.
- 5th The portions herein given to my two daughters - Mary Catharine and Ella Sarah Warnock, I give, bequeath and devise unto my friends Thomas Jones in trust for said daughters during the time of their natural lives for their sole and separate use - free from the debts, liabilities or contracts of any of their husbands. And in case they should die leaving a husband and Child or Children surviving them - then to be equally divided between such husband and Child or Children. And if they die leaving no Child or Children surviving them - then to revert back and be divided per stirpes between such of my Children and the representatives of Children as shall be in life at that time.
- 6th The portion herein given to my two sons - John William Shultz, and Proyer Clanton, I give bequeath and devise unto them in fee simple.
- 7th In the event the division of my Estate shall take place before any one of my Children shall have completed their education - then and in that case I authorize and direct my Executors to reserve and retain in their hands such a fund of money at the time of the division as shall be necessary in their judgement to give each Child or Children an education corresponding to that given the other Children. And should a surplus

remains in their hands the same to be equally divided between my said wife and each of my children and the representatives of children as shall then be in life.

The portion herein given my wife is in lieu of dower. I constitute and appoint my wife Executor of my children so long as she remains unmarried and should she marry the same is to devolve upon my Executors.

I nominate and appoint my friends Bate Jones and Thomas Jones both of said County Executors of this my last will and testament. In testimony whereof I have hereunto set my hand and affixed my seal this September 21st 1858.

Wm. Moore. (L)

Signed Sealed and published by William Moore, as his last will and testament in the presence of us, who subscribe our names in the presence of each other and of said testator at his special instance and request. This September 21st 1858.

Seaborn H. Jones
Jabez B. Barley
John J. Jones

In open Court personally appeared Seaborn H. Jones, Jabez B. Barley and John J. Jones all of said County who being duly sworn, say that they saw William Moore said County sign Seal and publish the annexed paper as his last will and testament freely and of his own accord - that the time of the Execution of the same, he the said Testator was of sound and disposing mind and mem. org and that defendants signed the same as witness in the presence of each other and of said Testator at his special instance and request.

Done to in open Court
This November 1st 1858.
S. A. Barker C. J. C.

Jabez B. Barley
Seaborn H. Jones
John J. Jones.

The annexed paper having been produced in open Court, as the last will and testament of William Moore, late of said County - and the same having been duly proven in open Court by the Affidavit of Seaborn H. Jones, Jabez B. Barley and John J. Jones, the three subscribing witnesses thereto - it is ordered that said paper be duly probated - admitted to Record as the last will and testament of William Moore and that the same be filed in this office. And it is further ordered that a warrant of Appointment do issue to John M. Carswell, William Jones, Archibald Grant, Seaborn H. Jones and Needham Bullard to appraise said estate in terms of law. And that letters Testamentary do issue in terms of the law to Bate Jones and Thomas Jones the Executors named in said will upon taking the usual oath of office.

Recorded 2nd Day of November 1858.