

State of Georgia
City of Savannah

I James McIntire of said City of Savannah being of sound mind and disposing memory do make publish and declare this my last Will and Testament, hereby revoking and annulling all former wills made at any time by me.

I give devise and bequeath unto my Executrix and Executors hereinafter named and to the survivor of them all of my property real personal and mixed of whatsoever kind and wheresoever situate to be by them held in and upon the following conditions and trusts viz:

First: to pay off and discharge all of my just and legal debts and funeral expenses:

Second: to hold the residue and remainder of my said estate undivided and to apply the annual income arising therefrom during the minority of all of my children as follows, one share thereof proportioned to the aggregate number of my children then in life together with my wife, to my said wife absolutely; and so much of the remainder of my said income, as my said Executrix and Executors may deem necessary, to the support and maintenance and education of my said minor children; any surplus of said income to be invested and become part of my general estate.

And further in trust to pay to my said wife, and to my said children as they may severally arrive at age, and thereafter for and during the term of their natural lives, one equal share, each, of the amount of the annual income of my said estate proportioned to the number of my children then in life together with my said wife; the share thus to be paid to my daughter or daughters, to be, in case of marriage, for their sole and separate use free from the debts contracts or control of their husbands; the remainder of my said income to be applied to the support of my minor children or invested as aforesaid, provided

It is my Will and I direct that in case any of my children depart this life leaving a child or children living that then my said Executors shall convey to said child or children one equal child's share of my estate absolutely; and should any of my children die leaving no children living then his or her share shall be equally divided among the survivors on the like trusts, the child or children of a deceased child to represent the parent.

I direct that any alien born child of which my wife is now enciente shall share equally with the others under the provisions of this my will.

I direct that my Executrix and Executors sell as soon as after my death as may be convenient all of my goods, wares and stock in trade in my store in Savannah at public or private sale as they may deem best, and as may be most advantageous for my estate.

And Lastly I nominate and appoint my wife - Frances McIntire my friends, William D. Hunter and William D. Hunter

Executors and Trustees of this my last Will and Testament
In Witness Whereof I have hereunto set my hand
and Seal this Sixth day of February Eighteen Hundred
and Sixty two

James McIntire *Seal*

Signed, Sealed, published, and Declared by the said James
McIntire as & for his last Will and Testament in the presence
of us who at his request and in his presence and in the presence
of each other have hereunto set our names as witnesses

Robert McIntire
John Cooper
Jno Rutherford

State of Georgia
Chatham County

Court of Ordinary

Present - Dominick A O'Byrne Esq: Ordinary for the County of
Chatham

Personally appeared John Cooper subscribing witness to the an-
nexed instrument of writing purporting to be the last Will and Testament
of James McIntire late of Chatham County deceased, who being
duly sworn, deposes and saith that he was present, and did see the
said instrument of writing duly executed by the said James McIntire
deceased, and he knows further saith that the said James McIntire
at the time of executing the said instrument of writing was, to the best
of deponent's knowledge and belief, of sound and disposing mind, memory
and understanding; and that John Cooper (the deponent) and Robert
McIntire and John Rutherford in the presence of each other, and of the
said James McIntire and at his request, signed their names as witnesses
to the due execution of the same.

Sworn to this Fourteenth day of
February 1862

Dominick A O'Byrne
acc.

John Cooper

I do solemnly swear that this writing contains the true last Will of the
within named James McIntire late of Chatham County deceased, so far as I
know or believe; and that I will well and truly execute the same, by paying
first the debt, and then the legacies contained in the said Will, as far as his
goods and chattels will thereunto extend and the law charges in; and
that I will make a true and perfect inventory of all such goods and
chattels - So Help me God.

Sworn to this Fourteenth day
February 1862

Dominick A O'Byrne
acc.

Frances McIntire