

State of Georgia
(Chattooga County)

In the name of God Amen
I Thomas Burgess

being of sound mind and
perfect memory on this the thirty first day of October
eighteen hundred and sixty eight deem it proper
and right as respects myself and family that I should
make a disposition of the property with which kind
Providence has blessed me I therefore make this
my last will and testament as follows to wit-

1st It is my will and desire that after my funeral
expenses are paid that all my just debts be paid out
of the next money collected by my Executors to be
hereinafter appointed

2nd It is my will and desire after my death that
I be decently interred

3rd It is my will and desire that my funeral expenses
be first paid out of any money that may be on
hand or collected

4th It is my will and desire that after my funeral
expenses are paid that all my just debts
be paid out of the next money collected
by my Executors to be hereinafter appointed

Item 1st It is my will and desire that all my real Estate having the place I now live on including all that I got in the division between me and O. D. Hill supported to be Three hundred and twenty acres more or less also including my half the mill with all the appurtenances on the premises the right shall remain in my wife and my eight Children until my youngest child living shall become of age

Item 2nd It is my will and desire that after my death there be no appraisement or public sale of my property or any portion thereof

Item 3rd It is my will and desire that my Executors have discretion to sell or exchange any of the personal property that does now or may belong to my Estate whenever in their judgment it is necessary for the benefit of my heirs

Item 4th It is my will and desire that my real Estate together with the personal property that my wife and Children may have when my youngest child living becomes of age I give my Executors and Children think best as sold and equally divided between them

Item 5th It is my will and desire that my wife Margaret Scruggs be made executrix to my will and also that my son William H. Scruggs be made executor to will so soon as he becomes of sufficient age to act as executor

Item 6th I hereby declare that my hand and office in my said the day and date above written

Wm. Scruggs (Seal)

Attest: Witnessed signed sealed and delivered in presence of
 J. H. Wilkerson
 J. H. Wilkerson
 J. H. Wilkerson

Court of Chancery
 Dec. term 1868

The within last will and Testament of the Scruggs and being produced by William Scruggs one of the Executors appointed by said will and the same being proven upon the Oaths of J. H. Wilkerson & J. H. Wilkerson & J. H. Wilkerson ordered that the same be admitted to record

J. H. Wilkerson (Seal)