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Last Will and Testament of Benjamin Walker of Richmond, Georgia

Georgia } In the name of God Amen,
Harris County } I Benjamin Walker being sound in both in body
and mind and disposing memory thanks be given unto God,
and calling to mind the mortality of my body and that it is
appointed unto all men to die I do make, ordain and constitute
this my last Will and Testament.

First- I give my Soul into the hands of God who gave it - my body
to the Earth to decent burial, nothing doubting I shall rise
at the general resurrection by the mighty hand of God.

Second. I give and bequeath unto my beloved wife Mahala W. Walker
all my lands, Negroes and Household & Kitchen furniture and
all my Stock of all kinds with the exception of such a portion
as may be necessary for the payment of my just debts to
remain with her as long as she lives, and as my chil-
dren comes of age or marry it is my desire that they in-
deed have the same amount - that I shall herein name
that has been given to my Son James V Walker who is now
deceased; but if my wife should not have sufficient amount
of the different kinds of property to give to all my children
when they come of age or marry, then the children must
wait until the death of my wife and then they must
be made equal with my deceased Son James V. Walker.

Third It is my desire that my Executor and Executors if they to sell
any portion of my property to pay my debts, I wish them to
sell at private sale such property as can be best done
without by my wife.

Fourth I have given unto my Son James V. Walker, who is now de-
ceased (1852) an annuity and fifty two dollars, which the said
James V Walker received from me before his death.

Fifth And after the death of my beloved wife, if there is any property
remaining after making all the children up, equal with
the amount - that my Son James V. Walker receive them
I want an equal division between all my children and
one grand child (namely) William E. Walker, Lucy Ann Walker
Bethany Harison Hardy the wife of James C. Hardy, Amy Justis
Walker, Martha E. Walker, Willie W. Walker, Benjamin H.
Walker, William H. Walker, and my grand son James E. Wal-
ker which is the only legal heirs to my Estate after the death
of my wife.

Sixth I give and bequeath unto my daughter Bethany Harison
Hardy wife of James C. Hardy and all her children from
from the disposition of her present or any future husband
that portion which she has from my Estate as her leg-
acy in proportion, equal with the rest of my children.

Seventh I do hereby constitute and appoint my wife Mahala W.
Walker, Executor and my son William E. Walker Execu-
tor of this my last Will and Testament.

Eighth It is my desire if my wife should die before my grand son
James E. Walker is twenty one years of age, that my ex-
ecutor take that portion of his property coming out

Last Will & Testament of Benjamin Walker & Recorded

my Estate and hold it in his possession until he becomes of age according to Law

In Testimony whereof I have hereunto set my hand and Seal this January the 18th day 1860

Geo. H. Manning Parker

Benjamin Walker (S)

Wiley S. Sterling

G. A. Myland

State of Georgia } Court of Ordinary December Term
Harris County } 1860

Personally appeared before me Mahala W. Walker in open Court: Escently appeared in a paper writing purporting to be the Last Will & Testament of Benjamin Walker deceased late of said County and produced said paper writing for Probate; and also personally came Fleamming Parker one of the subscribing witnesses to said paper writing and being sworn says that he saw the said Benjamin Walker sign, seal, publish and declare the said paper writing now presented in open Court as his last Will and Testament freely voluntarily and of his own accord without any compulsion or undue influence whatever - that at the time of the execution of said Will said Testator was of sound disposing mind and memory - that defendant signed said Will as a witness in the presence of the Testator and at his request in the presence of the other witnesses and that he saw Wiley S. Sterling and G. A. Myland the other witnesses sign said Will as witnesses at Testators request in his presence and in the presence of each other

Sworn to and Subscribed before me } Fleamming Parker
in open Court this Dec 2nd 1860 }

Geo. W. Mullins

Ordinary

I do solemnly swear that this writing contains the true last Will of the within named Benjamin Walker deceased so far as I know or believe and that I will well and truly execute the same in accordance with the laws of this State So help me God.

Sworn to and Subscribed before me in open Court this

Dec 2nd 1860

Geo. W. Mullins

Ordinary

Mahala W. Walker

Mahala W. Walker