

Last will & Testament of Jackson Rush 184

State of Georgia {
Harris County { In the name of God amen
I Jackson Rush of said state & county
being afflicted and thinking that I may shortly depart
this life, deem it right and proper both as respects my
family and myself that I should make a disposition of
my property with which a kind Providence has blessed
me do therefore make this my last will and Testament,
hereby revoking all others heretofore made by me

Item 1st I desire and direct that my body be buried in a decent
and christian like manner suitable to my circumstances and
condition in life my soul I trust shall return to rest with
God who gave it as I hope for eternal salvation through the
merits and atonement of the blessed Lord and Savior Jesus Christ
whose religion I have professed and as I humbly trust enjoyed
for forty years

Item 2nd I give and bequeath and devise to my beloved wife Nancy
J. Rush with whom I have lived in peace for many
years my house and buggy my present clothing and
what money I may have and what I may receive from my
church in Merriethall

Item 3rd I give and bequeath to my beloved wife for and during
her natural life only two thirds of the household and
kitchen furniture and the balance of my estate to be equally
divided between my beloved wife Nancy J. and my daughter
Mary C. Callahan and her bodily heirs What is bequeathed
to my wife in this section of Item is only during her
natural life and at her death it is to go to my daughter
Mary C. Callahan and her bodily heirs all that I give and
bequeath to my daughter Mary C. Callahan is to her and
her bodily heirs free from the Incumbrance of her husband
I will that her husband James H. Callahan be Trustee
of what my daughter Mary C. Callahan may receive of my
estate

Item 4th I hereby constitute and appoint my brother in law James
Pattillo Executor of this my last will and Testament

Signed, Sealed, Declared and published by Jackson Rush as
his last will and Testament in presence of us the subscribers
who subscribed our names hereto in the presence of said Testator
at his special instance and request

This October 11th 1867
James Pattillo J.P.

Jackson Rush
Charles J. Pattillo
G. W. Houston

Last will & Testament of James Rush continued

State of Georgia } Court of Ordinary November Term 1867
 Harris County } In open court came James Battillo the
 Executor appointed in a paper writing
 purporting to be the last will and Testament of
 Jackson Rush deceased late of said County and produced
 said paper writing for probate and the said James Battillo
 being one of the subscribing witnesses proposed himself a witness
 to prove the same and after being duly sworn deposed & said
 that he saw the said Jackson Rush deceased as aforesaid
 sign, seal, declare and publish the said paper writing now presented
 in open court as his last will and Testament freely and
 voluntarily of his own accord without any compulsion or
 undue influence whatever that at the time of the execution
 of said writing said Testator was of sound disposing mind
 & memory said deponent signed said will as a witness
 in the presence of said Testator and at his request
 and in the presence of the other witnesses and that
 he saw G. J. Battillo & J. W. Houston sign the same
 in the presence of the Testator and at his request
 sworn to and subscribed before me in open court

This November 11th 1867

Gro. W. Mullins Ordinary

James Battillo

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

Sworn to and subscribed before me in open court

This Nov 11th 1867

Gro. W. Mullins Ordinary

James Battillo