

Last Will and Testament of John Livingston Recorda

State of Georgia } I John Livingston of the County of Harris, and
 Muscogee County } State of Georgia, being of sound mind and
 disposing memory, do make, declare and publish this my last and
 only will and testament

- Item 1. After the payment of my just debts I give bequeath and devise
 to my wife Elizabeth Livingston, the whole of my estate both real
 and personal, for and during her natural life
- Item 2. On the death of (my) wife, my will is that my entire estate of lands
 and negroes, and so much of the perishable property as may not
 have been used by her, be sold and the proceeds, in connection with
 monies collected from notes, accounts and other sources be divided
 into six equal parts in correspondence with the number of my
 children - (and) one equal part - to be given to each of my four
 sons, William S. Henry, John and James in fee simple - One of
 the remaining equal parts to be given in equal portions to the chil-
 dren born and to be born of my son Lewis, and the other and (only)
 remaining part - to be given in equal portions to the children born
 and to be born of my daughter Martha Elizabeth Whately.
- Item 3. I nominate William S. and James Livingston two of my sons
 Executors of this my last will and testament -

John Livingston



Signed, sealed and published by the Testator, as his last will and
 Testament - in our presence, he being of sound and disposing mind
 & memory and by us, the witnesses, subscribed as such in the presence
 of the Testator & of each other
 this 29th Sept - 1851

Benjamin Jefferson
 Elkanah Pace
 M. J. Welborn.

State of Georgia } Court of Ordinary November Term
 County of Harris } 1861.

Personally appeared in open Court - James Livingston named and of-
 ficiated in a paper writing purporting to be the last Will & Testament
 of John Livingston late of said County deceased as one of the Exe-
 cutors of said deceased and produced said paper writing, and also
 personally came Elkanah Pace one of the subscribing witnesses to said
 paper writing, who being duly sworn deposed & sayeth that he saw - the
 said John Livingston, sign, seal, deliver & publish the said paper wri-
 ting now presented in open Court - as his last will and Testament,
 freely, voluntarily 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 & memory - that de-
 posed signified said will as a witness in the presence of said Testator
 and at his request - and that he saw Benjamin Jefferson and
 M. J. Welborn the two other subscribing witnesses sign said will
 in the presence of said Testator and at his request -
 Sworn to & Subscribed before me in open Court -

November 4th 1861.

Gro. W. Mullins
 Ordinary

Elkanah Pace