

Last Will and Testament of John M. McCarter Recorded

I John M. McCarter of the County of Harris State of Georgia being of sound and disposing mind and memory and understanding do make publish and declare this to be my last Will and Testament

My Will is first - that my funeral charges and just debts shall be paid by my Executors hereinafter named. The residue of my estate and property which shall not be required for the payment of my just debts funeral charges and the expenses attending the execution of this my Will I give devise and dispose thereof as follows to wit: I give and bequeath to my beloved wife Martha A. McCarter my house and lot in the town of Salem County of Russell State of Alabama to dispose of in any manner she may see fit for her support and the education and support of my children

I give and devise to my beloved wife Martha A. McCarter the exclusive and undivided use of my entire estate, real and personal to control or dispose of in any manner she may see fit for her support and the education and support of my children during her natural life or widowhood, and provided she should marry it is my Will that my estate between divisions equally be divided my wife Martha A. McCarter and each one of my children And I do nominate and appoint my said wife Martha A. McCarter to be the sole executrix of this my last Will and Testament

In testimony whereof I the said John M. McCarter have hereunto subscribed my name and affixed my seal this the eighteenth day of August in the year of our Lord one thousand eight hundred and fifty nine

John M. McCarter

I give and declare by the said John M. McCarter to be his last Will and Testament in presence of us who at his request and in his presence have subscribed our names as witnesses hereto in the presence of each other

Wm. S. Wallace

J. A. Gray

Isaac C. Wallace

Georgia } Court of Ordinary September Term 1859
Harris County } Personally appeared in open Court Martin A. McCarter
Executrix named and appointed in a paper writing purporting to be the last Will & Testament of John M. McCarter late of said County deceased and I myself as said paper writing and also personally came William S. Wallace and Jeremiah A. Gray two of the subscribing witnesses to said paper writing who being duly sworn depose & say that they saw the said Testator John M. McCarter sign, seal, deliver and publish the said paper writing now presented in open Court as his last Will & Testament freely, voluntarily and of his own accord without any compulsion or influence whatever - that at the time of the execution of said Will said Testator was of sound and disposing mind and memory - that depose & sign said Will as witnesses in the presence of the Testator and at his request and in the presence of each other - that they saw Isaac C. Wallace the other witnesses sign said Will in the presence of the Testator and at his request

Given to Subscribed before me in open Court
this 28th day of September 1859

Wm. S. Wallace
J. A. Gray