

1622
State of Georgia } Last will and testament of Morrill Baker
Harris County } court of ordinary
1866

I Morrill Baker of said state and county being of advanced age, but of a sound and disposing mind and memory, and knowing that I must shortly depart this life, deem it right and proper both as respects my family and myself that I should make a disposition of the property with which a kind Providence has blessed me do therefore make this my last will and testament; revoking all others heretofore made by me (Morrill Baker)

1st Item

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 will return to rest with God who gave it.

2nd Item

I desire and direct that all my just debts be paid without delay, by my Executors herein after appointed as I am unwilling my creditors should be delayed in their rights; especially as there is no necessity for delay -

3rd Item

I desire that my wife shall pay a note given by myself and her jointly payable to Elijah Cook for one thousand dollars for land with her own means and take the title to said land in her own name and that all the hands remain on the farm until the present crop is made and housed and that my wife shall have one half of all the crop.

4th Item I give and bequeath to my wife Zelpha one half of all my Cows, and Hogs, one yoke of Oxen, and Cart. Two mules and one Horse all of my plantation tools except my wagon and harness.

5th Item I desire and direct that my Executors shall take following property to the town of Hamilton Harris county Georgia and sell it to the highest bidder; and after paying all expenses the proceeds to be equally divided between my six nephews, Viz; my brother Archibald's three sons (Viz) John, Morrill and William and my brother Jordans three sons (Viz) Washington Thomas, and William (to wit) -

my negro man Daniel, my negro man Lafayette, my negro woman Edy, and her three children (Viz) Seborn a boy, Julius a boy and Henrietta a girl, my negro woman Lucy and her two children (Viz) Carolin a girl and Frank a boy, and my negro woman Jane, together with all the balance of my property not otherwise disposed of and all my money, notes and accounts, also the west half of lot of land number forty four in the nineteenth district of originally Muscogee, now Harris County containing hundred one and one fourth acres more or less.

6th Item

KX81

I hereby constitute and appoint my friend David Binns and my friend George W Mullens Executors of this my last will and testament. This the twenty third of May eighteen hundred and fifty nine

Marrel Baker [S]

Signed, Sealed, declared and published by Marrel Baker as his last will and testament in the presence of us the subscribers, who subscribed our names hereto in the presence of said testator at his special instance and request and of each other This may 23rd 1859

Osborn Ely
Solomon Hart
William F Lee
J Fort Brewster

State of Georgia } court of ordinary December term
Harris county } 1866

Personally appeared in open court David Binns appointed and constituted one of the Executors to the last will and testament of Marrel Baker deceased, and produced said paper writing. And also personally appeared in open court Osborn Ely & J Fort Brewster two of the subscribing witnesses to the will of said deceased, dated and executed on the twenty third day of May eighteen hundred and fifty nine (1859) who being duly sworn depose and saith that they saw Marrel Baker sign, seal, publish and declare the said paper writing now presented and filed as aforesaid as his last will and testament freely voluntarily of his accord without any compulsion or undue influence whatever that at the time of the execution of the same said Testator was of sound and disposing mind and memory that deponents signed as witnesses in the presence of the Testator at his request in the presence of each other and that they saw Solomon Hart and William F Lee the other subscribing witnesses sign the same in the presence of the testator at his request.

Sworn to and subscribed before me in open court
this the 3rd day of December 1866
Geo. W. Mullens Osborn Ely
Ordinary J Fort Brewster