

Last Will and Testament of Saml Emory his Recorose

Georgia (In the name of God Amen,

Harris County) I Samuel Emory of the County of Harris knowing the uncertainty of life, and desiring that my affairs should all be arranged as fair as possible in the hour of my death; do therefore make my Last-Will and Testament relating all former ones.

Item 1st I give and bequeath to George S. Emory my son by my first wife the sum of One Hundred dollars to be paid one year after my death.

Item 2nd I will and direct that the residue of my property both Real and Personal - except so much as may be deemed advisable to be sold by my Executors for the payment of my debts I may owe, shall be kept together on a farm for the use of my wife and children by her my present wife) so long as she may live, or remain my widow. Should my wife depart then I do direct all my property to be sold one year after death, and equally divided between my children then living by her, excluding my son George S. Emory by my former wife.

Item 3rd Should my wife marry again I direct also, that all my property be sold on the same terms and equally divided between (her) my wife and children, excluding George S. Emory to whom I have heretofore given his portion of property - except the One hundred dollars bequeathed him in the first item.

Item 4th In Order that my Estate may be the better managed after my decease I hereby constitute and appoint my worthy friends Peter W. Lesley, and my beloved wife my Executors and authorize them whenever they may deem it advisable for the interest of the Estate to sell, dispose of, or exchange any species or kind of property for others; and in all things to act and do for the best interest of the Estate - either by private or public sale as they may deem best without an order from the Court of Appeals.

Item 5th I direct that if my children or any of them become of age to marriage or otherwise, prior to the death of my wife, (or her marriage again), that an equal share be set off to them, writ by Commissioners appointed for that purpose by the Court.

Item 6th And now after the best disposition of the goods my Son has made me the steward of, I resign my body to the ground and my spirit to my heavenly Father, trusting and confiding, hoping through the atoning sacrifice of my Saviour to be raised again from the grave, and realize the blessed hope of first resurrection, and the glories of a happy immortality in Heaven, where may God grant, I may meet my beloved parents and children for Jesus Christ sake Amen.

Nov 10th 1858;

Samuel Emory

Signified before us, published and declared to be his Last Will and Testament before us, this 10th day of November 1858

John R. Sh. of Harris
John P. Fortson
Erasimus M. Carter

Last Will & Testament of Samuel Emory, dec'd. Recorded.

State of Georgia | Court of Ordinary February Term
 Dawson County | 1864

Personally appeared in open Court Elizabeth Emory, Constituted and appointed in a paper writing, purporting to be the last Will and Testament of Samuel Emory deceased late of said County, as the executrix of the said deceased, and produced said paper writing; and also personally came John W. Shepherd and Jas. Miss W. Lerley two of the subscribing witnesses to said paper writing who being duly sworn depose and say that they saw the said Samuel Emory, sign, publish and declare the said paper writing 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 deponeants before said Will as witnesses in the presence of the Testator and at his request, in the presence of the other witness; and that they saw John P. Porter the other witness sign said Will in the presence of the Testator and at his request -

Saw and Subscribed up. This February 1 - 1864.

Gro. W. Mullens
 writing

John W. Shepherd.
 Jas. Miss W. Lerley

I do solemnly swear that this is truly and verily the last Will of the within named Samuel Emory deceased so far as I know or believe, and that I will well and truly execute the same in accordance with the law of this State -
 So help me God.

This February 1 - 1864

Gro. W. Mullens Ordinary

Elizabeth Emory
 Executrix