

3  
I have all men by their presents that I have reading of the  
County & State of said Henry of said & Expressing Mind & Memory  
the uncertainty of life & death that my, say, last will & Testament hereby that  
- being all former wills

Item 1<sup>st</sup> It is my will that my several Expressions be first paid in satisfying the  
grace at the Dispersion of my Executors

Item 2<sup>nd</sup> It is my will that all my Negroes be divided amongst my Children viz  
John H. Marshall A. French H. Polly Thornton Malinda Butler Susan  
Brenden & Anne Wellwits that they be appraised by disinterested persons  
or persons able as nearly Equal as practicable & drawn for

Item 3<sup>rd</sup> all the Remainder of my property both Real & personal I desire that  
be sold at publick Sale upon Credit of Twelve Months with Notes approp-  
riately the said to be sold in such Self as my Executors shall believe  
most conducive to the Interest of my Estate

Item 4<sup>th</sup> I give my Executors herein after named my Trust for my three first  
born Children of my Daughter Malinda Howard (who is dead) viz John  
& Thelma each three hundred Dollars to be delivered in the hands of said  
Executors untill they become of age in the Event that any of the Children  
shall die a Minor the Survivor or Survivors to inherit the whole of it

Item 5<sup>th</sup> In settling the Negroes the amounts will perhaps be unequal I desire  
they shall be made Equal by Money & then all the Remainder of my  
Estate be Equally divided between my aforesaid Children viz John H.  
Marshall A. French H. Polly Malinda Susan & Anne

Item 6<sup>th</sup> In the Event I shall die after a crop has been commenced it is my  
will that every thing shall remain on the plantation untill the  
crop is gathered by this means after plowing for the next crop has  
commenced breaking up ground &c

Item 7<sup>th</sup> The property I give to my Daughter Susan I hereby give in the  
hands of William Brenden in Trust for his self the said Susan & her  
heirs & at her death to be Equally divided amongst all her Children  
The property I give to my Daughter Malinda I hereby give in hands of  
her Husband General Butler in Trust for her during life & at her death  
Equally divided among her Children

The property I give to my Daughter Anne I hereby give in the hands  
of William S. Wellwits her Husband in Trust for his self during  
life & at her death to be Equally divided among her Children

1407  
Item 8<sup>th</sup> I hereby nominate & appoint my dear friends to Executors of my last  
will & Testament in writing I have named in my last will  
that the 1<sup>st</sup> Day of March 1855

Signed sealed & acknowledged

I Benjamin

John H. Marshall

Wm J. Henderson

Wm H. Wood

Joanna Bondy

George W. Bondy law wife of John H. Marshall for  
Jantzen County Malinda & Wm H. Wood who being sworn that they

know Joanna Bondy does read publickly & declare the above

writing to be his last will & Testament & that they

subscribed the same as witnesses in the presence of

each other & the Signator & at his request & they believe

he was at the time of said will & Expressing Memory

return to & subscribed in open Court to July 1855

John H. Marshall

Wm J. Henderson

Wm H. Wood

John H. Marshall

Recorded to July 1855

John H. Marshall