

1842
Georgia In the name of God. Amen I Edmund Penn of
Cherokee County the county & state aforesaid considering the uncertainty
of this mortal life, and being of sound, unimpaired
mind & perfect memory, do make, ordain, & publish, this my last
will & testament in the following manner:— Viz— I resign my soul
to God who gave it and my body to the grave until the resur-
rection of the dead with the hope that it will be raised a glorious
& immortal body

As to worldly effects which I have been steward of, I will, bequeath
and dispose of in the following manner:— Viz—
Item 1st It is my will & bequest that all my just debts be first
paid out of my estate and provided they should have to be properly sold
for that purpose—my executors are hereby empowered to sell such of
my estate as they may think can be best spared for that purpose—

Item 2nd After my just debts are paid as above named I will & bequeath
unto my beloved wife Phoebe, all my estate both real & personal
during her natural life, with the following exceptions (Viz)
My daughter Sarah shall have one hour of the value of eighty dollars
or that amount in money, also one bed & bedstead and furniture
that she claims and of right belong to her which she shall receive
when married or otherwise when called for—

My son Charles to have one bed bedstead & furniture for the same
whenever he calls for it all the balance after the above exceptions
of my entire effects & estate I give to my beloved wife Phoebe
during her natural life for her living support & maintenance
and at her death to be divided in the following manner

Viz To my daughter Frances I will & bequeath the sum
of ten dollars— The remaining part of my estate shall be
divided into six equal parts and my son William shall have
one of the six parts My daughter Charles another My
daughter Sarah another part My son Martin & another part
and my son John & another part— provided he pay unto the estate
before the division some notes promissory of each fifty dollars and
one for twelve dollars & eleven cents principal with all the interest
that may accrue on said notes— Otherwise the amount of
said notes at the division shall be taken out of his part before
he shall receive any part thereof and provided there shall
remain any of his part of the estate after said amount is deducted
he shall receive the balance

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The remaining sixth part of my estate I will and bequeath
unto the children then living children of my daughter

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Nancy's by Chalupa, William & John L. Ray. which part
shall be equally divided between the said Charles William &
John L. Ray when they arrive at the age of twenty one
or as soon thereafter as it can be conveniently done and
the said entire part or share shall remain in the hands of
my executors until the said division takes place and until
the said Charles William & John arrive to the age of twenty
one years. It is my will that my effects & estate be
disposed of in the manner aforesaid.

I further ordain & appoint William the Peer & Martin I Penn
to be my lawful executors to do & perform all things that
will be to the interest of my estate.

In testimony of which I have hereunto set my hand and
affixed my seal to this my last will & testament this
twenty first day of September eighteen hundred & forty
in the presence of

William Loker

Edmund Penn (Seal)

John M. Wooley, Jr.

Deborah C. DeKalb, Jr.

Georgia. Personally appeared in open Court William Loker
Cherokee County & John M. Wooley, Jr. & Dick Donald the subscribing
witnesses to the foregoing will and being duly sworn depose & say
that they say Edmund Penn sign seal & published the foregoing
as for his last will & testament and that they in the presence of
said Edmund Penn and at his request & in presence of each
other attested said will as witnesses and that at the time
of the execution of said will said Edmund Penn was of
sound & disposing mind & memory.

William Loker

John M. Wooley, Jr.

Dick Donald

In Open Court this 9th
day of November 1840

Jas. L. Lander & Chas.

Georgia. Court of Ordinary Term June 1840
Cherokee County. The foregoing last will & testament of Edmund Penn
did have been proven in Open Court upon
the oath of William Loker, John M. Wooley, Jr. & Dick Donald
It is ordered by the Court that said will be ad-
mitted to record and that Letters Testamentary be granted
to William the Peer & Martin I Penn Executors in
said will named.

Georgia
 Monroe County } We do solemnly swear that this writing
 contains the true last will of the within named Edmund
 Penn, deceased, so far as we know or believe, that
 we will ~~and~~ well and truly execute the same by pay-
 ing first the debts & then the legacies contained in said
 will, as far as his goods & Chattels will thereunto
 extend and the law charges us, that we will make
 a true and perfect inventory of all such good,
 and Chattels, so help us God
 Witness to this 9th
 day of Nov 1844
 J. A. Alexander
 D. C. C. C.

William M. Penn
 M. C. Penn

Recorded January 24, 1845
 George G. Hubert's Clk

Georgia & In the name of God Amen I Charles M. Mitchell of the
 Monroe County, state and County aforesaid being in a low state of
 health, but sound in mind & memory, knowing it is
 appointed once for man to die and after death to judgment
 do hereby make & declare this to be my last will & testament
 First I give my soul to God who gave it to my body to the earth from
 whence it came to be buried in decent Christian burial, and as touching
 such worldly goods as it has pleased God to bless me with in this life
 It is my will & desire they should be disposed of in the manner and
 form following (viz)
 First It is my will & desire that all my household & kitchen
 furniture together with all perishable property of whatever kind
 should be sold at public sale or otherwise at private sale at the
 discretion of my executor also my household lot in Calloway Irish
 sold at the greatest possible advantage at either public or private
 sale by my executor and he is hereby authorized to make a good
 & legal title to the same, together with all who have bills cash
 and accounts of whatever character - It is my will & desire that
 the money arising from such sales & sources after paying my just
 debts & funeral expenses, should be kept out at interest
 for the use of my Grand daughter Mary (Ann Margaret) daughter of David
 Dennis for during his natural life and at his death to the heirs of his body
 But should said Mary (Ann Margaret) die before she arrives at
 the age of twenty or married, then I do hereby will & desire that all
 my estate should be equally divided share & share