

Samuel B. Wamock's Will

Muscogee County Wills
1862-1875
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State of Georgia Muscogee County

I, Samuel B. Wamock being of sound and disposing mind and memory, but having in view the uncertainty of life, do make, ordain and publish this my last will and testament

Item 1st I give and bequeath unto my brother James T. Wamock Fifty Thousand dollars of Bonds to be selected by him from all my Bonds, and to be estimated at the par value of the same, to be held by him in trust as follows.

First. To use the interest arising from the same, or so much thereof as he may deem expedient, for the support and maintenance and education of the children of my deceased sister, Maria McLeod until the same shall be distributed as herein after provided.

Second— When each of said children shall arrive at the age of twenty one, then the said bonds, and any accumulations of the interest on the same shall be divided into as many parts as there shall be of said children then living; and pay over one part thereof to such of said children as may then arrive at said age.

Third— In case any of said children shall marry before arriving at said age; then in the discretion of said Trustee such child shall receive its part of said Bonds, & accumulations of interest.

Fourth— If any of said children should so marry, and die leaving a child or children, before arriving at said age, and without receiving a portion of said Bonds, then the child or children so left to stand in the place of the parents and to receive a share, which may be paid by said Trustee to any legal Guardian of said child or children upon the death of the parent.

Item 2^d I give and bequeath to the said James T. Wamock the further sum of Eight Thousand dollars of Bonds to be selected by him after the first amount, and estimated in like manner; to have and to hold in trust for the support, maintenance and comfort of my Mother during her life; and at her death then to be divided between my heirs per stirpes—

Item 3^d Whereas, I have heretofore purchased a certain Store House and lot in the City of Columbus Georgia, and now occupied by A. McBrannon as a Drug Store; and have caused the title to be made to my sister Sarah E. Wamock; I do declare the same to have been a gift to her, and do hereby ratify and confirm the same. I do further give and bequeath unto my said sister Eight Thousand dollars of Bonds, to be selected after the first two lots and estimated in like manner. To have, and to hold, to her forever, in fee simple.

Item 4th I give and bequeath unto John W. Frazer as Superintendent of the Sunday School of the 1st Presbyterian Church of Columbus Five Hundred dollars of Bonds. To have and to hold unto him

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and to his successors as such Superintendents, the Trust, to use and employ the interest of the same in the purchase of Books Bibles to be presented to such of the children of said Sunday School, as shall recite the shorter Catechism in our lessons, and if the whole of the interest is not needed for such purpose, the balance to be used in the purchase of Books for said Sunday School

Item 5th If it should so happen that there should not be a sufficient amount of Bonds left by me to carry out the foregoing bequests; then I direct my Executor in Georgia to purchase enough for such purpose, of such Bonds as may be preferred by those to whom they are to be given; provided they shall cost no more than the average market value of such as I may leave

Item 6th I do further give and bequeath all the remainder of my Estate both real and personal, both in Georgia and Alabama to be equally divided between my Brother James T. Wamock, and my sister Margaret A. Bethune; the share of my said sister to be held by her as her separate Estate —

Item 7th I appoint my Brother James T. Wamock as Executor of this my will in the State of Alabama, and I do empower him to sell any part of my estate either real or personal in said State, either at public or private sale, as he may deem best for the purpose of carrying out the provisions of this will; and I further desire that he shall not be required to give any bond either as such Executor, or as Trustee as herein mentioned

I further appoint William L. Salisbury to be Executor in Georgia and give him the same power and privileges as is given to my Executor in Alabama; and I do direct that he shall transfer all my personal property, and pay over the proceeds of my Real Estate or personal property, which may be sold or converted into money, to my said Executor in Alabama; and that my entire estate shall be distributed by my said Brother —

But if my said Brother should not be such Executor, then the same be distributed by my Executor in Georgia

In witness whereof I the said Samuel B. Wamock to this my Will have set my hand and seal this 5th day of April 1870.

S. B. Wamock (S)

Signed, sealed, declared and published by the above named Samuel B. Wamock as his last will and testament, in presence of us, who at his request in his presence, and in presence of each other have subscribed our names Witnesses hereto —

W. L. Salisbury
R. Hughes
John Peabody

Samuel B. Wamock's Will continued

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Georgia Muscogee County

In the matter of the Probate of the last will and testament of Samuel B. Wamock late of said County deceased, William L. Salisbury one of the Executors named in said will, having filed his petition for the Probate of said will in Common form of law, in vacation; and the said Executor, to wit William L. Salisbury being present with one of his witnesses, to wit John Peabody, who upon being duly sworn depose and saith that he was present when Samuel B. Wamock published the instrument now presented as his last will and testament; that at the time he was of sound and disposing mind and memory, and that he did it voluntarily, of his own free will, without any undue influence or compulsion, so far as witness knows or believes; that witness was requested by the said Testator to sign the same as a subscribing witness, which he did in his presence, Deponent further says that he saw W. L. Salisbury and R. Hugh Nesbitt sign the same as subscribing witnesses at the like request of the said Testator, and that all signed in the presence of said Testator, and of each other
Sworn to & Subscribed before
on this November 11th 1874
F. W. Brooks

Ordinary

Muscogee Court of Ordinary
December Term 1874

And now at a Regular Term of said Court of Ordinary W. L. Salisbury one of the Executors named in the will of Samuel B. Wamock, coming and praying the admission to Record of said Wamock's will, upon the Probate taken in vacation; It is ordered that said will be admitted to record as Samuel B. Wamock's last will & testament and that said Executor have leave to qualify on the same, and upon so doing, that letters testamentary issue to him.

F. W. Brooks. Ordinary

Georgia Muscogee County

I do solemnly swear that the within writing contains the true last will of the therein named Samuel B. Wamock deceased so far as I know or believe; And that I will well and truly execute the same in accordance with the laws of this State. So help me God
Sworn to & Subscribed before me
this December 7th 1874
F. W. Brooks
Ordinary

W. L. Salisbury