

Georgia }
 Newton City } In the name of God Amen

I John D. Duke having lived more than the usual time allotted to man, of full old age, but sound in mind, and being desirous to dispose of the property which God has blessed me, make this my last will and testament

Item 1st I give my land to him who gave it & my body to the dust from whence it came trusting that God will raise it up again at the resurrection of the just.

Item 2nd I give and bequeath unto my grandchildren - viz Catherine Wilingham Louisa Smith Martha Smith and Thomas McCoy the lot of land lying in Macon County to be sold and the proceeds to be equally divided between them in full of all claims against my estate.

Item 3rd I will and trust that my negroes and all the property not otherwise disposed of be sold and the proceeds, after paying my just debts, be distributed as hereafter directed.

Item 4th I give and bequeath unto Tho^s M. Duke & Edwin Shephard for the use of my Daughter Lucy Hadwell & to the heirs of her body after her an equal distribution share arising from the sale of my property as above directed, to be used or invested by said trustees as they may deem most beneficial to the parties in trust.

Item 5th I give and bequeath unto my sons Joseph Duke, John M. Duke, Payton Duke & my Daughters Deborah Allen and Emily Shephard each, an equal distribution share arising from the sale of my property

as above directed, provided however that the sum of Six hundred dollars be first deducted from the share of Tho^s M. Duke being the value of the land that I have heretofore given him.

Item 6th Resolving all former wills I appoint Tho^s M. Duke & Edwin Shephard Executors to this my last Will and Testament.

Signed & sealed this 2nd day of June 1849
 Signed sealed and
 published in presence of

John Bap
 McKinnon Tucker
 Felix Hardman

Georgia
 Newton County } In Chambers before us personally came John Bap & being duly sworn deposed & said that he subscribed the within Will as a witness & that he saw McKinnon Tucker & Felix Hardman do & subscribe - that he saw John D. Duke the testator sign the same & publish the same as his last Will & Testament & that at the time of the signing & publication of said Will & Testament the said John D. Duke in the opinion of deponent was of sound & disposing mind & memory.

Sworn to & Subscribed

before us this 7th day 1850

Marion Glap J.C.
 David Crawford J.C.
 W. D. Luckie J.C.