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Samuel W. Bryan Will

State of Georgia,
Rockdale County, In the Name of God Amen

I Samuel Wesley Bryan of said State and County being of Sound and disposing mind and memory and being desirous of settling my worldly affairs while I have capacity to do so do make and publish this my last will and Testament hereby revoking all others heretofore made by me

And first I Commit my Soul to God and my Body to decent and Christian like Burial

Item 1st I desire that all my just debts be paid as soon as practicable after my death

Item 2nd It is my will that for the purpose of raising means to pay my debts my executrix hereinafter named do sell such portions of my property as she may see fit beginning with my surplus personally that may exist and including next a certain tract of Land known as the Mill Stone place on Big Haynes Creek purchased by me from Dr James M. Lowe containing thirty ^{and} more or less and if necessary also one hundred acres of Land being the North west end of Bald Rock plantation and lying immediately on Yellow River and known as the Bluff place and the Sparks place Combine

Item 3rd I give and bequeath to my beloved wife Sarah Elizabeth Bryan all my Estate Real and personal and Chase in action which may remain after the payment of my debts for her use and enjoyment for and during her life or widowhood with the Charges and Limitations herein after mentioned

Provided further that devise to My beloved wife is intended to be in lieu of dower and if She elect to take dower in My Estate that She Shall have no other interest in My Real Estate.

Item 4th If My wife Shall see fit to Marry it is My will that My whole Estate be equally divided amongst My Said wife and Children - Shee and Soons alike the receiving a child's part provided that this devise to My Said wife is intended to be in lieu of dower and if She Shall elect to take dower in My Real Estate She Shall receive no other interest therein.

Item 5th Upon the death of My wife unmarried it is My will that My whole Estate be equally divided amongst My Children to wit Mary Lou Bryan, Franklin Lee Bryan, George Bryan, Pierce Bryan, Clara Pauline Bryan and My baby boy yet unnamed and such other child or children as may hereafter be born to Me.

Item 6th If any one or more of My Children should die before the final division of My Estate as provided in Item 5th of this will having a child or children it is My will that such child or children shall stand in the place of such deceased parent in the distribution of My Estate.

Item 7th In Case My wife remain unmarried it is My will that My Estate be kept together and managed for the Support Maintenance and Education of My Children and I desire for each of My Children to have a Collegiate Education if he or she so wishes but if any one of them refuse or neglect to get an Education he or She shall in no event have any commutation from My Estate in lieu thereof.

Item 8th At the end of three years after the marriage of each and every one of My Children who shall marry before the death of My wife it is My will that each child shall receive from My residuary four fifths of his or her equal distributive share of My Estate the remaining

fifth to remain in my Common Estate to meet con-
-tingencies and to equalize each in education and
Support, untill the death of my wife.

Item 9th It is my will that my Executrix be not required
to make any inventory or appraisement of my Estate
nor to make any annual Return to the Court of Ordinary.
The only Exhibit I desire is that she shall keep a
strict account of every thing paid or given to each child
after its Majority or Marriage and that she take Receipts
therefor and have them duly Recorded in the Ordinary
office in order that each one of my Children shall
Receive an equal Share of my Estate.

Item 10th It is my will that my Executrix with the advice
and consent of her legal adviser shall sell any of
personal property of my Estate and also such of my
Real Estate as herein provided to be sold without first
obtaining my leave therefor and that such sale may
be public or private as my said Executrix and her
legal adviser shall determine Provided that if my wife
shall marry then I desire the sales and distributions
to carry out my will be made in strict accordance
with the laws of Georgia.

Item 11th It is my will that my Bald Rock plantation shall re-
-main unsold to be controlled by my Executrix for the bene-
-fit of my family and that no part of my Real Estate
shall be sold to pay any debt created after my death.

Item 12th It is my will that my Real Estate in Rockdale and
Newton Counties that remains after my debts are paid
shall be divided in kind and not sold and that the
Shares be equalized by the sale of outside property.

Item 13th If any of my Children from Contrivance or any
other Cause attempt to break this will or any of its
provisions then he or she shall forfeit the sum of one
thousand dollars of his or distributive Share of my
Estate.

Item 14th I hereby nominate and appoint by beloved
Sarah, Elizabeth, Bryan Executrix of this my last will
and testament.

13th " As Legal adviser I hereby appoint my Brother-in-law Col. J. B. Estes of Guinsville Ga, and wish him to see that each and every provision of this will is faithfully executed.

16th " In case of the death or marriage of my Executor before the full execution of this will, I hereby nominate as executor my said Brother-in-law J. B. Estes.

In witness whereof I the said Samuel Wesley Bryan to this my will consisting of the foregoing four pages of paper have set my hand and seal this the Thirteenth day of August 1877

S. W. Bryan

Signed sealed published and declared by the above named Samuel W. Bryan as his last will and testament in presence of us who at his request in presence of each other have subscribed our names as witnesses. hec etc

A. C. McCalla
J. W. Pruitt
Joshua. & Glenn

Rockdale Court of Ordinary
February 11th 1878

Before Me in open Court came Joshua & Glenn who on oath says that he saw Samuel W. Bryan sign seal publish and declare the foregoing as his last will and testament while of sound disposing mind and memory that defendant subscribed the same as witness in presence of testator at his special request and the presence of A. C. McCalla and James W. Pruitt who also subscribed the same as witness in presence of testator and of each other that said will was executed fully and lawfully by testator on the thirteenth day of August 1877 Joshua & Glenn