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The Last Will & Testament of Jeremiah Phillips decd.

Georgia Trump County In the name of God Amen.

I Jeremiah Phillips of the county and state aforesaid being of advanced age but of sound and disposing mind and memory and knowing that it is appointed for all men to depart from this world, deem it right and proper both as respects myself and my family that I should make a disposition of the property which I think a kind Providence has blessed me and I therefore make this my last will and testament hereby revoking and annulling all others heretofore made by me.

Item first: I desire and direct that my body be buried in a decent and Christian like manner suitable to my circumstances and condition my soul I trust shall return to rest with God who gave it as I hope for eternal salvation through the blessed Lord and Saviour Jesus Christ.

Item second: I desire and direct that all my just debts be paid without delay by my Executor herein after named, as I am unwilling my Creditors should be delayed of their right especially as there is no necessity for delay.

Item Third: I give and devise to my beloved wife Mary Phillips the following tract or parcels of Land to wit Tract of land (No 128) one hundred and twenty eight acres being and lying in the fifth district of the county and state aforesaid, also one hundred, one and a fourth acre more or less being the south half of lot of land (No 122) number one hundred and twenty nine situated lying and being in the fifth district and county and state aforesaid, and also sixty five acres of land being the north west corner of lot of land (No 124) number one hundred and twenty seven situated lying and being on the north side of Long Run Creek and in the district county and state last aforesaid, also the following named negroes to wit Isaac a man fifty three years of age and his wife to wit Mary a negro woman fifty years of age, Stephen a man twenty one years of age, Susan a woman seventeen years of age, Richard a boy nine years of age, Peter a man thirty five years of age, Mary his wife a woman thirty years of age, Eliza alias Theranor a boy fourteen years of age, Mearns a girl nine years of age, Sidney a girl seven years of age and Isaac a boy two years of age, and also my horse, mules, Cows, Sheep, Goats, Hogs and Stock of every description together with all my household and kitchen furniture both movable and immovable, and also my Carriages Waggons, Cars, Bins, Furniture together with all other of my real and personal property and all and every the increase and issue thereof together with all other real or personal property of which I may hereafter become possessed beneficially for and during the natural life or widowhood of my said beloved wife to wit Mary Phillips to her own personal and individual use only but upon the happening of either of which said events to wit the death or intermarriage of my said beloved wife Mary Phillips then all and every of the above named and described real and personal property except the sum of Ten dollars herein after more particularly mentioned to be raised therefrom by my said Executor herein after mentioned, I give and devise to my two beloved sons to wit William Phillips and Henry S. Phillips in the manner and form following to wit Peter a man forty five years of age, Mary his wife thirty five years of age, Eliza a boy fourteen years of age, Hannah a girl nine years of age, Henry a girl seven years of age, Isaac a boy two years of age and any and all the increase to my said beloved son William Phillips forever in fee simple, and Isaac a man forty three years of age, Mary his wife fifty years of age, Stephen a man twenty one years of age, Susan a woman seventeen years of age and Richard a boy nine years of age together with any and

Now came to my said beloved son Henry D. Phillips former in fee simple
 Item Fourth? I give and devise to my two said beloved sons Henry Phillips and Henry D. Phillips all the ready money that I may have at the time of my death on hand if any there be except the sum of ten dollars as heretofore excepted which said sum of money ten dollars I give and devise to my beloved daughter Mary Ann Pennington wife of Ephraim Pennington and to her and to her children free from the disposition of Ephraim Pennington her said present has been from in fee simple to be paid to her or to them by my said Executors herein after to be mentioned or my said beloved wife Mary Phillips immediately after my death provided I die leaving on hand ready money but should there be no ready money on hand of mine at my death with which for my said Executors or my said beloved wife aforesaid to pay my said daughter or her said children her and there said Legacy aforesaid to wit the sum of ten dollars aforesaid then and in that case it is my will and desire that my said Executors herein after to be by me appointed do see and dispose of or otherwise of my perishable property to wit Cotton or Grain sufficient to make the aforesaid sum of ten dollars

Item Fifth? I give and devise also at the death or intermarriage of my said beloved wife Mary Phillips all my said lands heretofore more particularly described and the tenements and hereditaments therein and thereon and also all the less or tenements hereditaments of which I may hereafter become possessed together with any and all of my personal property heretofore mentioned and all the issue and increase thereof together with all the personal property of which I may hereafter become heir if god prosper and its increase to my two beloved sons William Phillips and Henry D. Phillips except as herein before excepted. Share and share alike for ever in fee simple

Item Sixth? I constitute and appoint my two beloved sons Henry Phillips and Henry D. Phillips Executors to this my last will and testament.

Signed sealed delivered and acknowledged and published by the said Jeremiah Phillips in the presence of us and each of us this the 20th day of June 1846

Test Henry Long
 William Lovell
 W. W. Drayler
 John R. Hartley

Jeremiah Phillips

Supreme Court of Ordinary June Term 1852

Since now at this term of the Court Henry Long & William Lovell two of the subscribing witnesses to the last will and testament of Jeremiah Phillips late of Troup County deceased and in open Court pronounced the same in the following manner

George Personallly came in open Court Henry Long and William Lovell two of the subscribing witnesses to the last will and testament of Jeremiah Phillips deceased, who being duly sworn saith that they saw the said Jeremiah Phillips sign seal publish and declare the paper writing now pronounced to be his last will and testament, that the said testator signed the same in their presence & that they signed the same as witnesses in the presence of the said testator & saw W. W. Drayler and John R. Hartley sign the same as witnesses in the presence of the said testator and all in the presence of each other and they further depose that the said testator at the time of signing said will was of sound and disposing mind and memory and that he executed the same freely and voluntarily

and without influence or compulsion so far as they know or believe.
Shewn to and subscribed in open Court.

Shewn 7th Decr 1852.

Wm. H. Sims Ordinary

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Henry Long
Gideon Lovett

The last will and testament of Jeremiah Phillips late of said County deceased having been propounded for probate and having been proven on the Oaths of Henry Long & Gideon Lovett two of the subscribing witnesses thereto. It is Ordered that the said will be admitted to record and that William Phillips and Henry D. Phillips the Executors named in the said will be qualified as Executors thereof and that letters testamentary thereon be granted to the said named Executors. It is further ordered that John S. Hall, Gideon D. Hall, James W. York, Peter Leslie and John Evans be appraisers & appraisors
Granted June Term 1852

Wm. H. Sims Ordinary

Recorded 9th June 1852

Wm. H. Sims Ordinary
C. E. officio Clerk