

Two late of this County deceased was this day produced into open Court and duly legally proven in open Court upon the oath of John P. Herndon Thomas F. Howe and Elouise C. Ferrell the Subscribing witnesses to the same and ordered to be admitted to Record this being a regular term of said Court

attest - Wiley Wilson & Co

Recorded 21st February 1851

- Wiley Wilson & Co

The Last Will and testament of John P. Herndon

Georgia
Troup County

In the name of God Amen!

I John P. Herndon of said County and State being in full bodily health but of sound and disposing mind & memory and desirous of promoting the interest of my family in the disposition of my estate after my decease do make publish and declare this my last will and testament.

Item 1st I desire that all my just debts be paid - the debts owing to me to be first collected & exhausted for this object and should the fund arising from this source be insufficient then my executrix herein after named to raise the necessary additional amount by sale of such portion of my estate as she may think proper and the family can best spare either at public or private sale in her discretion -

Item 2nd After the satisfaction of my debts my will is that the residue of my estate both real & personal be kept together for the support of my family and particularly for the education of my younger children so as to make the benefit of each one from this source as nearly equal as possible by the time they arrive at the age of twenty one respectively under the management and control and in the discretion of my executrix during her life time or widowhood -

She to have the liberty and power with the advice of my friends Edward Young Hill, and John McSendon to dispose of or exchange any portion of my said Estate from time to time for the benefit of my family placing the return or proceeds of such portion so disposed of in the common stock to be used as above directed.

Item 3rd In the event of the marriage of either of my daughters Julia Frances, Mary Figo or Nancy Caroline during the life time or widowhood of my wife Marcissa L. I desire a sufficiency of my estate to be disposed of upon such marriage to purchase a

negro girl from seven to twelve years of age and said negro girl to be delivered by my executrix to such marrying daughter which negro I hereby give and bequeath with all future increase to such marrying daughter to her sole and separate use and benefit free from the debts, Management or control of any husband she may have during her natural life and at her death to be equally divided amongst her surviving children each one of my daughters upon her marriage to be provided for in like manner and with the like limitations and restrictions -

Item 4th If however my said wife should marry or die before my said daughter shall all be provided for as set forth in item third then and in that case that a negro girl as above described be purchased out of my estate for each one of my said daughters not previously provided for as specified in said item third to become her property with the like limitations & conditions.

Item 5th Upon the death or marriage of my said wife the entire residue of my Estate after the disposition above made to be equally divided amongst all my children sons & daughters, share and share alike to wit Alexander H. Herndon, Thomas, L. Herndon, Julia P. Herndon, Mary P. Herndon, John P. Herndon, Leonard C. Herndon, Jesse B. Herndon and Nancy C. Herndon.

Item 6th Should any one or more of my said daughters not be provided out of my Estate with the negro girl described in items third & fourth upon the contingencies in said items set forth then each one not so receiving the same to be entitled to receive such negro upon her arriving at twenty one years of age with the like limitations of title thereto.

Item 7th Lastly I appoint my beloved wife executrix, & my sole executrix to this my last will & testament signed sealed published and declared this 26th day of January 1857 (intituled before assigned)

In presence of
Edward Young Hill } John P. Herndon (S)
Jesse M. Herndon }
Alexander J. Probst }

Georgia Superior Court of Group County sitting for Ordinary purposes met on Monday 5th May 1857

Present their Honors
Sam^l Reed
Jm^l F. Stanner } Justices
Robert D. A. Harris }

Personally appeared in open court Jesse M. Herndon and Alexander J. Probst two of the subscribing witnesses to the within last will and testament of John P. Herndon and being each duly sworn saith that they saw John P. Herndon sign seal publish and declare in writing to be and contain his last will and testament, that they each signed the same as witnesses in the presence of testator and saw Edward Young Hill do so

likewise and that said testator, was at the time of
sound disposing mind & memory and that said testator
executed the same freely without compulsion so far
as they know or believe
Sworn to & Subscribed } Jesse M. London
in open Court this } Alexander T. Proctor,
day & date above }
-Wiley Wilson C.C.

Ordered by the Court that the within last will
and testament of John T. Herndon dec^d which
has this day been duly lawfully proven upon the
oaths of Jesse M. London and Alexander T. Proctor
two of the subscribing witnesses to the same be
admitted to record this being a regular term
of the Court

Wm. H. Cannon J. C. C.
Robt. D. A. Tharp J. J. C.
Saml. Tice J. J. C.

Recorded 18th May 1851
-W. Wilson C.C.

The Last will and testament of Demsey Boswell
dec^d

State of Georgia } In the name of God Amen:
Group County } I Demsey Boswell of said State
and county being of advanced age and knowing that I
must shortly depart this life deem it right and proper
both as respects myself, that I should make a disposition
of the property with which a kind Providence has
blessed me do therefore make this my last will and
testament hereby revoking all others heretofore made by me
1st Item - I desire and direct that my body be buried
in a decent and Christianlike manner suitable to my
circumstances and condition in life my soul I trust
shall return to rest with God who gave it as I hope
for Eternal Salvation through the merits and atonement
of the blessed Lord and Saviour Jesus Christ
whose religion I have professed and as I humbly
trust and enjoyed.

2nd Item - I desire and direct, that all my just
debts be paid without delay by my Executor herein
after appointed as I am unwilling my Creditors
should be delayed in their rights Especially as there
is no necessity for delay

3rd Item - I desire that my property should be
sold and debts collected

4th Item - I give and bequeath to my Brother
Jesse Boswell all my effects after my debts is
paid to him forever

5th Item - I hereby constitute and appoint