

In the name of God Amen.
I Sherwood G. Lindsay of Muscogee County in
the State of Georgia, being advanced in years, but
of sound mind and disposing memory do make
and ordain this my last will and testament

First I owe no debts, now, if however it shall be so that
I shall be owing any at the time of my death,
it is my desire and direction that they shall
be promptly paid.

Secondly It is my will and desire that all my per-
sonal effects of every kind, which I may leave at
the time of my death shall be divided into
nine equal parts. Whereof I give and bequeath
one part to my daughter Ann Jane Howard,
widow of Augustus Howard. One part to my
daughter Virginia, the wife of George Woodruff.
One part to my daughter Julia, wife of Francis
Jeter. One part to my daughter Frances Lind-
say Bellamy, the wife of William C. Bellamy.
One part to my daughter Alef Catharine, the
wife of Robert M. Howard. One part to my
daughter Alabama Elizabeth, the wife of George
A. Neill. One part to my daughter in law

One part to my daughter Miss Catharine, the wife of Robert W. Howard. One part to my daughter Alabama Elizabeth, the wife of George H. Neill. One part to my daughter-in-law Helen, the widow of my son John B. Lindsay, and my granddaughter Johnnie Lindsay the child of the said Helen, and my said deceased son, John B. Lindsay. One part to my son, Sherwood Cooper Lindsay. And one part to my son Richard Everett Lindsay.

The one ninth part of my personal estate above given to my daughter Miss Catharine. I give and bequeath to her for life only, and after her death to her husband, Robert W. Howard for life, and then to revert to my heirs-general, except in the improbable event of my said daughter Miss Catharine having and leaving issue, in which case, in such her ninth part of my personal estate is to go to such her issue after her death and that of her above named husband. I also particularly declare and direct that the one ninth part of my personal estate above bequeathed to my son John B. Lindsay's

widow Helen and their daughter Johnnie shall be equally divided between them, share and share alike. In case however my said Grand daughter Johnnie Lindsay should die before attaining to twenty one years of age, or her day of marriage then and in that case, it is my will and desire that her half of the ninth part of my personal estate as above bequeathed, shall go to, and be divided among my heirs and distributees.

My personal estate herein above bequeathed I hereby declare to embrace all the money I may leave behind me at my death, all debts, bonds, and stocks, and other choses in action which may then be belonging to me, and all my personal chattels of any and every description. In order to make such division easier the equal division of my whole personal estate above directed. I hereby instruct my Executor as soon as may be after my death to have an Inventory and Appraisement thereof made in the manner prescribed by law and to proceed to sell the personal chattels, and to collect and pay in the debt

Executor as soon as may be after my death
to have an Inventory and Appraisement
thereof made in the manner prescribed by law
and to proceed to sell the personal chattels, and
to collect and realize the debts and choses
in action of every description, in order to dis-
tribution as herein above willed and bequeath-
ed. If however there should be any of my person-
alty, which any of my above named Legatees
shall be disposed to have and accept kind
towards the payments of his, her or their above
bequeathed part of my personalty. I hereby
give my Executor a discretion on the subject,
and the option of paying any Legatee who may
desire it partly or wholly in kind at the
appraised price or prices. In regard to my
Real estate which is large and intrinsically
much more valuable than what it could
be sold for now, or can probably be at any
early period, and consists of property situated
in Georgia, Alabama and North Carolina
(that which lies in the last named State, con-
sisting of an interest in two valuable gold mines)
I give and bequeath the whole equally to and

among the above named nine legatees. One ninth part to each set as above directed in the case of personalty with the especial directions, however, that my Executor shall have the discretion and authority to keep the whole or any part of the same for the space of five years, undivided and unsold, in his hands and under his management under the obligation to rent, lease and make profit of the same as far as practicable for the benefit of the above named Legatees, thereof.

The one ninth part of my Real Estate herein above given to my daughter Alef Catharine Howard. I give and bequeath to her for life, only and after her death to her husband Robert M. Howard for life and then to revert to my heirs general. In the improbable event, however, of my said daughter, Alef. Catharine having and leaving issue, then and in such case, such her ninth part of my Real Estate is to go to such her issue, after her death and that of her above named husband.

In regard also to the one ninth of all my Realty herein bequeathed to my son John B. Lindsay widow Ellen, and their daughter Johnie Lindsay, it is my will and desire that like

and that of her above named survivor.
In regard also to the one ninth of all my
Realty herein bequeathed to my son John B. Lindsay
and widow Helen, and their daughter Johnnie
Lindsay, it is my will and desire that like
the personalty it shall go to and be equally
divided between them the mother and daughter
share and share alike. In case, however, the
said Johnnie Lindsay should die before attaining
to twenty one years of age, or her day of marriage
then and in that case, it is my will and
desire that her half of the one ninth part of my
Real Estate as above bequeathed shall go to and
be divided among my lawful heirs and distrib-
utees. And it is also my will and desire
that my said daughter-in-law Helen, the widow
of my son John B. Lindsay shall have only a life
estate in her half interest of the one ninth part
of my Real Estate, above given to her with remain-
der in fee simple thereof, to her daughter the said
Johnnie Lindsay. In regard to my interest in
the two gold mines in North Carolina, I give
my Executor authority to keep and work them
as long as he shall deem best for the benefit of

my above named Legatees, dividing the net profits among them, in the proportions herein before directed in regard to my person-
 alty. But he is, nevertheless to have authority to sell my said interest wherever, and in such parts as he shall deem best, dividing the proceeds of such sales among my Legatees as part of my Real Estate in such manner as is above directed in regard to my Real Estate.

As it would be difficult, if not impossible for a perfectly equal and satisfactory division of my Real Estate, to be made in kind among the several sets of Legatees, thereof I particularly will and direct that no attempt of that sort shall be made, but the same shall be sold by my Executor wherever situated whether in Georgia, ~~Alabama~~ or North Carolina and the net proceeds of the sales from time to time made by him of the different parts thereof, shall be annually equally divided among the above specified nine sets of Legatees.

Also it is my will and intention that the discretionary authority above given to my Executor to withhold the said Real Estate in whole or in part from sale, he is to exercise in such manner

above specified three sets of Legatees.

Also it is my will and intention that the discretionary authority above given to my Executor to withhold the said Real Estate in whole or in part from sale for five years shall not be construed to debar him from selling any part or parts thereof, sooner, whenever in his judgment, cases occur, in which it can be done advantageously for the Legatees.

It is my will and desire that the ninth part of proceeds of sales of my Real and personal estate to which my daughter Alex. Catharine and her husband Robert M. Howard shall become entitled under the above bequests shall be invested for their benefit in land and a home for them as a life estate, or otherwise safely invested as a life estate, so as to produce them or the survivor of them an annual income.

I hereby appoint my son Richard Everett Lindsay testamentary Guardian of my Grand child John Lindsay the above named daughter of my deceased son John

I Lindsay, and it is my direction that he shall invest the moneys that may be coming to her under this will in such a manner that the same shall be safe and produce to her an annual income and that he shall also invest or put at interest whatever surplusses of such income there may annually be over and above the expenses of her support and education.

I hereby nominate and appoint my son Richard Everett Lindsay Executor of this my last will and testament, and it is my will and direction, that he shall not be required to give security as such Executor.

In witness whereof I hereunto set my hand this the 17th day of July 1876.

Sherwood B. Lindsay Sr.

Signed, sealed, published and declared by the said Sherwood B. Lindsay in presence of the said witnesses as under signed as his last will and testament, and attested by said witnesses in the presence of the said

declared by the said Sherwood & Lindsay
in presence of the said witnesses as which
signed as his last will and testament,
and attested by said witnesses in the pres-
ence of said testator and in the presence
of each other at Columbus on this the
17th June 1876.

Attest;

James Johnson
J. St. Whappell
Porter Ingram

Georgia Muscogee County.

Before me Francis M. Brooks Ordinary
in and for the County of Muscogee and
State of Georgia, at Chambers, for the purpose
of proving the last will and testament of
Sherwood C. Lindsay, deceased, late of said
County of Muscogee personally came James
Johnson and Porter Ingram two of the
witnesses to said will, and the will having
been before that time brought before me for
probate by the executor Richard C. Lindsay
who has filed a petition for probate of the
same, they the said witnesses depose and
say that they saw said Sherwood C. Lindsay

sign, seal, publish and declare the said instrument of writing as his last will and testament on the day and year the same bears date, that they witnessed the same at his request, in his presence, and in presence of each other, and said Deponents further say that they likewise saw Absalom, H. Chappell subscribe his name to said will as a witness at the request of said testator, in his presence and all in the presence of each other.

Deponents further say that at the time of executing said will, the said testator was of sound and disposing mind and memory and so far as witnesses know or believe he did it freely and voluntarily and without any undue influence or compulsion.

Porter Ingram

Jas. Johnson

J. M. Brooks

Ordinary

Sworn to and subscribed before me this
23rd September 1879.

Muscooke Court of Ordinary.

Sworn to and subscribed before me this
23rd September 1879.

J. M. Brooks
Ordinary

Muscogee Court of Ordinary.

October Term 1879.

The foregoing instrument of writing having been satisfactorily proven in common form upon the oaths of James Johnson and Peter Ingram two of the subscribing witnesses. Ordered that the same be admitted to record as the last will and testament of the therein named Sherwood Lindsay and that Letters testamentary do issue to Richard Q. Lindsay the Executor named and appointed in said will.

Witness my official signature this
October 6th 1879.

J. M. Brooks
Ordinary

Georgia Muscogee County.

I Francis M. Brooks Judge, and ex-officio clerk of the court of ordinary in and for the County of Muscogee and State of Georgia and Keeper of the records and seal thereof the same being a Court of record

do hereby certify that the foregoing is a true and correct copy of the last will and testament of Sherwood C. Lindsay, as the same has been probated and admitted to record in the office of the Ordinary of said County.

Given under my official signature and Seal of office this May 29th 1881.

J. M. Brooks Judge
& Ex-officio Clerk Court of
Ordinary Muscogee
County Georgia

State of North Carolina } In the Probate
Union County } Court

It appearing to the court that the foregoing copy of the last will and testament of Sherwood C. Lindsay of Muscogee County Georgia has been duly certified and authenticated and it further appearing to the Court from the certified copy of said will that the same has been executed in accordance with the laws of North Carolina it is therefore adjudged that the same has been duly proven and

County Georgia

State of North Carolina } In the Probate
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It appearing to the court that the foregoing copy of the last will and testament of Sherwood C. Simonsay of Muscogee County Georgia has been duly certified and authenticated and it further appearing to the Court from the certified copy of said will that the same has been executed in accordance with the laws of North Carolina it is therefore adjudged that the same has been duly proven and it is ordered that said certified copy be allowed filed and recorded.

Given Under my hand
this 21st day of June 1881.
James G. Huey Cfc.