

Ordinary Regular
February 1865

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More Ordinary

February 1865

Georgia
Clarke County

In the name of God (Amen)
I William Epps of said County being admonished by
age and health impaired that I must shortly depart
this life do make this my last Will and Testament hereby annulling
and making void all other Wills by me heretofore at any time made.

Item 1st I give and bequeath to my son Joseph a certain negro
girl named Destimonia aged about two years old.

Item 2nd I give and bequeath unto my Grand son Thomas Whitehead
a certain Negro girl named Louisa aged about
fourteen months

Item 3rd I desire that a certain part of a Tract of Land Which
I bought of the Estate of Williams Which part I suppose
contains about Seventy or Eighty acres be separated
from said Williams Tract by a line beginning
at or about the Mouth of Josephs Lees Lane beyond his
house and running straight to the Oconee River
said line to run so as to take in a certain piece of
Wood Land adjoining a field on Corallys branch
and said piece of Land be detached to be added
to the tract whereon I now live which Tract with all
its improvements and appurtenances I hereby give to
my son Joseph provided my said son shall permit
my daughters who now live in the house with me
namely Jane Whitehead, Mary Epps, Lucinda Epps
and Sabiana Epps to continue to live in the dwelling
wherein I now live and occupy it as their home so
long as they remain unmarried and also permit
Thomas Whitehead my grandson to continue with
his mother but said daughters to Exercise no ownership
over the property except to occupy the house as a home.

Item 4th I give to my daughter Mrs Elizabeth Stephens
about one hundred acres of Land adjoining my
son Thomas N Epps Saw-mill Tract whereon
my said daughter now lives.

Item 5th I hereby give to my two Sons Thomas N Epps and
Patrick Epps jointly the remainder of all my
lands of which I am possessed including a part
of the Williams Tract and a part of the Williams
Tract except about two hundred acres of the
Williams Tract nearest to the Princeton factory
lying below my son T. N. Epps plantation.

Item 6th I hereby direct my Executors hereunto named to sell the
piece of land lying next to the Princeton factory which
was located in the preceding item and they are hereby
authorized to sell either publicly or privately as they
may think.

Item 7th I desire that those of my Children who have heretofore received my property from me namely Mrs Elizabeth Stephens Mrs Martha Patman wife of Thomas Patman Mrs Susan Doollittle wife of John Doollittle Thomas A Epps and Patrick H Epps bring the same back and make common property of the same with that which I now hold (except the two Negro girls which in the first and second Wills I therein gave to my son Joseph and my Grandson Thomas Whitehead) and that the whole of the proceeds of the sale of the whole be divided equally among all of my Children. If those who have heretofore had Negroes do not bring them back as above desired and put them in the Common Stock then I hereby direct that the Negroes which I heretofore gave them be appraised at the highest Market Value and that the remainder of my Children receive each an equal amount out of the proceeds of the sale of the Negro property to the value of said property held by each of those who fail to bring back said Negroes.

Item 8th I hereby give to all my daughters jointly being seven in number all of my Rail Road Stock.

Item 9th I hereby give my flock of Sheep to all my daughters and to my son Joseph jointly.

Item 10th I hereby direct that all of my Negro property and all of my perishable property not heretofore disposed of be sold by my Executors to the highest bidder and that out of the proceeds of the sale of the piece of land named in Item Number 5th that my Executors pay all my Just Ditts and that they divide the remainder thereof equally among all of my Children.

Item 11th My more mare first who has long been to me a faithful Servant is not intended to be sold with other property but I hereby give him to those of my daughters who remain here to stay here and wait upon him.

Item 12th I hereby give to my son Joseph and to all of my daughters jointly all of my household property.

Item 13th I hereby constitute and appoint my sons Thomas A Epps Patrick H Epps and Joseph Epps my Executors to execute this my last will and Testament.

Interlined before signing in the last line on second page the word "each" and in the second line on the third page "The value of said property held by"

Wm Epps (Sd)

Sign
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Signed Sealed declared and published by William Capps to be his last will and Testament in the presence of us the Subscribing Witnesses who subscribed the same in the presence of said Testator at his own special instance and request and in the presence of each other this 12th day of Sept 1864

William Capps
 Thomas Capps
 Lewis Capps
 Jefferson Jennings

Georgia
 Charles County

Personally appeared before me William Capps Thomas Capps Lewis Capps three of the Subscribing Witnesses to the Will and forgoing Will of William Capps late of said County Georgia who on oath depose and say that they saw said Decedent sign and seal said instrument and heard him acknowledge the same to be his last Will and Testament. That at the time of so doing he was of sound and disposing mind and memory, that they the affiants and Jefferson Jennings all signed the same as Witnesses in the presence of each other and of the Testator and at his request

Witness to and Subscribed before me this the 25th February 1865
 Alta M Jackson
 (Ordinary)

William Capps
 Thomas Capps
 Lewis Capps
 Jefferson Jennings

Whereupon it is Ordained that the said will of said William Capps and the Probate thereof be Recorded in terms of the last Regular Term 6th March 1865

Alta M Jackson
 Ordinary

Recorded 9th March 1865

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Thomas A Capps
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