

In the name of God & Men

I William Kittle of the County of Clark and State of Georgia, being of sound and sobering mind and memory and being desirous to settle my worldly affairs while I have strength to do so do make and publish this my last will and testament hereby reaching all whith by me at any time heretofore made and first I commit my soul to God who made it and my worldly Estate I dispose of as follows

Item 1st I desire that all my just debts shall be paid

Item 2nd I give all of my property both real and personal except my plantation and my former residence lot in Athens Ga. to my beloved wife and our children now born and to be born to us to be equally divided between them share and share alike when the conditions specified hereinafter

Item 3rd I give the plantation on which I now reside & the whole of the lot in Athens on which I formerly resided to my beloved wife and our children now in life and to be born to us when the following conditions

The plantation is not to be sold but is to be kept as long as my beloved wife shall live then to be equally divided between my children or in case of the death of any of my children then their child or children shall take the share or shares of their parent or parents and receive the part that their parents would have received if they had been living

The piece of wood land adjoining William Green and Mrs. Biggers and the wood land adjoining Mrs. Surgeon and the old Tammie Moore tract I specially direct shall not be cleared or cut down and only to be used for necessary plantation repairs

Item 4th The plantation, a house I now reside I have purchased from my father John Kittle for the sum of fifty seven hundred and fifty dollars including the gin and land

The terms upon which I purchased said place was that I was to pay him four thousand Dollars cash and to give him my note for the balance payable one year after date with ten per cent interest. He is then to give me a warranty deed to the plantation and I am to give him a certified security to secure the said note a deed to my former residence lot in Athens

I desire earnestly that this should be done at once and I authorize my

Executors to execute the necessary papers.

I have paid my Father on the first has already twenty five hundred dollars and have fifteen hundred now ready to pay him and have tried to send him word to that effect.

Item 5th I left the property that I inherited my beloved wife is for her own use during her life time, but from the death or death of my natural husband and at her death to be equally divided between my children and if any of my children should have died before me his land wife & will and desire that their child or children (if they should have any child or children) that take the portion their parent or parents would have been entitled to if they had lived.

Item 6th I desire that in case any of my children should die without issue and should leave been that their part or portion shall go to the balance of my children then living and to the child or children of any one of my children that may have died leaving children they receive the portion their parents would have been entitled to if they were living.

Item 7th I appoint my beloved wife Guardian of my children with power that she will better than any one else protect their interest.

Item 8th I appoint as my Executors of my last will and Testament my friends William D. Good, Reuben A. Ballard, Jay C. Gayley & J. H. Hill, all & J. C. Carver.

In witness whereof to the said William Kittle to this my will consisting of the foregoing three sheets I have here set my hand and seal this 24th day of January 1844.

Shall "and on second page under" shall take on the fourth page read before signing words "I witness on third page and other on the fourth page interlined before signing".
Signed Sealed published and declared by the above named William Kittle as his last will and Testament in presence of us who at his request in presence of him and in presence of each other have subscribed our names as witnesses hereto.

Jos. B. Garrison
J. D. Good
J. M. Whaler.