

Record of the last Will & Testament of Rich^d Holmes

Georgia In the name of God Amen I Richard Holmes of Monroe County the county and State aforesaid knowing that I am dust and unto dust must return, being of sound mind & memory (blessed be God) do make or dain & execute this & no other my last will and testament in the words following

First. I commend my soul to God who gave it & my body to the dust of the ground to be buried in a decent and Christian like manner.

Second. That all my just debts be faithfully & punctually paid.

Third. I give and bequeath to my beloved wife Mary Ann Holmes the entire use and enjoyment of all my household furniture during her natural life - namely two beds ^{with bed posts} & furniture one Mahogany Secretary one pair of Mahogany dining tables & one Mahogany Candle Stand and at the decease of my beloved wife then to be divided equally between my son Henry J. Holmes & my two grand Children Edmond Holmes and Susan Holmes the heirs of my deceased son John W. Holmes.

Fourth. I give to my son James J. Holmes his heirs & my old negro woman Affery.

Fifth. I give to my son Thomas J. Holmes his heirs & my negro man Ben Als by this instrument confirming to the said Thomas J. Holmes his heirs & the title to certain negroes long since given and now in the possession of said Thomas J. Holmes.

Sixth. I give to my daughters Eliza A. R. Powell and Lucy M. Canter one hundred dollars each as a remembrance.

Seventh. I give to my ^{grand} daughter Harriet E. Canter Five hundred dollars to be disposed of by my ^{executors} in the best manner they may devise for her special benefit until said Harriet shall have arrived at the age of seventeen years and then to be paid to said Harriet. But should said Harriet die before she attains to the age specified above or afterwards without issue then in that event it is my wish and desire that the bequest above mentioned shall with all its profits and increase shall be given to her sister Aradine Canter the daughter of Peter W. & Lucy M. Canter and furthermore should said Aradine Canter die without issue then in that event I will desire that the bequest above mentioned should with all the income accruing or profits arising descend to and be equally divided between my two grand Children Edmond Holmes & Susan Holmes the heirs of my son John W. Holmes deceased.

Eighth. It is my earnest desire & will that from and after the 25th day of December eighteen hundred and thirty seven my three negroes namely Bill Jimmy his wife and Mahaly their daughter be hired out at public outcry to the highest bidder annually for five years on such terms as their owners may prescribe and the proceeds of said hire shall be paid to me.

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during my life or at my decease to my executors which said sums arising from their said hire together with any other moneys the said negroes above mentioned may pay shall when it amounts to the sum of Fifteen hundred dollars be received in full satisfaction by myself my heirs executors and assigns for the said three negroes before named and all monies or other thing arising or accruing by or from their hire labour or otherwise shall be for all time thereafter to the benefit comfort and support of the said Bill Jenny and Mahabaly as aforesaid and the said negroes upon the payment of the aforesaid sum of One thousand five hundred dollars shall be exempt from sale and division amongst my heirs

Ninth. To my son Henry J. Holmes his heirs & I give and bequeath all the monies that may be received in consideration for the hire of of said negroes namely Bill Jenny & Mahabaly for five years as in contemplation by the eighth division of this my last Will & Testament

Tenth It is my Will & desire & I do hereby set apart the sum of nineteen hundred and fifty dollars with interest is to be applied & appropriated to the discharge and payment of the amounts due from my deceased son John W. Holmes to my sons James P. Holmes and Thomas J. Holmes as appears by a note or due bill in the following words "Due James P. Holmes or bearer seven hundred and fifty dollars borrowed money with interest from the 13th February last June 14 1857" "John W. Holmes' and security debts in which my son Thomas J. Holmes is now sued for in Baker County as by reference to the Court records will more fully appear

Eleventh. The remainder after satisfying the foregoing legacies and the appropriation set apart by the tenth division of this will is to be collected and equally divided between my son Henry J. Holmes his heirs & and my two grand children Edmond Holmes and Susan Holmes the heirs of my son John W. Holmes died

Twelfth. I constitute and appoint my son James P. Holmes guardian for my three negroes Bill Jenny & Mahabaly

Lastly. I order that this my last will & Testament be carried into full effect, I constitute ordain and appoint my son James P. Holmes and Thomas J. Holmes my son in law Dr Norton B. Powell my executors

In witness whereof I the said Richard Holmes have hereunto set my hand & affixed my seal this 2^d day of May 1839

Signed sealed and acknowledged

In presence of

William P. Wood

Benj. Coase

Joseph O. Hardin J.P.

Richard Holmes

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State of Georgia } Court of ordinary for said county
County of Early } December Term 1852

The within last Will & Testament of Richard Holmes having been duly
proven at this regular term of in Open Court upon the oath of
James P Holmes one of the executors named therein and Benjamin
Leone one of the subscribing witnesses thereto it is ordered that
the same be admitted to record this December the 6 1852

L S Stafford clerk