

of Harmon Lovingood. Ira Christian and others together with two promissory notes on my brother William B. Smith the principal of which two notes is about the sum of two Hundred and forty dollars. unto my said Brother William B. Smith. who has already paid me for the land above described but has no deed to the same. provided, that my said brother William B. Smith his heirs or assigns pay to my brother Luther G. Smith in money one third of the value of the two negroes above described, and the like sum to my brother Thomas Smith, as each may arrive at the age of twenty one years and also pay the sum of Ten dollars to my Sister Mary E. Smith. Third. I hereby constitute and appoint my said brother William B. Smith and my friend Ira Christian Executors to carry into effect this my last will and Testament in

In Witness whereof I have herein to set my hand and seal this twenty first day of May 1849.

Signed Sealed and acknowledged

In Presence of  
Henry Bourne  
Benajah H. Brewer  
Nathan Butler

Geo. C. Smith Seal

Georgia } Court of ordinary July adjourned Term 1849  
Elbert County } Personally came into open Court Henry Bourne and being sworn said that he saw George C. Smith sign and seal the foregoing instrument of writing as his last will and Testament and that this deponent together with Benajah H. Brewer & Nathan Butler signed the same as witnesses in the presence of the testator and at his request and in the presence of each other and this deponent believes the testator to have been of sound mind and memory at the time he executed the same. Sworn to in open Court this 17<sup>th</sup> July 1849.

Attest: Wm. J. Nelson, C.C.O.

Henry Bourne

Georgia } Court of ordinary July adjourned Term 1849  
Elbert County } The within will having been proven by Henry Bourne one of the subscribing witnesses it is ordered by the Court that the same go to Records

Attest: Wm. J. Nelson, C.C.O.

Recorded the 18<sup>th</sup> day of July 1849 Wm. J. Nelson, C.C.O.

William Rich's will 1849

Georgia } In the name of God Amen.  
Elbert County } I William Rich of the state and County aforesaid being of sound and disposing mind and memory do make public and declare this to be my last will and Testament

Item 1<sup>st</sup> I will that all my just debts be paid by my Executor here after named out of my Estate.

Item 2<sup>nd</sup> To my beloved daughter Kate Leon Rich I give and bequeath all of my real and personal estate to her and her heirs and assigns forever.

Item 3<sup>rd</sup> It is my will and desire that my Executor keep the property in Colbert County untill my daughter arrives at twenty one year of age or in case she should marry that the property be given up to her. - Item 4<sup>th</sup> It is my will that the proceeds of my Estate be applied to the education of my daughter so far as it may be sufficient or thought necessary by my Executor

Item 5<sup>th</sup> It is my will and desire that in the event my daughter dies before her marriage that my property be equally divided between my Brother and Sister. Lastly I do appoint James Nelson Executor of this my last will and Testament and revoking all former wills by me made. In Witness whereof I have hereunto set my hand and seal this the 8 day of November Eighteen and forty eight

Attest Samuel C. Starke

William Rich

Thomas Nelson

Mary Elizabeth Squep Tate

Georgia

Colbert County

Court of ordinary September Term 1849

Personally came in open Court Thomas W. Nelson and being sworn saith that he saw William

Rich sign and seal the foregoing instrument of writing as his last will and Testament and that this deponent together with Samuel C. Starke and Mary Elizabeth Squep Tate signed the same as Witnesses in the presence and at the request of the testator and in the presence of each other. and this deponent believes the testator to have been of sound and disposing mind and memory at the time he executed the same

Sworn to in open Court this 3<sup>d</sup> day of Thomas W. Nelson September 1849.

Attest W. D. Nelson, c.c.o.

Georgia

Colbert County

Court of ordinary September Term 1849

The within will of William Rich was exhibited in open Court and proven by the affidavit of Thomas W. Nelson one of the subscribing witnesses and is ordered to Records

Attest W. D. Nelson, c.c.o.

Recorded the 3<sup>d</sup> day of September 1849 W. D. Nelson, c.c.o.