

Court of Ordinary, September Term 1844

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Friday, September 6th 1844. The Court met according to adjournment. Present their Honors - James Crocker, Eben S. Barclay & George W. Berry Justices

Court of Ordinary Habersham County, adjourned Term Sept 6th 1844 — It appearing to the Court that William J. Allan administrator of the Estate of James Allan dec'd, has given the notice required by law of application to this Court for leave to sell the real Estate belonging to said dec'd (the widows dower excepted), and that the sale thereof is necessary for the benefit of the heirs and creditors. It is therefore ordered by the Court that he have leave to sell all the real estate of said dec'd (the widows dower excepted), on giving the legal notice

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It is hereby ordered by the Court That Margaret Holcombe be and she is hereby appointed Guardian to and of Joseph C. Holcombe, Holcombe, John R. Holcombe, Polly A. Holcombe, & William M. Holcombe Orphans of Charles S. Holcombe late of Habersham County dec'd by her the said Margaret Holcombe giving bond and security in terms of the law in such case made & provided, to the Clerk of this Court or his Deputy, who is hereby authorized to take such bond & security and administer the oath required of her as such Guardian

The return of Allison Ledford, admr. of Curtis Ledford, dec'd, having been examined & ordered to be Recorded

State of Georgia — Know all people whom it may concern Habersham County, that I Hertziah Stephens b. of the State and County aforesaid, feeling and believing that from my present ill state of Health, that I cannot possibly long survive the maladies that with which I am now afflicted, and whereas I am yet blessed with my reasonable senses (a good sound mind), think therefore that it is expedient that I make a right or suitable disposition of the property with which I am blessed, or the effects which I now own, therefore is my

will or Testament. I will that my wife Barbary possess and keep for her use the land whereon I now live with the stock and household furniture and all pertaining thereto during her natural life, but not to trade or dispose of said property to the injury of my heirs and at her decease I will that my son Hezekiah D. Stephens shall have one hundred dollars out of said property and also one lot of land (40 acres) in 4th Section 86 exclusive of his part of what is left. I also will that Hezekiah D. Premunerate or satisfy John Smith out of said estate for his services rendered on D. farm and after all this I will that what is left be equally divided among all my children Hezekiah D. not excepted. moreover I will that my son H. D. Stephens be empowered or made an executor to accomplish or execute my will as above described this 20th February 1841

Signed in presence of
 Gnoch Brady Sr.
 Hinebury Whitfield
 John C. Holcombe

Hezekiah Stephens

Georgia Personally came into open Court Gnoch Habersham County Brady and after being duly sworn with that he was present when Hezekiah Stephens signed sealed and declared the within to be his last will & Testament and that he was at that time of sound disposing mind and memory, and this deponent signed the said will as a witness in presence of the testator

Sworn to in presence of the Court } Gnoch Brady
 this 7th March 1842

Lewis Levy C.C.O.

Georgia Before us Alexander Mauldin and Habersham County Samuel S. Bailey Justices of the Inferior Court of said County personally came John C. Holcombe and after being duly sworn with that he was present and saw Hezekiah Stephens sign seal and deliver the within as his last will and testament and he was at that time of sound

disposing mind and memory and this deponent signed the said Will as a witness in presence of the testator and saw Enoch Brady and Hiramburg Whitfield sign the same also as witnesses sworn to and subscribed before.

us this 1st August 1843

A. Maudslayi, J. J. C.

J. S. Bailey, J. J. C.

John C. Holcombe

Georgia } I do solemnly swear that this writing contains the
Habersham County } true last will of the within named George Minick
Stephens decand. so far as I know or believe and that I will well and
truly execute the same by paying first the debts & then the legacies
contained in the will as far as his goods and chattels will thereunto
extend and the law charge me and that I will make a true and
perfect Inventory of All such goods and chattels so help me God
sworn to in open Court this 6th
September 1844

H. D. Stephens

Philip Martin, D. C. C. }

Recorded 6th September 1844

The Court then adjourned until
Court in course,

James Crocker J. J. C.
E. S. Barclay J. J. C.
G. W. Berry J. J. C.