

Minutes of the Court of Ordinary July Term 1846 289
from the Court of Ordinary of Franklin County
of the said appointment of said administration on the
estate of said deceased, and that Enock Edwards, Singleton
Sisk, Joseph Underwood, James Edwards & Harper
be and they are hereby appointed appraisers on
the estate of said deceased.

Court of ordinary July Term 1846

It appearing to the Court that Davis M. House admr. on the
estate of Chas. S. Holcombe deceased, has heretofore made a return
on his account current of said Administration for the year
1844, of having received from Asa Griffin thirty four dollars
which was received on a fi fa in favour of said deceased, vs
Robert & A. J. Davidson, half of which sum was to be paid to
Silas Fulbright by a written agreement made by said deceased,
in his lifetime - It is therefore ordered by the Court, that the
payment of the one half of said sum of money to the said Silas
Fulbright, be allowed in the account current, to the said Adm-
istrator, of 1846, & that the clerk of this Court record the same.
The account current of Rany King, admr. of Mary King deceased & ordered to
be recorded -

Georgia — In the name of God Amen, I Nathaniel
Habersham County, Agrees of said County, being of sound mind
and memory, but mindful of the uncertainty of human life
do make this my last will and testament

First, I Commit my Soul to God who gave it and
desire after my death to be decently buried

Second, It is my will and desire that if I should die before
my beloved wife Mccah, all my property, both real and
personal, should remain in her hands for her use during
her life or widowhood, and during that time, that she should
have full and entire control of the same, with power to sell
and dispose of such ~~property~~ portion thereof as she may think
proper and to vest the proceeds thereof in the purchase of other
property, at her option to be also subject to distribution according
to this my will -

Third, I desire and will that my said wife if she survive

And upon the coming of Lawful age or upon the marriage of any of my Children, shall advance to my said Children such portion of my said Estate as she may think proper and most conducive to their benefit without injury to her.

Fourth, It is my further will and desire that all the property both real and personal that my said wife shall have in her possession at the time of her death, or at the time of her second marriage (Should she marry again) be subject to distribution as follows to wit that my older children who have received or who may hereafter receive any portion of my said Estate, bring the value thereof back again into one common Stock with that which remains, and that all my children and their representatives if any of them should be dead, should divide the same equally share and share alike, and that in the event of my said wife's marrying a second time, that she should have an equal share with my said children.

Fifth I will that at my death if I should survive my said wife, that my said estate both real and personal be divided amongst my children then living, and the representatives of those who may be dead, as provided for in Item the fourth, having the same respect to what any of them may have received of my estate before that time.

Sixth I do hereby ordain constitute and appoint my wife Micaiah Ayres the sole executrix of this my last will and testament. In witness whereof I have hereunto set my hand and seal this 30th day of September 1836

Signed Sealed and
published in presence of us
Turner H. Kippe
Charles Walters
Wm I Bush
Amos Jackson

Nathaniel Ayres (Seal)

Georgia Court of Ordinary July Term 1846
Habersham County In open court personally came William
Pruitt & Amos Jackson two of the witnesses signed to the within
will and being duly sworn saith one or rather that they saw Nathaniel
Ayres sign seal publish and declare the within writing to be a
certain his last will and testament, and that they assigned the
in the presence of the said Nathaniel Ayres as witnesses and
they considered him the said Nathaniel Ayres to be at that time
of sound disposing mind and memory, and that he executed
freely, without compulsion so far as they know or believe
that they saw Turner H. Tripp & Charles Walters sign the
same with themselves as witnesses, to the best of our knowledge
belief - sworn to & subscribed in open court the 6th
July 1846 Wm. J. Pruitt

Test Philip Martin D.C.C.O Amos Jackson
Georgia Court of Ordinary July Term 1846
Habersham County I do solemnly swear that this writing contains
the true last will of the within named Nathaniel Ayres deceased
so far as I know or believe and that I will well and truly execute
the same, by paying first the debts and then the legacies contained
the said will, as far as his goods and chattels will thereto 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 & subscribed before me in open court July
6th 1846. Philip Martin D.C.C.O Miccah Ayres

Georgia Court of Ordinary July Term 1846
Habersham County The within last will and testament of
Nathaniel Ayres deceased, having been duly proven at this
regular term in open court, upon the oaths of William J. Pruitt
& Amos Jackson & Miccah Ayres the execution, ordered that
the same be admitted to Record

Recorded 6th July 1846
Philip Martin D.C.C.O Thomas J. Hugh 1846
The court then adjourned James Crocker J.D.C.
until morning next James Briggs J.D.C.
Thos. McKee J.D.C.