

Minutes of the Court of Ordinary January Term 1844

Monday January 13th 1845. The Court met according to law. Present their Honors. John S. Barclay, James Crocker, Alexander Mauldin & George W. Berry. Judges of the Court.

It appearing to the Court that Groves Morris having applied for letters of Administration on the estate of Eliza Englewood decd and the same having been advertised in terms of the law

It is ordered that letters of Administration on said estate be granted to the said applicant in terms of the law, and that Leff Sanford & Daniel Bryson be taken as sureties on said administration, and further that Thomas Brock, Hugh Ferguson, George Wise, James Quillian & William Craig be and they are hereby appointed appraisers on said estate.

Georgia
Habersham County } Court of Ordinary January Term 1845
Attest: 10th of Feb 1845

It appearing to the Court that Kinchen Carr in his life time on the twenty fourth day of March eighteenthundred and fortyone, made his bond obligatory under seal to A. B. Forshey binding himself in the Sum of of forty five ~~dollars~~ dollars to make good titles to lot of land number one hundred and Eighty nine in the Sixth district of the third section of originally Cherokee now Cas County. It is therefore ordered by the Court that Ezekiel McBrayer executor of Kinchen Carr dec'd show cause on or before the May term of Court of ordinary for said county why he should not make titles in accordance with said Bond & that this order be published once a month for three months.

ordered by the Court that James S. Barr be and he is
hereby appointed clerk of the Court of Ordinary

Georgia — Sherwood Holcombe Sen. of the County & State of
Habersham County } being weak of Body but of sound mind and memory
And knowing that it is for men once to die — I now make this my last

Hapersham County, Wills, 1824-1848, Vol. 1, p. 100
 www.GeorgiaPioneers.com

I, Sherwood Holcombe, do hereby certify that the foregoing is a true and correct copy of the original of my last will and testament, as the same appears from the records of the County of Hapersham, Georgia.

Item 1st. After I shall have departed this life I commit my soul to God who gave it, and wish my body decently buried and the expenses of the same with all other of my debts (of which there is but few) to be paid out of the proceeds of such property as is herein after directed to be sold - 2nd I do hereby bequeath & give to my beloved wife Jane Holcombe during her natural life all that part of the lots of land that I now reside on, which lies on the north east side of the Chattahoochee River the same being part of lots nos 108 & 109 in the 3rd district of said County, extending down to A. Mauldins line, with the plantation & buildings thereon, with the stock of cattle hogs, sheep & one bay horse, and also the farming utensils household and kitchen furniture, on the express condition that my three daughters Sarah, Rebecca & Mary Holcombe is to have the use of the above named property in common with my said wife for their support, and at the death of my said wife the above mentioned property is to be the property of my 3^d three daughters in common and of equal use of them but not to be disposed of by any one individual of them without the consent of the other two, and by the consent of the executors herein after appointed, and at the death of the above named daughters, the property is to revert to and become the property of my heirs that may then be living. Item 3^d. All the debts that is due me I direct to be collected and appropriated, to use of my 3^d wife as wants may require and as my executors hereinafter appointed may direct.

Item 4th. The balance of the above described lots of land, which I have not deeded to any other person, and the lot of land which I drew in the Cherokee purchase with all of my other property which I have not disposed in the foregoing, I wish to be sold and the money arising from the sale thereof to be collected and equally divided between my several sons, viz Hampton, John Lepe, Isiah, Anderson & Alfred Holcombe, after paying legal charges and also all the money arising from the debts due me, that shall not be expended for the use of my wife as above directed, shall at her death, be equally divided between my several sons above named.

Item 5. And for the purpose of carrying into effect the several terms of this my last will and testament, I do hereby constitute and appoint Hampton Holcombe and Isiah Holcombe, both my sons, my lawful executors in law and equity and to dispose of and pay over to each one of my heirs their proper portion of money. And I Sherwood Holcombe do hereby acknowledge that the foregoing, terms of this my last will & Testament is agreeable to my wish and desire. In testimony of the same I have hereunto set my hand and seal this Tenth day of December in the year of our Lords one thousand eight hundred and forty four.

Given under my hand and seal of office this 10th day of December 1844.
 Sherwood Holcombe
 His Seal

In presence of
 Singleton Dick
 Mary Ann
 Thomas L. L.

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 Habersham County } Personally came in open court Singleton Sisk, Mary Ann Sisee
 & Thomas Sisee, the witnesses signed to the written will and being duly sworn saith as
 they saw Sherwood Holcombe sign and publish & declare the within writing, to
 and contain his last will and testament, and that they assign the same in the presence of
 said Sherwood Holcombe as witnesses and that they considered him the said Sherwood to be at
 time of sound disposing mind and memory, and that he executed the same freely without
 compulsion so far as they know or believe
 Sworn to in open court & subscribed this
 13th January 1845, before me - Philip Martin D.C.C.O. } Singleton Sisk
 "Georgia" } Mary Ann ^{her} Sisee
 "Habersham County" } Thomas Sisee

Court of Ordinary, January Term 1845
 Habersham County } We do solemnly swear that this writing contains the true
 last will of the within named Sherwood Holcombe, so far as we know or believe, and
 we will well and truly execute the same by paying first the debts and then the
 legacies contained in the said will. So far as his goods and chattels will thereunto
 extend and the law charge us, and that we will make a true and perfect inventory
 of all such goods and chattels so help us God

Sworn to & subscribed in open court } Hampton Holcombe
 January 13th 1845, Philip Martin D.C.C.O. } Isaac Holcombe
 "Georgia" }

Court of Ordinary, January Term 1845
 Habersham County } The within last will and testament of Sherwood Holcombe
 having been duly proven at this term of the court upon the oath of Singleton Sisk
 Mary Ann Sisee & Thomas Sisee -

ordered that the same be admitted to record
 on the petition of Ann Katharine Shell, orphan (a minor) of the age of 14 years
 Davis House of said County as her guardian - It is ordered by the
 court that Davis House be & he is hereby appointed Guardian of said
 orphan, Ann Katharine Shell, & that the Clerk issue letters of Guardianship
 - Ship to the said Davis House in terms of the law, by his giving, Lawson
 B Hambright, Jerry Mc Millian & Burrell Drie securities for said
 Guardianship & taking the oath prescribed by law.

A. Mcauldin J.P.C.
 Lemmy Crocker J.P.C.
 E. J. Barclay J.P.C.