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Wherein as ex ecutors, duly qualified, before me at
said term, and to vest them with full authority to ex-
ecute said will I have duly issued to them the letters tes-
tamentary herewith annexed. In testimony whereof I have
hereunto set my hand and seal of office this 2nd day of
February 1879.
J. D. Beale
Ordinary

Recorded September 12th 1894
J. H. Crain Ordinary

Nicholas Tompkins Will.

State of Georgia Heard County
In the name of God Amen. I Nicholas Tompkins of the County and state aforesaid being of sound and disposing mind and memory but remembering that it is appointed for all men once to die and being desirous of directing the disposition of my property do of my own free will and accord make publish and declare the following my last will and testament To wit
I desire that the following property real and personal be set apart to my present beloved wife Lucinda and her children living at my death and have within the usual period of gestation afterwards that is to say, South half of lot of land No (30) thirty lots numbers (34) thirty four, (35) thirty five, (36) forty five (40) forty six (50) fifty (51) fifty one (52) fifty two and all of lot No (53) fifty three lying East of Centralditch Creek and all of the same lot lying North of a line beginning at the Mouth of the branch first below the mill school on said lot and running due West through the lot also lots of land Nos sixty one (61) sixty two (62) and sixty three (63) and sixty eight (68) together with all the appertinances and the household and kitchen furniture & all the plantation blacksmith Carpenter & Cabinet tools of every description. And also the following negroes to wit: Moses, Nancy, Sarah, Jerry, William, Anderson, Mary, Martha, Emily and little Moses son of Moses and Nancy, Silvery, Ben, Madison, Big Bill and his wife Heinnie as and their child Jackson & Ellen and all the increase of said negroes have after this date and also twelve head of horses or mules twelve cows & calves one hundred head of stock hogs twenty five head of sheep two yoke of Oxen two negro boys and pounds of pork three hundred bushels

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of corn sixty bushels of wheat twenty thousand pounds of fodder & oats (ten of each) all of which horses mules and other stock and provisions she shall have the right to select from general stock

Item 2nd

This property I desire to be kept together managed & controlled by my wife for her own support and comfort and for the support maintenance and education of her children aforesaid and as each child shall come of age or marry his or her portion then to be given off my said wife and her children taking share & share alike should any of the negroes become refractory or hard to govern my wife has the power to sell or dispose of such negroes or negroes & reimburse the proceeds for the common stock as before.

Item 3rd

To my daughter Catherine's wife of Joseph M. Lane I also first set apart the following lands to wit, that portion of lot no (23) life then not given to my wife and other children in the first item and also No sixty (60) sixty nine (69) and seventy (70) all the lands here mentioned and also that in the first item being situated in the (3rd) Hundred District of Orange County Va 1894-1900
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Item 4th

From the remainder of my property I desire my debts to be paid & then the balance to be divided equally between my wife Lucinda and her children mentioned in the first item and also my children by my first wife, all taking share & share in this residue of my estate and for the purpose of a just and equal division of this balance I direct all of every character to be sold at as early a day after my death as the law and circumstances will permit. I also desire that my Grand daughter Sarah Catherine shall take our share in this division as the representation of her father Liles L. Tompkins and should either of my other daughters die before this division I desire that her children shall take such share.

Item 5th

All the property here given & to my daughters both those that are married and unmarried and by my first and present wife and also that which I give to my Grand daughter Sarah Catherine I give to the sole and separate use of each during life and after death to their children in fee not subject to the debts of any future or present husband. I desire the husband of said daughter and said Grand daughter to receive their share and manage the property in trust for the sole and

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separate use aforesaid should they deem it advisable with the consent of the wife to sell any portion of such property they shall have the power to do so but the proceeds always to be held or reinvested with the limitations and to the uses above mentioned. If Sarah Catherine my granddaughter should die without issue her portion shall revert to my other children

Now 6th That portion of the property coming to my present wife & her children herein I desire to be merged in the common stock as in the first item and held by her as then directed And when my son William Green Springer shall grow up I desire him to aid in the management of the property. I desire that my friend Benjamin Skill of Troup County shall supervise and see that this will is executed and to aid my wife and children when necessary as a testimony of all the foregoing I have hereto freely and voluntarily set my hand and seal and published and declared the foregoing to be my true last will and testament hereby revoking all others this the 21st day of December 1852

Signed Sealed published and declared in presence of us who signed and attested the same

in the presence of the Testator
Zachariah P. Almon
Harriet M. Hammon
Ardionette M. Almon
Benj Skill
Jas P. Barry
Marshal Morton
H. P. Fernando
Arseline Leigh
Margaret Leigh
Andrew How
J. S. Rogers
W. T. Williams
John G. Traummell
Samuel Stegler

Witnessed

As the property mentioned in the foregoing will as set apart to my wife and children I had the following to wit lot of land No 47 forty seven in the 12th District of original Carroll now Heard County and the negroes viz Tom the wagoner and Robert A. Negro of yellow complexion on the terms stated in the original will signed sealed published

Heard County Wills 1894-1900
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and declared 29th Aug 1856.

Wm. S. Heard
A. Fielder

Nicholas Tompkins Esq

Benj. A. Bigham

Benj. A. Hill

Georgia J. G. Crain Ordinary of said County

Heard County do certify that the above and foregoing
pages is a true copy of the last will and testament
of Nicholas Tompkins deceased recorded in book
of wills on pages 122, 123 & 124. Given under my
hand and official signature This Dec 9th 1892

J. G. Crain
Ordinary

Copy filed in Office March 25th 1895

J. G. Crain Ordinary

Recorded March 25th 1895

J. G. Crain Ordinary

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