

Testament of Allen. Rape late of said County
 de^{ced}, & the two witnesses to said Will viz Cordy. Taniel
 & James. W. Sowell. which witnesses being duly sworn depose
 and saith that they saw the Testator sign, seal, publish
 & declare with his mark the instrument now presented
 as his last will & Testament freely, voluntarily, & of his
 own accord and without any compulsion or influence
 whatever & at the time of the execution of said Will said
 Testator was of sound disposing mind & memory that de-
 ponents signed said Will as witnesses in the presence of the
 Testator & at his special instance & request & in the
 presence of each other so help us God

Sworn to & subscribed before } Jas. W. Sowell
 me April 4th 1864 } Cordy. Taniel

Q. R. Nolan Ardy }
 Georgia } I Margaret Rape do solemnly swear that this
 Henry Co. } writing containing the last Will & Testament of
 the within named Allen. Rape so far as she know or
 believes & that I will well & truly execute the same first by
 paying the debts & then the legacies contained in said Will
 so far as his goods & chattles will therein extend & the I do
 charge me that I will make a true & perfect inventory of
 all such goods & chattles so help me God

Sworn to & subscribed before } Margaret ^{her} Rape
 me April 4th 1864 } Mark

Georgia } The will of Amy Driver and declared by her
 Henry Co. } on the 27th day of March Eighteen hundred
 & sixty four in our presence under the following Circum-
 stances and in these words the said Amy. Driver being at
 her own house in Henry County Georgia on the 27th day
 of March 1864 being near unto death in her last sickness
 from which she had suffered but a short time while
 the undersigned were present waiting on her the said Amy.
 Driver said in these words that she wanted Peggy. Driver
 to have the garden the potatoes & potato patches the fowls
 & pig's & bed quilts piece of the counterpane for lining
 and the said Amy wishes that Henderson Upchurch would
 see to the burial of her body & business &c. And in these
 days thereafter departed this life.

this 10th day of April 1864

Elizabeth. Upchurch
Nannie. Lindsey.
Ann. Upchurch

Georgia 3 In open court Peggy Driver having propounded
Henry Co) the within writing as a noncupative will made
by Amy Driver in her last illness. The following witnesses
Elizabeth. Upchurch. Nannie. Lindsey. & Ann. Upchurch.
being introduced were duly qualified to the within state-
ment of facts & to the exact words & said they were used
by Amy Driver. & that she did utter said words without
any undue influence being exerted over her by any person
whatever & that at time of writing said words she was of
sound disposing mind & memory and that words & state-
ments as written within were read out & signed by them
as within in thirty days from her uttering said language.
Ann. Upchurch.

Elizabeth. Upchurch.
Nannie. Lindsey.

Georgia 3 Into open court came this day Henderson. Upchurch.
Henry Co) Executor appointed who being duly sworn saith that the
writing's containing the true last Will & Testament of Amy.
Driver as proven by the witnesses so far as he knows or
believes & that he will well & truly execute the same by
paying first the debts & then the legacies contained in said
will as far as her goods & chattles will thereunto extend
& the said charge him & that he will make a true & perfect
inventory of said goods & chattles.

Sworn to in open court

this May 3rd 1864

Henderson. Upchurch.

J. R. Hoban Cldy.

Upon application of Peggy Driver to prove the within
as a noncupative Will of Amy Driver & representing that
there were being some of which were Minors but that they
were scattered over the Confederacy not knowing exactly
their localities but that there were two minors Sallie. A. Cot.
& Margrett. Driver, residing in said County Ordered by the
Court that Levi. Turner be appointed Guardian ad litem
to represent said minors & witness proceedings.

May 3rd 1864

J. R. Hoban Cldy

I accept said appointment as Guardian Ad litem for
said orphans waive usual notice & consent that said
Will be offered for probate in solemn form