

presently waiting on him after calling on them to bear witness of what he should say declared as his last Will the following words.

Item 1) I wish all of my just debts paid then my wife Mary Steel to have all of my property, soon after the speaking of these words the said Robert Steel died.

Given under our hands this 4th day of February 1864

G. W. Rowan
Mary. A. Rowan
Mary. M. + John's

James. F. Glass J. S. C.

Upon application of Mary. A. Steel widow of Robert Steel to prove the above as nuncupative Will of Robert Steel. and representing that she had four minor children viz Walter. Joanna. George. & Sarah. R. Steel ordered by the court that Bushrod Petit esq be his hereby appointed guardian ad litem to represent said minor orphans & see to proceedings

March 7th 1864

B. R. Nolau. Clerk.

I accept said appointment as guardian ad litem of said minor children & waive usual notice & consent that said will be offered as probate in solemn form of Law at once

March 7th 1864

B. Petit,

Georgia In open court Mary. A. Steel having profounded the within (Henry Co) writing as a nuncupative made by Robert Steel in his last illness) & Bushrod. Petit as guardian ad litem for minor children

Walter, A, Joanna, George. H. & Sarah. R. Steel. being present to witness proceedings - (The following witnesses G. W. Rowan. Mary. A. Rowan & Mary. M. Tobbin's being introduced were duly qualified to the within statement of facts & to the exact words & said the were used by Robert Steel & that he did utter said words without any undue influence being exerted over him by any person who was & that at time of uttering said words he was of sound disposing mind & memory & that words & statements as written within were made out & signed by them as within in thirty days from his uttering said language

Sworn to before me this March 7th 1864

G. W. Rowan
Mary. A. Rowan
Mary. M. Tobbin

Georgia In the name of God amen I Jesse. H. Cothren being of Henry County & sound & disposing mind & memory do make this my last Will & Testament in manner & form following that is to say. After all the payment of my just debts & funeral expenses be paid by my representatives.

Item 1) I will & bequeath to my beloved wife Irene Cothren all my Land amounting to Three hundred & twenty five acres whereon I now live also three negroes to wit Oliver. Elbau. & Parthana also all my household & Kitchen furniture in fact every thing that I may die possessed of now including stock of every kind now my will & desire further is that my wife keeps up her farm and give to each child such education as she thinks in her judgment that she can bear after raising and supporting them and in the event that my wife should marry or die my will is that all that she may be seized in possession of shall then be sold and equally divided between the several distributive legates share and share alike namely first my wife Irene Cothren. Elizabeth. J. Speer. Matilda. F. Speer's. Thomas. J. Cothren. Lucinda. C. Card. William. A. Cothren. Ezekial. Cothren. Robert. R. Cothren Sarah. R. Cothren. Nancy. A. Cothren. and John. F. Cothren. Now I am owing some Six hundred dollars to the minor heirs of William Stallworth now if it should be necessary to sell any portion of my estate to pay off those minor I vest the power in my Executors hereafter named to sell so much as will pay off those legates as they may become of age and giving them a lawfull receipt for the same as the Law requires.

Lastly I appoint my wife Irene Cothren my sole Executor to this my last will & Testament hereby revoking any former will by me made Signed sealed published and declared for and as the last Will and Testament of Jesse. H. Cothren at his request and in the presence of each other. This Nov. 27th 1863.

Attest. Thos. P. Atkinson,
John. M. F. Davis.
James. Speer's,

Jesse. H. Cothren. (Seal)

I Jesse. H. Cothren now say that I have given my four children that are married off a bed and furniture to wit James. Speer's wife Wm. J. Speer's wife Richard Card's wife & Thomas. J. Cothren's wife now my will is that my six last children be made equal with my first four children as grow of age or marry off and that my Executors who are appointed in the foregoing part attend to this my desire and that my friend Thos. P. Atkinson do assist my representatives in this my last Will and the Will be fully carried out as was written on the 27th day of November Last. This 28th of Decr 1863.

I now sign this in the presence of John. M. F. Davis. Henry. Peck's. and Thos. P. Atkinson as the witnesses

Attest Thos. P. Atkinson,
John. M. F. Davis! Henry. Peck's.

Jesse. H. Cothren (Seal)

Georgia } Court of Ordinary March Term 1864
Henry Co } March 7th

Into open court came this day personally one of the Executors of Jesse H. Cothren, who propounded for probate in common form of saw a paper purporting to be the last Will and Testament of Jesse H. Cothren late of said County deceased & introduced Thos. P. Atkinson John M. G. Davis & James Speers into open court who being duly sworn deposed & said that they saw Jesse H. Cothren sign seal publish & declare the foregoing instrument as his last Will & Testament freely & voluntarily of his own accord & without any compulsion or influence whatever that at the time of the execution of said last Will & Testament said Testator was of sound and disposing mind and memory that deponents signed said will as witnesses in the presence of the Testator and at his special instance & request & in the presence of each other

Sworn to in open court before me
March 7th 1864
Q. R. Volare Ordry

Thos. P. Atkinson
John M. G. Davis
James Speers

Georgia } Court of Ordinary
Henry Co } March 10th 1864

Into open court this day came one of the Executors of Jesse H. Cothren late of said County deceased & propounded for probate in common form of saw a paper purporting to be a codicil to the last Will & Testament of Jesse H. Cothren deceased and introduced Thos. P. Atkinson John M. G. Davis & Henry Speers into open court who being duly sworn said that they saw Jesse H. Cothren publish & declare the foregoing instrument as a codicil to his last Will & Testament freely & voluntarily of his own accord & without any compulsion or influence whatever that at the time of the execution of said Codicil said Jesse H. Cothren was of sound disposing mind & memory that deponents signed said Will as witnesses in the presence of the Testator and at his special instance & request & in the presence of each other & saw Jesse H. Cothren sign likewise

Sworn to & subscribed before me
Q. R. Volare Ordry

Thos. P. Atkinson
John M. G. Davis
Henry Speers

Georgia } Court of Ordinary
Henry Co } March 1st 1864

Into open court personally came Jesse Cothren one of the Executors named in the foregoing Will & Testament who being duly sworn deposed & said that the

foregoing writings contain the last Will & Testament of
Jesse H. Cowther late of said County dec'd and the Codicil
attached thereto as far as she know or believes & that she will
well & truly execute the same by paying first the debts &
then the legacies contained in said Will and Codicil so far
as his goods & chattles will therunto extend & the Law charge me
that I will make a true & perfect inventory of said goods & chattles.
Sworn to in open court
This March 4th 1864 }
J. R. Nolan Ordinary }
Jesse H. Cowther

Georgia: } In the name of God Amen. I Allen, Rafe of
Henry County } paid State of Georgia being now ready to enter
the War between the Confederate States & the Northern States
in favor of & on the part of the Confederate States of America
and in consequence of the disaster of War do hereby Will &
bequeath that if I should fall in battle or die naturally that
my wife Margrett Rafe shall be my Executrix on said Will &
that she shall cause all my just debts to be paid as soon
as circumstances will permit & that my wife Margrett Rafe
shall be my sole & alone heir during her lifetime with full
control of & possession of all my effects both real & personal
what so ever I may die Seised & possessed of at the time of my
death to serve & be served in all respects as I would be subject
to my self if alive & that my said wife raise & school my child
dren heirs of our now living & at her death all and what
power is left of my Estate to be equally divided among my seven
children viz W. A. Rafe, Nancy, A. Rafe, M. H. Rafe, J. M.
Rafe, Wm. S. Rafe, C. W. Rafe, Mary, Rafe, by my wife
with out any Ordinary interferences whatever or Court charges
my said wife Margrett Rafe will have this recorded and
by and all power I have or would have if alive is hereby
given to my wife to sell use or dispose of in any shape
after my debts is paid as above mentioned without any sale
publicly by order of any court whatever in testimony whereof I
hereunto set my hand & seal July 4th 1863
C Allen. Rafe.

Geordy. Daniel.
Alexander. Semons.
Jas. W. Sowell.

Georgia } Before me J. R. Nolan Ordinary in and
Henry Co. for said County personally came before
me Margrett Rafe the Executrix of the last Will &