

presence, and in the presence of each other, and that the other witnesses did likewise. That at the time of the Execution of the same Testator was of sound disposing mind and memory unenfluenced by any undue restraint or influence whatever but that the same was voluntarily executed.

Do. on to in open Court }
this May 1st 1865.

James C. Clinton
James W. Edwards.

J. C. R. Nolan Clerk.

Georgia
Henry County

May Term. May 1st 1865

I, J. R. H. Pender, do solemnly swear that this Writing contains the true last Will of the within named John M. Pender Decd. 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 in the said Will as far as my goods and Chattles will thereunto extend, And the Law Charge me, and that I will make a true & perfect Inventory of all such goods and Chattles. In Testimony Whereof.
J. R. H. Pender.

Georgia
Henry County

Availing myself of the right of disposition as to the worldly goods with which a kind providence has blessed me, I, Rhoderick Harpaz, of said County & State do hereby make, execute, and declare this as my last Will & Testament revoking all others heretofore at any time made by me.

- 1st My Soul I commit to God who gave it trusting as I do the merits and atoning blood of the Saviour.
- 2nd My body I desire buried in a decent & Christian like manner.
- 3rd I give and bequeath to my grand children, i.e. the children of my son Rhoderick Henry Harpaz. the following described Land subject to the deduction or qualification herein named to wit; I desire that the Land, as described below, in this State, be sold by my Executors herein after named, whenever in their judgement they may think proper. (And until sold, said children to receive Rents, issues and profits) and out of proceeds of said Sale, my Executors to pay to Daniel Fargason Three Hundred Dollars, or out of liquidated damages he may sustain by reason of his securityship upon the administration Bond of said Henry Harpaz upon Estate of my son William C. Harpaz. Should I or my Estate be deprived

if the Land herein described (in this Item) by means of any suit now pending or that may hereafter be instituted, it is not my wish that said Grand children, viz the children of my said son Henry receive anything else of my Estate whether real, personal, or mixed: Said Land is known & described as follows to wit: a portion of Lots No nineteen (19) and forty six (46) in Seventh Dist of said County and State containing One hundred and eighty acres more or less it beginning at the corner of Bowers Land of Francis C. Harpser widow of my said son Rhoderick Henry, near my Spring on the east side of the branch and running down said branch to the original line of lot No forty six, thence East along said original line to the corner of lot last aforesaid, thence North along the original line to the N. E. corner, thence continuing north along original line of No nineteen to the middle of said Lot, No nineteen (19) thence west to the corner of said Bowers, thence running south along line of Bowers until it strikes S. E. corner of said Bowers and thence west to the beginning point. Excepting two acres of family burying ground - which said two acres of my real Estate I reserve to my Estate for burial purposes and thus direct my Executors accordingly.

Item 4th. I desire & direct that my Executors sell as soon after my death as they may think proper all of my perishable property; My Executors reserving such of the Household and Kitchen furniture as they may think proper without intervention of appraisers as Law prescribes.

My Executors to retain all of said perishable property ~~in~~ in their hands to defray all the expenses of comfortably providing for & taking care of my beloved wife - And also all monies that I may have on hand at my death as well as all that may be collected on notes and accounts and other evidences of debt to be held in same manner.

My Exrs in no manner nor under any consideration to be charged interest on any amount that may be in their hands for purposes aforesaid - This to apply to proceeds from Real as well as perishable property sales and collections.

5th I desire that my Executors sell all or a portion of my real Estate whenever they think proper until such sale or sales to contract and manage said Real Estate as they think proper. Unless my Exrs think proper I do not under any circumstances, desire a distribution

of my Estate or any portion thereof until after death of my said Wife, Susanah Harper, - And as early as practicable after death of my said Wife, I desire and direct that my Exrs sell all of my Estate real and personal not previously sold and all the proceeds on hand be equally divided among my children here in often named, share and share alike - to wit Benj L. Harper, Nancy Hargason, wife of Daniel Hargason, Francis B. Turner wife of Levi H. Turner, Elizabeth E. Copeland wife of Daniel S. Copeland, Abolibanah Turner, wife of Plea and H. Turner, decd. The children of William S. Harper decd. consisting of Martha E. and Susanah Harper. The said Martha and Susanah to receive but one equal share.

I desire that in no way is the children of Rhoderick Harper to receive any portion of my Estate other than that mentioned in third Item of this will, and if they fail in getting the they are not to receive of any other portion of my Estate real, personal or mixed.

6th Item. I desire that my Exrs expend any amount they may deem proper about the graves of myself and wife.

7th. I hereby constitute & appoint my trusty Son & Son-in-Law.

Benj L. Harper and Levi H. Turner as my lawful Executors to this will. 8th If my said son-in-law Daniel Hargason should fail to realize the sum of three hundred Dollars, or liquidated damages from the land mentioned in Item 3rd from any cause, I desire & direct that my said Exrs pay said Daniel said amount out of proceeds of sales of my Estate at death of my wife - Not sooner unless my Exrs think it advisable.

In testimony whereof I the said Rhoderick Harper have hereunto set my hand and seal the 14th day of July 1866.

The words "Daniel be remunerated out of any other portion of my property, for I will and direct that said grand children" erase before signing - and the words "grand children" interlined on second page 3d Item

Rhoderick ^{his} Harper ^{mark}

We certify that we saw Rhoderick Harper sign, by making his mark, seal, publish & declare the foregoing five pages, as his last will and testament, that we signed in his presence and at his request, and in presence of each other. July 14th 1866.

Geo. M. Nolan
J. L. Hunter
Wm. G. Austin.

Georgia To the Hon. the Court of Ordinary of said
Henry County County.

The Petition of Benj. L. Harper and
Levi H. Turner, sheweth that on the _____ day of July 1866
Rhoderick Harper, then a resident of said County, departed this
life, in said County, after having executed, signed, sealed, published
and declared certain writing here with presented, as his last
Will and Testament. To which said writing Geo. M. Nolan, D. L.
Gunter, and Wm. G. Austin, Citizens of said County, are subscribers,
and in which said writing petitioners are nominated
as Executors.

Wherefore petitioners pray that they may be ~~allowed~~ allowed
to probate said Will, in vacation as prescribed by Statute in
such case made and provided.

And in duty bound your petitioners will ever pray &c

Benj. L. Harper
Levi H. Turner
Petitioners

State of Georgia
Henry County Before me came on the 26th of July 1866
at Chambers for the purpose of proving
the last Will & Testament of Rhoderick Harper, one of
the witnesses to said Will viz Wm. G. Austin, and the
Will having before that time been brought before me for
Probate by the Executors Benj. L. Harper & Levi H. Turner
who has filed a petition for Probate of the same, he the said
Witness, depose of the same that he saw said Rhoderick
Harper sign (by making his mark) and publish the same
as his last Will & Testament on the day and year then
stated, as executed by him, that he witnessed the same at his
request, in his presence, and in the presence of each other
and saw the other Witnesses likewise do the same, that the same
was voluntarily executed by him while he was of sound
disposing mind and memory.

Wm. G. Austin

Sworn to and subscribing before me this 26 day of July 1866.

A. L. Nolan Clerk

Georgia To The Benjamin L. Harper and Levi H.
Henry County Turner do solemnly swear that this
writing contains the true last Will and
Testament of the within named Rhoderick Harper

do so far as we know or believe, and that we will
well and truly Execute the same, by paying first the debts
and then the legacies contained in 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 before me
in open Court August Term this
6th day of August 1866.
O. L. Holan

B. L. Haffner Ex
L. H. Turner Ex

Ordinary H. C.

Henry County, State of Georgia

I, Daniel Ruff, considering the uncertain-
tainty of this mortal life, and being of sound mind and memory do
make and publish this my last Will and Testament, in manner
and form following (that is to say) First, I give and bequeath unto
my beloved wife Millerand Ruff the sum of all my Estate, both
real and personal, during her natural life or widowhood
and if she should ever marry, my Estate which I have willed
to her my beloved wife to be sold and equally divided
between my children.

I hereby appoint sole Executrix of this my last will and
Testament my beloved wife Millerand Ruff, hereby revoking
all former wills by me made.

In witness whereof I have hereunto set my hand and
seal the 27th day of July in the year of our Lord One thousand
eight hundred and sixty four

Daniel Ruff

The above Instrument, consisting of One sheet was now
here subscribed by Daniel Ruff the Testator in the presence
of each of us, and was at the same time declared by
him to be his last Will and Testament, and we at his
request, signing our names hereto as attesting witnesses,

William C. Walker
Robert B. Andrews
Mockley Gibson

Georgia Court of Ordinary in Vacation. Michael 4th
Henry County Into open Court this day came M. Ruff