

Read and acknowledge the within instrument of writing to be his last will and testament and that himself was a subscribing witness thereto and that he saw Ridgeway Hogan and Henry Heagin subscribe their names thereto as witnesses and that they all assigned the same at the special request of the Testator and in his presence and in the presence of each other and that the said testator was of sound and disposing mind at the time of its execution.

Sworn to and subscribed in open Court this 5th March 1832.

S. Heagin

Test. Charles MacCarthy Clk. C.O.

Copy of John Kirk's Will.

In the name of God Amen. I John Kirk of the County of Jones and State of Georgia of Sound mind and memory do constitute and ordain this my last will and Testament. first I commit my Soul to God who gave it relying on the atonement of Christ for its eternal salvation and my Body to the grave to be decently interred at the discretion of my Executors as touching my Temporal affairs it is my will that they be disposed of in the following manner (to wit) first It is my will that the following negroes (to wit) Dennis, Charity, Abbebeens, Anarchy, Harris, Wilks and Wiley be sold and the proceeds thereof be appropriated to the Payment of my just Debts and should there be a Surplus left it is my will that my mother Anna Kirk have the use of it during her life and then to be equally divided between my Brothers and Sisters Secondly I bequeath to my beloved Brother Levi Kirk one hundred Acres of Land known as the McGroug Place. Thirdly I bequeath to my beloved wife Lucy C. Kirk the whole residue of my estate both real and personal to be used and enjoyed and disposed of at her will and pleasure and that Lucy C. Kirk and William Kirk be my Executors and Executor to carry this my last will and testament into effect. In witness whereof I have hereunto set my hand and affixed my Seal this 3rd October 1825.

John R. Crockett

John Harrison

Thomas Hunt

John Kirk (L.S.)

The here at Law of John William Kirk deceased } I am John Duff
Rev. William Freeman and his wife Lucy C. Freeman }

Caveat and appeal from the Court of Ordinary Special Jury sworn

1 Kimbren P. Thweatt

7 Wiley B. Pope

2 Stephen Clower

8 David Slocumb

3 Thomas H. Jordan

9 Raleigh Spinks

4 Richard Blount

10 Horatio Bowen

5 Pleasant Philips

11 Joseph E. Styler

6 Abram Card

12 Charles Workman

We the Jury establish this as a copy of the original will of John Kirk deceased and admit it to probate.

The heirs at Law of John William } B. Philips Foreman.

Kirk by their next friends Sally

Cabamere, William Kirk, Willis

Hunt and Levi Kirk appellants

vs.

William Freeman and his

wife Lucy C. Freeman formerly
the widow of John Kirk deceased

This case having been submitted to a Special Jury at this term and by their verdict, they find the copy of the Original will of John Kirk deceased should be established and admitted to probate.

It is therefore ordered and adjudged and decreed, that the decision of the Court of Ordinary below be and the same is hereby confirmed, and that the copy of John Kirks will on file in that Court at the time of the above appeal was entered, be recorded in said Court of Ordinary in lieu of the Original will of John Kirk deceased proven to be destroyed and said Copy be considered as established according to Law and it is further adjudged that the Clerk of this Court certify the proceedings in this Court with said established Will, to the Court of Ordinary for their consideration, and it is further also adjudged and considered that the Propounder of the will of John Kirk deceased respondents, recover of the appellant the Sum of for Costs in this case laid out and expended, and said appellant be in money &c.

J. Smith

A true copy taken from the minutes of Court February 9th 1831.

Robert W. Goodman Clerk

Nathaniel Mathews Will

In the name of God Amen.

I Nathaniel Mathews of the State and County afore-
said of sound and disposing mind and memory but