

Caveat and appeal from the Court of Ordinary Special Jury sworn

1 Kingdon P. Thwait

7 Wesley 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 Worman

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 } P. Philips Foreman.

Kirk by their next friends Sally

Cabanes, William Kirk, Willis

Hunt and Levi Kirk appellants

vs.

William Freeman and his

wife Lucy E. 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 respondent, recover of the appellant the Sum of _____ for Costs in this case laid out and expended, and said appellant be in mercy &c.

J. Smith

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

Robert W. Goodman Clerk

Nathaniel Mathis's Will

In the name of God Amen.

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

knowing that all men must die and from my advanced age, the time with me can not be very distant do hereby make and ordain this my last Will and Testament revoking annulling and setting aside all former wills heretofore made by me. Item 1st It is my will that should I be in debt at the time of my decease that so much of my perishable property as may be thought necessary to pay the debts be sold and appropriated there to. Item 2nd It is my will to bequeath to my wife Baze L. Mathis one half of the lot of land whereon I now reside or all that lies west of a large Branch that runs nearly through the center of said lot and one bay horse and two beds and furniture together with my entire stock of hogs and Cattle. Item 3rd I hereby give to my Daughter Nancy Mathis one bed and furniture. Item 4th I hereby give to my Grandson Joseph Mathis a mare Colt three years old, or to be sold at the discretion of the Executors and the money to be retained until he becomes of age. Item 5th It is my will that the balance of my property consisting of the East half of my lot of land whereon I now reside be retained or sold at the discretion of the Executor according to a stipulation in Item 4th and the proceeds thereof to be equally divided between my two Grandsons Joseph and Allen Mathis when they arrive at mature age. Item 6th I hereby constitute and appoint Alexander Oden my Executor with full power to carry into effect each and every part of ^{my} aforesaid will, this February 15th 1832. done in presence of

Samuel Winfrey }
Rowland Ross }
Miles E. Lewis }

Nathaniel ^{his} Mathis
mark

Georgia } Court of Ordinary August Term 1832.

Jones County } This day came and appeared in open court Rowland Ross who being duly sworn saith that himself with Samuel Winfrey and Miles E. Lewis were subscribing witnesses to the foregoing will and that they by special request of the testator Nathaniel Mathis subscribe their name thereto in the presence of each other and the testator and that the said testator was of sound and disposing mind at the time of its execution.

Sworn to and subscribed

Rowland Ross

in open Court August 6th 1832

Charles Macduthy Clk. C. O.