

Will of Hudson Whitaker, Probated &c.

Georgia, } In the Ordinary of said County, --
Lee County, } The petition of Georgia A. Whitaker, respectfully
sheweth that herebefore, to-wit: on the 1st day of January
1877, Hudson Whitaker, of said State and County,
departed this life in said County Testate, having
before said time, on the 25th day of December 1876,
in the presence of James Dodson, W.D. Wells, and
G. M. Warwick, made his Last Will and Testament,
which Will is hereby tendered to the Court that
the same may be probated in Common-Form of
Law, and petitioner also tenders the evidence of
W.D. Wells one of said witnesses to prove the same.
Petitioner further sheweth that by the terms of
said Will she was appointed executrix to carry
out the bequests of the same. She therefore prays
that said will be admitted to record in Common-
Form, and that she be granted Letters of Execu-
torship of said Estate, and as in duty bound &c.
January 9th 1877. -- G. M. Warwick, Jas. Dodson
& Son, Petrs. Attys.

Georgia, } I, W.D. Wells, being duly sworn, do say that the
Lee County, } attached paper purporting to be the Last Will
and Testament of Hudson Whitaker, late of said
County deceased, was signed, sealed and delivered
by said Hudson Whitaker, in my presence and in
the presence of James Dodson and G. M. Warwick,
to be his Last Will and Testament, that I signed
the same as a witness in his presence at his
request, and in the presence of the other witnesses,
and saw them sign likewise as witnesses. --
Subscribed and subscribed before me this
January 9th 1877. -- W.D. Wells.
E. D. Watson, Ordinary.

State of Georgia, } In the name of God, Amen. --
County of Lee, } I, Hudson Whitaker of the State and County
aforesaid, being of sound mind and disposing
memory, knowing the uncertainty of life, and
the certainty of death, and desiring that it

Will of Hudson Whitaker, continued,

a Christian's duty to make a proper disposition of all my earthly possessions, &c I leave this earthly home for a Heavenly Mansion, do make and declare this my Last Will & Testament, hereby revoking any and all Wills heretofore by me made. I therefore Will and declare,

First = That my Body be awarded a decent and Christian-like funeral, and my Soul to my God, as I hope for immortality through the merits of my Lord and Savior Jesus Christ. --

Second = I Will and desire that my Executor hereinafter to be appointed, shall pay all my just debts, --

Third = I will and desire that the money arising from my "Life Insurance Policy" be collected, and the same divided as follows, One Third to be paid to my beloved wife Georgia R. Whitaker, Two Thirds of the remainder to my beloved daughter Mary Ellison, wife of Robert S. Ellison, and the remainder to Beatra Whitaker, for the use of my Grand-son Hudson Whitaker. --

Fourth = I further Will and desire that my plantation in Gervell County, Georgia, with all the stock of mules, Plantation tools, wagons, corn, cotton-seed, fodder, and other property on said place, with my dwelling house, in the town of Smithville, Tal County, with all my property thereto attached, Horses, Luggage, Cattle, Hogs, Household and Kitchen furniture, be bequeathed to my beloved wife Georgia R. Whitaker, for and during her life or widowhood, she to have the use and enjoyment of the same, with all the Rents, profits or issues, that may arise therefrom, with power to sell or exchange any of the personal Property, Having in view the interest of the plantation; With the confident hope that she will aid and assist my daughter Mary Ellison, and my Grand-son Hudson Whitaker through this mother or otherwise. --

Fifth = It is my further Will and desire, that in the event my wife should marry, then all the property to be disposed by sale, or in kind, in the favor of her

Will of Hudson Whitaker, continued,

portions: my wife to have one third, my daughter Mary Ellison, two-thirds of the remainder, and my Grand-Son Hudson Whitaker, the remainder, But, in the event of the death of my beloved wife before marriage, that the property be divided by sale or in kind, as follows: My daughter Mary Ellison, to have two-thirds of the whole Estate, and My Son Hudson Whitaker, for the sole use of my Grand-Son Hudson Whitaker, the remainder. --

Sixth. = It is my further Will that my beloved wife, shall have authority to sell at private sale my undivided half interest in the Store-House & Lot of Allen & Whitaker, in Smithville, in her discretion, and the proceeds divided in the same Ratio as then Third of this Will. --

Seventh. = Having the utmost confidence in my beloved wife Georgia H. Whitaker, I hereby constitute her by these presents my Executive to carry out this my last will and Testament, those revoking all appointments heretofore by me made, and annulling and revoking all Wills by me made before this date. In testimony whereof I have hereunto set my hand & affixed my Seal, this the Twenty-fifth day of December 1876. --

Hudson Whitaker, (L.S.)

Signed and declared in our presence, as the last will and Testament, and we certify that Testator signed the same in our presence, and that we signed the same as Witnesses in his presence, at his request and in the presence of each other, this December 25th 1876. ...

James Dodson,

W. A. Wells,

G. H. Hawick.

See Court of Ordinary, January Term 1877. Upon hearing the foregoing petition, It is ordered by the Court that said last will & Testament of Hudson Whitaker of said County, deceased, be Probated and entered of Record, on the oath of W. A. Wells, one of the subscribing witnesses, and that Letters of Administration be granted to the said James Dodson.

Will of Neddon Whitaker. Continued.

Georgia, A. Whitaker, on her taking the usual oath, witness my hand and seal. this the 15th day of January 1877. --

E. A. Watson.

Ordinary

Georgia, B. Mrs. Georgia, A. Whitaker, you do solemnly swear that you will well and truly discharge the duties as Executor of the Last Will and Testament of Neddon Whitaker, deceased, to the best of your ability. So help you God.
Sworn to and subscribed before me, this January 20th 1877.

G. A. Whitaker,

E. A. Watson, Ordinary.

Recorded this the 20th day of January 1877. -

James Morgan, D. Clerk
of Ordinary

Will of Julia M. Miller, Probate.

Georgia, B. In the Honorable J. W. Battle, Ordinary of said County, The petition of Andrew J. Miller of said County, respectfully sheweth that heretofore to-wit on the 5th day of January 1880, viz, Julia M. Miller, wife of petitioner died in said County, leaving considerable Estate, a Will which is true to the Court sheweth, and by the terms of said Will your petitioner was appointed Executor of her Last Will and Testament, Petitioner also tender said Will for Probate, in Common-Terms of Law, and petitioner further sheweth that the same was witnessed by W. M. McAfie, M. D. Sanders, and C. W. Harvick; He therefore, brings C. W. Harvick, one of said Witnesses, who being duly sworn says that he saw Julia M. Miller, testatrix, sign the paper attached, (or deliver it to -) and declare it to be her Last Will and Testament, that he saw W. M. McAfie and M. D. Sanders, sign the same in the presence of the testatrix, Witness also signed said Will as a Witness at the request of testatrix and in the presence of the other