

State of Georgia / In the name of God, Amen

In the County of Polk, State of Georgia, being of sound mind disposing mind and memory, and being desirous to settle my worldly affairs, I do now therefore make and publish this my last will and testament, hereby revoking all wills by me at any time heretofore made. And first I commit my soul to God who gave it, and my body to the Mother earth from whence it came to be buried in a Christian Protestant manner.

Item 1st It is my will and desire that my just debts shall be fully paid and discharged before any division of my estate takes place.

Item 2^d I will and desire that a reasonable sum proportionate with the amount of Property I may possess at my demise be left a post for my beloved wife Martha E. Martin for one year.

Item 3^r I will and desire that my beloved wife shall hold and undisturbable tenth of the intere Household and other furniture for the convenience of the family until the children marry or become of age when she may decide off to them as she may elect.

Item 4^t I will and desire that the intere remaining property of my Post be not disposed of as above but apprised that my Executor being after appointed take possession of the same under this my last will and testament and I hereby invest him with full power to sell out or lease any portion of the same in the event he may decide that such disposals may best subserv the interests of my beloved wife and children.

Item 5th I will and desire that the property in traced in Item the fourth for the proccede of the same be equally divided between my beloved wife Martha E. Martin and the heirs of her body by me.

Item 6th I will and desire that the portion of my property falling to my beloved wife Martha E. Martin as above for deceased be held by her in trust by my Executor and in the event of second marriage that the same be apprised and still held in trust by my Executor until her decease and at that time to revert to the heirs of her body by me in equal shares.

Finally I nominate and appoint Andie Whitehead Executor of this my last will and testament and also nominate and appoint him the Guardian of my children during their minority of the same. In witness whereof I the said Martha E. Martin to this my last will consisting of 6 Sections have set my hand and seal this the 25th day of December 1878.

Martha E. Martin

Ex. 3

Signed sealed Published and declared by the above named Martha E. Martin
as his last will and testament in presence of us who at his request in presence of
each other have subscribed our names as witnesses hereto.

J. W. M. Jr.

J. Taylor

J. R. McMurtry

Georgia Polk County

I R. Whitehead do solemnly swear that I do hereby Certify the true last will of the foregoing witness named Martha E. Martin I word so far as I know or believe that I do well and truly execute the same in accordance with the laws of this State So Help Me God. R. H. Whitehead

Witnessed to and subscribed before me this the 25th day of December 1878

State of Georgia / Notary Public in and for the County of Polk, Georgia
Notary Public before me came J. A. Whitehead & John C. Green for the purpose of proving the last will and testament of Martha E. Martin deceased having been brought before me before the time by Andie Whitehead the Executor who has filed a petition for probate of the same to the Law Clerks office of the Superior Court of Polk County Georgia, published to heirs and friends on the day of January 24th 1879

And I do now certify that the same was so proved and acknowledged by the testator before me to be his last will and testament to him as executed by him. That they testified the same at his request under oath in presence of each other to be true and voluntary executed by him while he was of sound and disposing mind and memory. J. A. Whitehead

J. A. Whitehead

Subscribed and sworn before me this day of January the 25th 1879 just before me and acknowledged by me to be the true and voluntary execution of the said testator. J. A. Whitehead