

State of Georgia

Franklin County } In the Name of God I mean
I Charles A. Kelly Sen. of said State and County being of ad-
vanced age, and knowing that I must shortly depart this life, do
I right and proper do as regards my family and myself that I
should make a disposition of the property with which a kind pro-
vidence has blessed me, do therefore make this my last Will and
Testament, hereby revoking all others heretofore made by me.
Item 1st. I desire and direct that the body be buried in
a decent and Christian like manner suitable to my condition
in life. My soul I trust shall return to rest with God who
gave it.

Item 2^d. I desire and direct that all my just debts be paid
without delay by my executors hereinafter appointed so I am
satisfying my Creditors should be delayed in my rights.

Item 3^d. I give bequeath and devise to my beloved wife Mary
fractional lot number two hundred and ten in the fourth district
of Terrell County, containing twenty acres more or less with all
the rights appurtenant and appurtenances thereto belonging. I also
give and bequeath to my wife, One hundred and fifty Dollars in
money and furniture sufficient to support her for the term of years

giving, leave for our hands to see

Item 4th I give and bequeath to James C. Kelly, Francis Agel, and Sarah Powell each one hundred dollars 1/2 of the same share with my other Children, so the other heirs that amount given to them hereafter in Item 5th

Item 5th I give and bequeath to all my Children as follows to wit I desire that all my lands to wit, one hundred two hundred and forty five, two hundred and twelve and two hundred and eleven in the fourth district of Small County, containing two hundred two and one half acres each, be by the executors sold and the money equally divided amongst all my Children to wit George W. Kelly, Ezekiel W. Kelly, James C. Kelly, Francis A. Agel and Sarah C. Powell Item 6th I desire and bequeath that all my other property, except my Negroes, be disposed of and divided in the same way, as pointed out and decreed in the fifth Item

Item 7th I desire and bequeath that all my Negroes that I may be possessed of at my death be put into share lots as near equal as can be, and if the lots are not of equal value to be made so by those drawing the valuable lots, paying to those of less value so as to make all equal

Item 8th I give and bequeath all my Negro property as above named in the 7th item to my Grand Children as follows to George W. Kelly, Children I give one seventh part of my Negroes, or one lot as above mentioned free from any debt or judgement against George W. Kelly, also I desire that Ezekiel W. Kelly, Children have also one seventh part of my Negro property as above named free from any debt or judgement against said Ezekiel Kelly, also I give and bequeath to Charles R. Kelly's Children, one seventh part of my Negro property as above named free from any debt or judgement against said Charles R. Kelly, I also give and bequeath to Arab. W. Kelly's Children, one seventh part of my Negro property free from debt or judgement against said Arab W. Kelly, I also give and bequeath to James C. Kelly's Children one seventh part of my Negro property free from any judgement or debt against said J. C. Kelly, I also give and bequeath to my daughter Francis A. Agel's Children one seventh part of my Negro property free from any debt against her husband or herself, I also give and bequeath to my daughter Sarah C. Powell's Children one seventh part of my Negro property free from any debt or judgement against her husband

Item 9th I desire that all my Children act as Guardians for their Children

Item 10th I do hereby constitute and appoint my son Walter R. Kelly Executor to this my last will and Testament

This April 7th 1857

Signed, sealed and delivered in the presence of us the Subscribers as his last will and Testament who Subscribers our names hereunto in the presence of said

Witness at his death, and against and of each
 other, this 10th day of 1857.

Charles A. Henry (S)

James M. George

William (S)

Samuel (S)

Samuel (S)