

# LAST WILL AND TESTAMENT OF JOHN MCCONNELL, JR

In the name of God, Amen, I, John McConnell, of the County of Cherokee and State of Georgia, being of sound mind and memory and considering the uncertainty of this frail and transitory life, do therefore make, ordain, publish and declare this to be my last Will and Testament, that is to say, first I desire that my body be buried at the Hickory Flat burying ground, in a decent and christian-like manner and that such monument be erected over my grave as my circumstances in life and the situation of the country will permit, this to be done by my executors hereinafter named.

Second, I desire that all of my just debts be paid out of my effects as soon as the same can be done after my death.

Third, to my wife, Frances McConnell, I give and bequeath and desire that she have all the household and kitchen furniture, farming tools and other personal property that she had at the time of my marriage with her, as I do not wish my heirs to have any of her property. I also give and bequeath to my said wife, and direct as soon after my death as the same can be done, sixty bushels

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of corn, ten bushels of wheat, seven hundred pounds of pork, also one sow and pigs, also one cow and calf and one yearling calf. I also disclaim any right or title to the negroes belonging to my wife, to-wit Caroline and her children, and it is my Will and desire that they remain as they were at the time of my marriage with her.

Fourth, I desire and direct that my negroes, Green, a man about forty-seven years old, and Biddy, a woman about sixty-five years old, Mary Ann, about twenty-five years old. David, a man about forty years old, Sam, about thirty-five years old, Dick, about thirty years old, be put and sold to the highest bidder - the three last named negroes supposed to be in the hands of the Yankees, to be sold as soon as practicable in case they are recovered.

Fifth, it is my Will and desire that all my land whereon I now live, together with all my stock of horses, mules, cattle, sheep and hogs be disposed of at public sale as soon as practicable after my death and that the sale of my property shall take place at the place of my present residence.

Sixth, it is my Will and desire that after the payment of all my just debts and all expenses incurring in the management of my estate, that my executors make an equal division to the following named heirs, viz., James McConnell, (GAR) Henry McConnell, Sr., Samuel M. McConnell, Nancy Putnam, wife of Daniel Putnam, Mary Ann Roberts, wife of Joshua Roberts, William McConnell, Isaac McConnell, and Joshua McConnell, the children of Joseph McConnell deceased. Also the children of Sarah Paine deceased formerly the wife of Thomas I. Payne, the share here bequeathed to the children of Sarah Payne is to be equally divided between her two unmarried children, to-wit: William H. Payne and Martha Ann Payne.

Seventh, I am induced to leave out from any provision in this my last Will, the children of my son, Eli McConnell, for the reason that I have long since in the life time of the said Eli McConnell divided my estate liberally with him, and his said children which are now amply provided for.

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Eighth, likewise I make, constitute and appoint my two sons, Isaac McConnell and Samuel McConnell, to be executors of this my last Will and Testament, hereby revoking all former Wills by me made.

Ninth, It is my Will and desire that all of my household and kitchen furniture, my farming tools, wagon, buggy and all other property belonging to me at the time of my death be sold and the proceeds of the same divided equally among my heirs as designated and named in the sixth item of this Will. And also all money that I may have on hand at the time of my death be divided to my heirs in the same manner, and to that same persons as mentioned in the said sixth item of this Will, in witness whereof I have hereunto subscribed my name and affixed my seal, this the 9th day of June 1865.

/s/ JOHN McCONNELL

The above instrument was subscribed by the said John McConnell in our presence and acknowledged to by him to each of us and he at the same time, published and declared the above instrument so subscribed to be his last Will and Testament, and we at the testator's request and in his presence have signed our names as witnesses hereto and in the presence of each other. This the 9th day of June 1865.

GA

Samuel T. Houston

Thomas I. Edwards

Wm. M. Chambers

State of Georgia. Before me came on the 6th day of March 1866 at Chambers for the purpose of probing the last Will of John McConnell. The witnesses to said Will, Samuel T. Houston and William M. Chambers, and the Will having been before that time brought before me for probate before the executors, Isaac McConnell and Samuel M. McConnell, who has filed a petition for probate of the same. The said witnesses depose at the same time that they saw John McConnell sign and publish the same as his last Will, on the day and year therein stated as executed by him that they witnessed the same at his request and in his presence, and in the presence of each other, that the same was

voluntarily executed by him [www.georgiapioneers.com](http://www.georgiapioneers.com) disposing mind and memory.

Samuel T. Houston

Wm. M. Chambers

Shewn to and subscribed before me this the 6th day of March, 1866.

Warren R. D. Moss, Ordinary

Cherokee Court of Ordinary

April Term 1866

And now at a regular term of said court the Executors named in the Will of John McConnell coming and praying the admission to record of said John McConnell's Will, upon the probate taken in vacation ordered that said Will be admitted to record as John McConnell's last Will and Testament, and that the said Executors have leave to qualify on the same and upon so doing that Letters of Testamentary issued to them.

(GAR)

Warren R..D. Moss, Ordinary

Recorded April 10, 1866

Warren. R. D. Moss, Ordinary, Book "B", pages 442, 443, 444