

Will of Capt H. Mills

On the name of God Amen
I James H Mills of the County of Forsyth, State of
Georgia, being of sound and disposing mind and
memory, and being desirous to settle my worldly affairs
before I distinguish as a soldier in the defense of my belov-
ed country, which is now being assailed by a rebellion
you have given, do make and publish this my last will
and Testament, hereby revoking all Wills by me heretofore
made.

First I commend my soul to the God who gave
it, and I desire that my body should lie in the
earth, and be buried in the place of my home, to be brought home
by my wife or Executor and be buried at my place
where they may select.

Secondly, I desire that my body be decently
interred, and after paying my funeral
expenses, and any other just demands that
may be against me, I desire that all my
property both Real and Personal of which
I may die possessed, or which may be
received by the exec of my property when
it shall be directed, remain in the possession
of my wife, Francis Angeline Mills, to be
by her used, controlled, governed and directed
as she may see fit, so she may deem best
for the support and education of
my children, by her the said Francis, and
I further will and desire that if at any time
after my death, the same real estate or
residence should become insufficient for the sup-
port of my said wife and family, that she my
said wife, be allowed to dispose of it, or the
other farms, better suited to her and their want.
Thirdly, I desire that my said wife, Francis
Educate my children to the best advantage.

My wife Francis
wishes that the means at her command
should further well, and desire that my said
wife keep my children that are now in
being in that she may hereafter have by her
will her until they and each of them
should respect fully become twenty one
years of age, and as they and each of
them and at said age, I desire my said
wife Francis to advance to them and
each of them such goods and Chattels and
other Property, as she may be able to spare
having regard to what may in
chooses between my said child and
the claims described.

Fourthly, I will and desire that when
my youngest child shall become of legal
age, that all my Property both real and
personal as well as that which I now own
is that which may hereafter be acquired by
devotion in this will, be sold to the highest
bidder at public outcry, and that the proceeds
arising from said sale, together with the proceeds
arising from the sale of all other property,
that may be acquired by my wife using my
property as herein directed after permitted
be equally divided between my said
wife Francis and my said children here
before described, my wife taking a
third part. Fifthly,

In the event my wife should die before
my youngest child shall become twenty one
years old, then I will and desire that
my said wife and her heirs and assigns Pleasant
Pitman, take all my children that may
at be under one year of age, and school
in according to their means, and govern
and control them, and their respective parts

Brought forward

me of my estate to the best of his ability and for the best advantage for them, and I further suggest that my said Cousin Pleasant P. Pitman, act as one of my Executors in the event my said wife should die before my two sons Andrew B. and Columbus H. shall become of age, and in case of the above events, I desire that all my property as mentioned in the fourth clause of this will be sold as therein provided, and equally divided between my children;

Lastly, I will and desire, and hereby nominate and appoint my wife Francis Angelina Wells, and my two sons Andrew B. and Columbus H. my Executors and Administrators of this my last will and Testament, charge them with the due and faithful execution of the same; and in the event my wife should die before the same executed, I desire that my said two sons be so Executors, that I desire and hereby request my Cousin Pleasant P. Pitman, for his qualifications and act as Executor of this will;

In testimony whereof I the said James H. Wells have to this my last will, set my hand and seal, December 18th 1862 (1862)
James H. Wells

Signed, sealed, published and delivered by the above named James H. Wells as his last will and Testament in presence of us, who at his request in the presence of each other, have subscribed our names as witnesses hereunto.

Spencer Clement By and the Sigsbee
Thomas A. Jones
Charles R. Thompson

Brought forward

George Lawrence

Before came on the 11th March 1863, at Chambers
for the purpose of proving the last Will and Testament
of James H. Wells the testatrix to said Will James
Clement Thomas A. Jones and James R. Thompson
and the will having been before that time brought
before the for Probate by the nominated executor
Francis A. Wells who had filed a Petition for Probate
of the same. They the said witnesses depose that
they have seen James H. Wells sign and publish
his last Will, and that they and James R.
Thompson as executor by him, that the said Will is the
same as he signed in his presence and in the presence
of each other, that the same was last time
executed by him, while he was of sound and disposing
mind and memory.

James C. Clement
Thomas A. Jones
James R. Thompson

Sworn to and subscribed before me the 11th of
March 1863.

C. A. Crocker Notary

Oath. I do solemnly swear that this writing
contains the true last Will of the within
named James H. Wells deceased, so far as I know
or believe, and that I will well and truly execute the
same by paying first the debts and then the legacies
contained in the said Will, as far as his goods
and chattels will thereto extend, and the Executor
may; and that I will make a true and perfect
Inventory of all such goods and chattels so help
me God.
Francis A. Wells

Sworn to and subscribed before me in open court
the 11th March 1863.