

Georgia Warren County; I John Cheely of
the county and state
aforesaid being of sound mind and memory
and taking into consideration the uncertainty
of life make & ordain the following as my last
will and testament hereby revoking all former
wills by me made

I give & loan to my wife during her life the
homestead plantation on which I reside or that
~~portion~~ portion of it around the homestead now
directed to be sold, ~~by my Executors~~ the other
portion I direct to be sold by my Executors when
ever a majority of the legatees of my estate being of
age shall decide it to suit that portion beyond Fort
Cooks called the George Town tract the line to
divide the Homestead & the Land to be sold to
run up into creek to the fork of the creek above the
field fields thence up the right hand prong until
it forks again, thence up the left hand prong
until it comes to a branch above the ford, thence
up the right hand branch to Fred Cook's fence
the land north of this line and the Mann Tract
not included in the loan, it is my will and
desire however that the following reservation should
be made in the property loaned, the houses now occupied
by Thomas Locket is situated on the property loaned
it is my will that said Locket and family have
the right to reside in said houses free of rent so
long as they desire it is also my desire the
should have the right to cultivate land on the
mann tract until it is sold at a reasonable
and low rent and that no rent is to be charged
him for occupation previous to my death it is a
my will and desire that when my Executors shall
divide my property or have a sale of the perishable
property that my said Executors set apart for my
wife sufficient provisions to make the next crop
thereafter and support her family, & so such house
hold and kitchen furniture as she may desire, such
stock as she may need and such farming utensils as
may be necessary the same to be loaned to my wife
during her life on condition that at her death

she is either to return it back in my estate. These articles or the value of them

Item 2. It is my will and desire that all the rest and residue of my estate not herein and hereby loaned to my wife be equally divided between my wife and all my children I have and share alike. Those who have received advancements to account for such advancements according to my entries made their property advanced to be estimated as to kind as others received but in placing a valuation on such negroes to be estimated according to appraisement of like negroes at the division

Item 3. It is my will and desire that in order to make a division that when a woman about 18 years old, or a boy 14 years old & that is a girl 7 years old, be sold and divided among my wife and all my children provided however that no liquid or distribution under my estate shall be allowed to wife or children or to distribution of these three negroes and claim my portions of my estate

Item 4. It is my will and desire that in the last part of my wife that she have leave to use and the other property loaned her to be equally divided between my children, such of my children as shall not be living but have a child or children being such child or children to stand in place of the parent

Item 5. In making a division of my estate the negroes to be divided in kind as far as practicable except the three named - the portions coming to my wife and the portion of my youngest children by her to be turned over into her hands and kept together and work on the plantation loaned her for the common benefit of her and her younger children until they are of age or marry or they are at age or marry to receive her share out of the common stock and I request my wife to give our youngest children the best education their income will justify

Item 6. All my children I now have are females it is the great object I have in making this will to secure my property to them during life and afterwards to their children and to prevent the same from being spent by husbands. It is therefore my will and desire that each and every share herein given to my children and each

and every portion of shares and any and every part thereof the same be and is hereby given to the sole and separate use of such child free from the control of any present or any future husband during the natural life of such female child, after her death should she die leaving any child or children then such child or children absolutely should she die without any child or children leaving a husband surviving then such husband absolutely all and every of my daughter to have such property free from the marital rights of any husband and to be entitled to manage the same as a feme sole, her receipt alone to be a discharge to my Executors and in case and money shall be coming to any of my said children I desire the same to be paid out in negro property by my Executors under the direction of said daughter entitled to receive the same Item 7. I nominate and appoint my wife Mary Chesly my Executor and Thomas J. Dickson & George W. Davis my Executors to this my last will and Testament Given under my hand and seal this 18th day of February 1847

John Chesly

Signed in us in the presence
of the Testator and in the presence
of each other after

Emily M. Thomas
Selmon Glover
and Thomas

State of Georgia I John Chesly of said State and
Glassecock County do make and publish the
following will to my last will and testament
as published by me on the 18th Feby 1847. my daughter
Amanda being departed this life and having left a
child John Chesly Jones, I hereby add this codicil for
the purpose of devising and bequeathing as I hereby do
to my said Grand Son John Chesly Jones, the part of
my estate which was given to his mother in my said
will And I hereby appoint my son-in-law George
W. Davis Guardian of the property herein given to my said
Grandson and in case said Davis shall die before said
child shall attain the age of Twenty one years then

Benjamin F. Riley my son-in-law is to succeed to said Guardianship and if said Riley shall die before said child shall attain the said age then my son-in-law Robert A. Beall is to succeed to said Guardianship and it is my express direction that the property herein given to said child shall be kept within the state of Georgia and the proceeds thereof applied by his guardian to his maintenance and education and in case my said Grandson shall die before attaining the age of Twenty one years and without leaving any wife or child living at the time of his death then the property given to him is to be divided equally among my residuary legacies named in said Will; but if he shall attain twenty one years of age or shall leave any child or wife living at the time of his death then the property is to be freed from the liability to revert to my estate the obligation of one line and one word made before signature

Signed Sealed and published

this ~~first~~ day of June 1888

by the testator in the presence of each of us who do hereby subscribe

as witnesses in his presence and in the presence of each other

George Woodward

Samuel L. Brinkley

Sinton Stephen

State of Georgia I, John W. Beall of said State of Georgia do hereby certify that the foregoing will and testament as published by me on the 18th of June 1888 is truly confirming said will and a copy of the same was made and published on the first day of the same month except so far as either may be modified by this present will and I having bought some land since making said will do not wish that it is one object of this will and I do so direct that said new tract shall remain with and form a part of the land I lent my wife in said will for the same purpose exactly and expressed in said will touching the land so lent to my wife and all land which I may hereafter buy I desire to be sold and

and divided in the same manner and among the same persons as are expressed in said will reserving the rest and residue of my lands after taking out the portion left as aforesaid.

I further direct that the ~~third~~ ^{3rd} Item in my said Will should be so modified as to include the natural increase which has already arisen from the negroes therein named and also the future natural increase of said negroes so as to place the said three named negroes and their increase already accrued and yet to come on the same basis of distribution as is expressed in said 3rd item whereby the said three negroes therein named = signed sealed and published by the testator in the presence of each of us who do hereby subscribe as witnesses in his presence and in the presence of each other.

George Woodward
William Stephens
Jas Thomas

John Cheely

John of Georgia & Leonora Fitchess ordinary of the Court of said county do hereby certify that the foregoing is a true copy of the last will and Testament of John Cheely deceased, duly proved before me in common term August Term 1860 at a regular Term of the Court of ordinary that Mary Cheely named therein as Executrix and Thomas & Dickson and George W. Davis named therein as Executors duly qualified before me at said Term and I vest them with full authority to execute said will. I have duly issued to them Letter Testamentary annexed to said copy of will. In Testimony whereof I the said ordinary have hereunto set my hand and official signature this 8th August 1860

Leonora Fitchess

Ordinary