

Georgia
Macon County

In the name of God - Amen

I John Mitchell of said State and County being of sound and disposing mind and memory, and knowing that all persons have to die, deem it right and proper both as respects myself and family, that I should make a disposition of the property with which a kind Providence has blessed me. I therefore make this my last will and testament, hereby revoking all former ones made by me,

Item, first - I desire and direct that my body be buried in a decent and Christian-like manner, suitable to my circumstances and condition. - My soul I trust shall return to rest with God who gave it, as I hope for eternal salvation through the blessed Lord and Saviour Jesus Christ.

Item, Second - I desire and direct that all my just debts be paid without delay by Executor or Executors hereinafter named, as I am unwilling my Creditors should be delayed of their rights.

Item, Third - I give, bequeath and devise the whole of my estate of which I may die possessed, to my dear beloved wife Rebecca Mitchell, for and during her natural life time, to have full power and control of the same, to wit: (viz) Lots of land numbered two hundred and sixty nine, (270) (247) (248) 150 acres it being part of lot number two hundred and fifty nine, also the South half of lot number (271). All lying and being in the first district of Muscogee when surveyed - Also lot number in the thirteenth district of Muscogee when surveyed. And the following named negroes, Adam, a man about forty nine years of age, Nace a man about twenty three years of age, Ginny, a woman about forty years of age, Vinny, a girl about eight or ten years of age, Dolly, a girl about fifteen years of age, Lucy a woman about thirty five years of age, Amosa, a woman about thirty years of age, Tom, a boy about six years of age, Jasper, a boy about five years of age, Lucy, a girl about six years of age, together with my stock of mules, Cattle, pigs, Sheep, household and kitchen furniture and farming utensils.

Item Fourth. I wish my beloved daughter Mary All Doucet and her children to have one hundred one and one fourth acres of land it being the east half of lot number two hundred and one fifty nine in the first district of Macon County where surveyed now Macon County and my negro woman Susy after the death of my wife Rebecca Mitchell.

Item Fifth. It is also my desire that my beloved daughter Rebecca Whalley and her children have one hundred one and one fourth acres of land it being the south half of lot number two hundred one seventy one and fifty acres it being part of lot number 2691 All in the first district of Macon County when surveyed now Macon County and my negro woman Susy after the death of my wife Rebecca Mitchell.

Item Sixth. It is my desire that my Grand children John Mitchell and William Mitchell orphans of William Mitchell deceased have the sum of eight hundred dollars to be paid them when they become of age and if either or both of them shall die before that time that amount to be vested in my son John Mitchell.

Item Seventh. It is also my desire that my grand son John Whalley have the sum of one thousand dollars when he arrives at the age of twenty one and if he should die before the expiration of that time his portion shall also be vested in the hands of John Mitchell my son.

Item Eighth. It is my wish and desire that my son John Mitchell have the whole of the remainder of my estate after the death of my wife not otherwise named in the foregoing items.

Item Ninth. I hereby nominate constitute and appoint James Garrison and Jesse Garrison Executors to carry out this my last will and testament.

In testimony whereof I have hereunto set my hand and affixed my seal this 26th day of March 1846.

Signed sealed published pronounced and declared by the said John Mitchell as his last will and testament in the presence of us who in his presence and the manner of each other have hereunto subscribed our names

Gideon Smith
Henry H Long
James M Marshall

John Mitchell

Georgia { Inferior Court sitting for Ordinary
Macon County } purposes, May Term 1846.

The within last will and testament of John Mitchell, having been duly proven at this regular Term of open Court upon the oaths of Gideon Smith, Henry H Long & James M Marshall. Ordered that the same be admitted to record.

A true extract from the minutes of said Court this the 18th of May 1846 W M Corbitt C. C. V.

Georgia { Court of Ordinary
Macon County } March Term 1858.

It appearing to the Court that the within foregoing are true Copies of the last will Testament of John Mitchell late of said County deceased, and Probate thereof, and that the originals together with the record thereof have been destroyed by the burning of the Court house of said County - It is therefore Ordered and adjudged by the Court that said Copies be and the same are hereby established in lieu of said destroyed originals, W J Collins Ordinary

Recorded May the 12th 1858
Jno M Greer Dep. Ordry.