

State of Georgia County of Mitchell

In the name of God Amen

I Daniel McCrain of said State and County being of sound and disposing mind, but of feeble health, do ordain and constitute this my last will and Testament hereby revoking all wills heretofore by me made; and first I desire to be buried at Bethany Church by the side of my deceased wife

Item 2 I desire that my Executors hereafter to be appointed shall pay all my just debts that have been contracted since my Bankruptcy

Item 3 I give and bequeath to my Children Corothie Berry Susan E. Francis Elizabeth Johnson Mary J. F. Roberts and Richard Manosh McCrain all of my Estate, real and personal rights & credits & chose in action then & there after absolutely without accounting for account except the share of my son Richard M. McCrain which I give to him during his natural life and at his death to his child or children or their issue if any living and if none living at his death then the property bequeathed to him in this item to go to my daughter named in this item chose and chose in action or if any or any of them are dead then to their children

Item 4 The property bequeathed to Richard M. McCrain I place in hands of my Executors hereafter to be appointed to be held by them for use and benefit of said Richard and his family not subject to his contingent debts or to benefit the Corpus subject to the provisions of Item Third, and unto said Man profits for his use benefit & support

Item 5 I hereby constitute and appoint John W. Dwyer, Lafayette Gault and William A. Shepherd all of said County my Executors of this my last will & Testament, with full power and authority to execute the same in and out of the Court if necessary excepting the notary & recording this will I make nevertheless my said Executors are not authorized to sign my will

A Contract between Jos H Adams and myself
not to make a Contract between myself & common
Adams

Subscribed & endorsed by Daniel McElwaine
as his Last Will and Testament and signed &
sealed by him in his presence and signed by
us as witnesses at his request in his presence
and in the presence of each other This the 14th
day of April 1847

Daniel McElwaine

Jos J Bradford
John G Lapp
Donald P Halsey

Cramon's Court

July Term 1847

Whereas the will of Daniel McElwaine
being presented for probate in common form
and Jos J Bradford & Donald P Halsey two
of the Subscribing witnesses having made affidavit
that they saw the written will signed by him
just as he & accord the same as his will & that they
signed the same at his request and also saw
John G Lapp sign as a subscribing witness
Whereupon it is ordered that the said will be
admitted to probate in common form and
the same be committed to record

W. L. Doehner - Clerk
July 2nd 1847

State of Georgia } Before me H. L. Doehner, Clerk of the Court of
Mitchell County } I have seen Jos J Bradford and Donald P Halsey who being duly sworn say in open
Court that they saw Daniel McElwaine seal, publish and declare his paper now presented to the Court of
Ordinary for probate and to which their signatures are attached as the last Will and Testament of Daniel McElwaine and that these defendants signed said paper
as subscribing witnesses thereto and that they saw John G Lapp sign said will also as a witness at the same time at the request of said
Daniel McElwaine on the day and date of said paper that is the 14th day of April 1847 and that the said witnesses signed the same in
the presence of each other and in the presence of said Daniel McElwaine who also at the same time signed said paper as his
last will in the presence of the said subscribing witnesses and that said Daniel McElwaine signed the same freely & voluntarily of
his own accord and published and dictated the same as his last will and Testament and that he was at that time of sound
disposing mind and memory.

Attest my hand and seal this 14th day of April 1847
H. L. Doehner Ordinary Mitchell County Ga.

Mitchell County Wills and Bonds 1870 to 1916

J. Bradford
D. P. Halsey