

The Last Will and Testament of Michel Cody deceased Warren County, Georgia Wills 1829-1852 www.georgiapioneers.com Day of August 1831

Georgia Warren County In the Name of God Amen.

I Michel Cody of the County aforesaid being sick of body but of perfect mind and memory considering the uncertainty of this life do make and Ordain this my last Will and testament in manner and form following (viz) To God I commend my soul and my Body to the Earth in Decent burial And as regards my temporal estate or matters I give Will & bequeath in the following manner & form (to wit) First I wish all my just debts paid (Secondly) I give my wife Rebecca during her life or widowhood One thousand three hundred & thirty five & one half Acres of land including the Tract tract on Big River Creek the ballance on the waters of said Creek whereon I now live adjoining lands of Washington Hardaway Edmunda Cody & others with the profits and improvements thereunto being or belonging Forty two Negroes (to wit) Armistead, George, Big Jack, Lewis, Jefferson, John, Rose, Anderson, Peacock, Daniel, Jerry, Elliott, Grace, Phillis, Abram, Paulen, Stephen, Rosetta, Hannah, Richmond, Aggy, Eliza, Cynthia, Elias, Mary, Lham, Harry, Abby, Martha, Maria, Lavinia, Isabel, Anthony, Sarah, Henry, Bot. - Bob, Little Jack, Garrison, Ellick, Emily, and Harrison, John) with all their future increase all my flocks of horses, Cows Hogs and sheep household furniture & kitchen furniture every kind of Plantation tools one wagon two Carts & a Riding Carriage the Crop on hand. Stock of Provisions Clook, Hatch, Cattle & many Negroes herein after mentioned I shewly give for her to buy and otherwise execute this my will as far as in her power lies according to its true intent and meaning

Thirdly I give my Grandson James Madison Gray one Negro girl named Miller with her increase and one hundred dollars in Cash to be delivered and paid when he arrives to the age of twenty years by my wife but if he dies before he is twenty one years old I wish the legacy divided one third to my son Peter Cody one third to the Children of my son James Cody and the other to the Children of my Daughter Elizabeth Neal

Fourthly I have already given my Daughter Elizabeth two Negroes with their increase Jane & Haste and I now give her another Negro Girl by the Name of Paty which is now in her possession also I give her four hundred & eighty nine acres of land more or less on Big River Creek adjoining lands of McMaths Hods and others

whereon she now lieth with seven hundred & fifty dollars in Cash to be paid by my wife within two years after my death, and after her death to her then living Children

I give my son Peter Cady in trust for my son Green Cady two thousand dollars to be paid by my wife in two years after my Death provided my said son Peter shall give Bond & good security for his faithfull management of said Legacy and give my son Green the interest (lawfully) for his annual support and in extreme Necessity a small sum of the principal and provided the same shall not go in payment for any debt now owing and which may hereafter be Contracted by him my said son Green Only in a moderate support and if any thing is left of the principal or interest after the death of my said son Green Cady the same shall be divided One third to my said son Peter Cady One third to the Children of my son James Cady and the ballance to my Daughter Elizabeth Neal

And provided also if my son Peter shall decline or refuse to accept the above appointment then the Court of Ordinary may appoint some suitable Person in his stead

Sixthly I give my son Michael M. Cady one fourth part of all the Property left my wife to be delivered when he is twenty one Years of age as follows I wish his Mother to have him liberally Educated One of the products of the property and when he is of the age aforesaid I wish the Court of Ordinary to appoint three or more suitable persons to go upon the Premises view the property and whatever can be conveniently sold not to extend to one fourth to be appraised and set over to him at the Appraised Value then after making a like Provision for my Daughter Louisa Amanda Cady when she marries or comes of age and my son Leatha M. Cady and Madison D. Cady and after the death of their mother the whole Ballance to be equally divided among my four last mentioned Children and if either of them die before they marry or come of age I wish the surviving Child or Children of the four last mentioned have their Legacy equally divided among them I wish the commissioners the Court may appoint Always to leave the Undivided Property sufficient to make Leath's good of my wife Marries or dies I wish Guardians appointed for my Children and the Property equally divided I wish my wife permitted to make such trade of any thing except the Land & Negroes she may think to be beneficial to all Concerns and for my wife to be at liberty to give my dearest set of Children or Grand Children what she in her judgement may see fit to give

Carried Over

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B. Co. forward

Warren County, Georgia Wills 1829-1852
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Rebecca Cady Eccles and Executive to this my last Will & Testament revoking all other Wills by me made & announcing this and no other to be my last Will & Testament

I do seal, & I acknowledge, & in presence of us who in the presence of each other, has hereunto set our names this the third day of August eighteen hundred & thirty one
Dwight A. McCullers
Ezekiel Hillman
William Castleberry

Michael ^{his} Cady ^{Dead}

Tookale.

Georgia Warren County May 7th 1832

I, Dwight A. McCullers, Ezekiel Hillman & William Castleberry do swear that you saw (Michael) Cady the testator sign by making his mark, publish & declare this instrument of writing as his last Will & Testament that at the time of his so doing he was (in your opinion) and disposing memory that he did it freely without compulsion so help you God

at
Franklin CK

William Castleberry
Ezekiel Hillman
Dwight A. McCullers

Recorded May 25th 1832
by T. Franklin CK c & w.c.

Probate in all cases annexed to the Original