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Mescalf Fisher

Georgia Washington County

In the name of God Amen

I Mescalf Fisher of the County and State aforesaid, being of advanced age and knowing that I must shortly depart this life, 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 do therefore make this my last Will and Testament hereby revoking all other will made by me

Item 1st I desire and direct that my body be buried in a decent and Christianlike manner suitable to my circumstances in life, my Soul I trust shall return to God who gave it, as I hope for eternal life through the merits and atonement of the Lord and Saviour Jesus Christ whose religion I have professed and the Comforts of which I have realized for many years.

2^d Item, I desire and direct, that all my just debts be paid without delay by my Executor hereafter named as I am unwilling my Creditors should be delayed of the right, especially as there is no necessity for delay.

3^d Item I give and bequeath to my Daughter Elizabeth Robison for her sole and separate use for and during her natural life free and exempt from the debts and liabilities of her present or future husband, the following named negro viz, Mary a woman about twenty six years of age and her child Henry about eight years of age together with the future increase of said woman Mary; and on the decease of the said Elizabeth Robison to such child or children as she may have and I appoint James M. Palmer Henry H. Wood and James C. Sherwood trustees of the property herein by this item named given and bequeathed to my Daughter Elizabeth Robison and after her decease to her child or children

4th Item I give bequeath and devise to my Daughter Elizabeth Robison for her sole and separate use for and during her natural life, free and exempt from the debts liabilities of her present or a future husband the following land viz, the place whereon the said William H. Robison now lives, containing three hundred and seventy four acres more or less and on her decease to such child or children as she may have, and I hereby appoint James M. Palmer Henry H. Wood & James C. Sherwood trustees of the property herein given and bequeathed to my Daughter Elizabeth Robison, and if the said trustees think best for the interest of the said Elizabeth Robison and her children to sell the property given and bequeathed in this item, and also that in the third item and invest the proceeds in other property for the benefit of the said Elizabeth Robison and her children they are hereby empowered to do so. the investment or purchase thus made to be subject to the same restrictions as are imposed in this item and in the third item, the property thus sold to Elizabeth Robison and her children to remain undivided until her youngest child is ten years of age. The amount which I have given as above to Elizabeth Robison I wish to be paid over in cash to the trustees as aforesaid for the use of Elizabeth Robison and her children after deducting the

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a sufficient amount to pay any notes or accounts which may be found in my possession at the time of my decease against William H. Robins, after all of which said notes debt and accounts are paid, then the remainder (if any) to be paid over as above stated to the Trustees as aforesaid for the use and benefit alone of the said Elizabeth Robins and her children free from any other debt or liabilities of the said William H. Robins, but the said William H. Robins to have the use and benefit of the said property as common with his wife and children during his life.

I Item. I give and bequeath to the children of my son William Fisher deceased, One equal share with the rest of my children deducting therefrom a sufficient amount to pay a certain note I hold against William Fisher given January 1st 1851 for seven hundred and forty two Dollars & 45^{cts}, and also an other note now in my possession given by William Fisher to Wesley King for two hundred and forty four Dollars & 74^{cts}, dated November 1st 1851, also an account which I now hold against William Fisher for five hundred and five Dollars dated May 1853. Containing two credits, one dated Oct 15 1853, for one hundred and forty nine Dollars & 98^{cts}, the other dated Oct 15 1853 for one hundred and thirty six Dollars & 50^{cts} together with the interest which is now due upon the notes and accounts, and that which may accrue upon the same, the account to draw interest in the same manner as the notes, And I hereby appoint my Daughter in law Cornelia Fisher Guardian of the persons and property in this item named.

I Item. I give and bequeath to my Grand Daughter Mary Lacey wife of John W. Lacey One equal share with the rest of my children after deducting therefrom Two hundred Dollars for raising from an infant and educating my said Grand child Mary Lacey this I consider justice to my other Grand children.

I Item I give bequeath and devise all of my estate both real and personal to my children John Fisher Melly Northington Elizabeth Robins and Sarah Ann Wood and to my Grand Daughter Mary Lacey, and to the children of William Fisher deceased share and share alike after deducting from the share of Mary Lacey Two hundred Dollars as specified in the 6th Item and after deducting from the share of the children of William Fisher, the amount specified in the 5th Item, and after deducting from the share of each or any one of them the amount of notes or accounts which I have against them, or may be found in my possession at the time of my decease not to exceed the amount of between hundred Dollars which I have given to each one of them and for which I have their receipts. The share or amount falling to Elizabeth Robins to be in the same manner as specified in the 3rd and 4th Item. If my son John Fisher desires to take up the said notes together with the land attached thereto which is on the South side of the creek at ten thousand Dollars it is my will that he have it at that price and as a part of

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his share of my estate. It is my wish that the legates of this will divide my Estate among themselves according to the provisions of the same without going through the process of law, if the same can be done. Satisfactory

8th Item I have eighty acres of land in Wilkinson and four hundred and ninety acres in Iowa County which I wish my Executors to sell and equally to divide the proceeds of the same between the parties named in the 7th Item The portion falling to Elizabeth Robins the same manner, as specified in Item 3rd & 4th

9th Item, I hereby constitute and appoint my son John Fisher and my Sons in law William H. Robinson and James H. Northington and Thomas H. West and my Grand son Harris and my Grand son in law John H. Long Executors to this my last Will and testament

Metcalf Fisher

Signed Sealed declared and published by Metcalf Fisher as his last Will and testament in the presence of us the subscribers who subscribed our names hereunto in the presence of said testator and of each other 14th November 1859.

James M. Palmer
W. D. Parkdale
John Fisher

Georgea Washington County

Whereas I Metcalf Fisher having married again since making my last Will and testament, but before the signing and sealing thereof, and whereas I am desirous of making provision for the maintenance of my beloved wife I therefore make and publish this Codicil to this Will

First- I give and bequeath to my wife Lavinia one bed which she claims as her own together with all the bed cloths which she claims as her own also all the wearing apparel to her own proper use and benefit forever.

Second I desire and direct that the sum of two thousand dollars be taken out of my estate by my Executor named in my will before the division of the estate according the provisions of the will and by them deposited in one of the Banks of Georgia there to remain during the life of my wife. The interest of said two thousand dollars are to be drawn by her annually during her life for her own proper use and benefit.

Third I give and bequeath at the death of my wife to my legates named in my will the two thousand dollars set apart for maintenance of my wife to be equally divided between them according to the provisions of my will

Metcalf Fisher

Signed sealed declared and published by Metcalf Fisher as a Codicil to his last Will and testament in the presence of the subscribers who subscribed our names hereunto in the presence of each other and of the testator the 14th November 1859.

James M. Palmer
W. D. Parkdale
John Fisher