

In the name of God. Amen

Whereas I Samuel Mitchell of the County of Guilford and State of North Carolina, being of sound mind and memory but calling to mind that it is the lot of all to die, do Ordain and publish the following as my last will and Testament.

First of all I give my Soul to God who gave it, and my body to the earth to be buried in a true Christian like manner. As touching such worldly substance as it has pleased God to bless me with, I dispose thereof in the following manner.

Item first I will that all my just debts be paid.

Item second I will to my Executors that at their discretion

they may permit my son John M. Mitchell to have the use and enjoyment thereof to wit, all the property now in his possession, a Negro Girl Diana her child by the name of Henry Washington and all her increase, One Cow and calf all the shop tools used for mending waggon all my clothes, a sitting bay Table, One horse, and his proportionable part of money and notes on hand

and the proceeds of the sale of the property not herein
bequeathed, but should my said son John entirely reframe
and in the judgment of my executors show himself to have
become of moral steady and trust worthy habits then they are
at liberty to convey the whole to him absolutely, but should it
appear until his death that he is not, then for it to return
to my estate in case my son John leaves no lawful heir,
but in case he marries and has lawful children then at
his death to convey his children, or if he continues of moral
steady trust worthy habits to his death that he may dispose
of the property as he pleases.

Now the third I give to my daughter Dora, Orthopatriate
four hundred dollars in money and a chest of
drawers

Now the fourth I give and bequeath to my grand son
David Orthopatriate the plantation on which I live
should he live to be twenty one years of age, but should
he not live to age of twenty one years, the plantation to
be sold by my executors and divided equally amongst

he not live to age of twenty one Years, the plantation to
be sold by my Executors and divided equally amongst
my children and Grand Children then a live, It is
further my Will that the said plantation at my death
shall be rented out, and the proceeds to be applied to
the clothing and educating of my said Grand Son
David Whitpatricks, until he arrives to the age of twenty
one Years. I do will to have my said Grand Son David
Whitpatricks my negro boy Isaac to be hired out to educate
him, but should he die before arriving at the age of twenty
one Years, I will that said Isaac shall be sold, and the
proceeds be equally divided amongst my children and
Grand Children then a live.

Item the fifth I give and bequeath to my Grand Daughter
Margaret Lewis Whitpatricks a negro Girl Parthenia
and her instance one feather bed and furniture

Item the sixth I give and bequeath to my Grand Son Samuel
Lewis my negro boy Ralph and one Desk

Item the seventh I give and bequeath to my Grand Daughter

Julia Westpatrick my negro Girl with her increase also
one further lot. Then ninth I will now bequeath to my
Grand daughter Elizabeth Westpatrick. Then my negro Girl
Walter and her increase and one further lot and furniture
Then Eighth I give now bequeath to my second daughter
Margaret Westpatrick my negro Girl and her
increase and fifty dollars in cash left her by her Grand
Mother and one further lot. Then ninth I will now bequeath
to Margaret my daughter of William Henry fifty dollars
and one further lot. Then tenth I give to the Wesleyan Church
fifty dollars to be used by said Church as a permanent fund,
the proceeds of which shall go to the support of said
Church. Then Eleventh I allow a sum of money and
another for my wife to be purchased out of the proceeds of my sale
Then Twelfth I desire all the property not herein disposed of
to be sold at my death and the proceeds to be equally divided
amongst my children & Grand Children then alive, and
also all the money not herein disposed of to be equally
divided amongst my children and Grand Children then alive.

all the money not herein disposed of to be Equally
divided amongst my Children and Grand Children then alive
including in the amount the notes due from Joseph Hitepatrick

As reflection I am desirous that my Negro woman Chiny
should not be sold I direct my Children and Grand Children
to support her and maintain her decently and Respectably by
any arrangement they may make and enter into with the Executors
and if they do not do this Satisfactorily I direct the Executors
to have her decently maintained for life out of my Estate.

I give and bequeath to my Grandson James Hite that part
of the tenth part of my tract of land included in his deed
about Tuskegela at Tuskegela and marked by J. B. Hewson

I do hereby constitute and appoint Joseph Hitepatrick
and William Hamilton my lawful Executors to all intents and
purposes to execute the my last Will and Testament according
to the true intent and meaning of the same and every part
and claim thereof hereby revoking and declaring utterly void
all other wills and Testaments by me made Therefore

Continued

In testimony whereof I have hereunto set my hand and seal
this 27th day of August, 1849.

Highland. Petitioners are declared by the said court. Wilcox to be his last will and testament & his executor. He at his request and in his presence do subscribe and swear as follows therein.

Wm. Mitchell

1. ~~SECRET~~

3. Nov 1851

The foregoing last will and Testament of Samuel Mitchell was
produced in open court and duly proved by the oaths of Peter
James & J. McQuinn the two subscribing Witnesses. Whereupon it is ordered. And so adjourned by the Court
That the said will is duly Executed to pass both Real & Personal
Estate. And so to be Recorded. Whereupon Joseph Hart Esquire &
Attorney for the said Estate of the said Samuel Mitchell

Subscribe our names as witnesses thereto.

Peter Adams Grant
H. H. Williams, Jr. et

James Mitchell (Jr)

State of South Carolina
Spartanburg County

3. Nov. Term 1851

The foregoing last said and Testaments of James Mitchell was
produced in open court and a duly sworn by the oath of Peter
Adams Grant H. H. Williams Jr. et al. subscribing witnesses thereto
whereupon it is commanded. And it was adjudged by the Court
that the said will is duly executed to pass both real & personal
estate. And it is by Reason thereof Joseph Mitchell & others
& others within the Executor thereto named came into open Court
and were duly qualified by taking the necessary oaths of office
that

John H. Logan C. C.