

Box 11 South Carolina— In the name of God Amen, I, James D
No. 9 Mitchell, at present Ordinary of the District of Charleston, observing the difficul-
ties to which the families of Intestates are exposed, and now that I am of sound
mind, memory and understanding, do make this my last will and Testament.
Imprimis— I direct that all my just debts be fully paid as soon as convenient
after my decease; and should it prove necessary to effect that purpose (or for any
other purpose that my Executrix may deem it expedient) I hereby authorize and
empower her to sell and dispose of a part or the whole of my estate, real and per-
sonal, at public or private sale and on such terms and conditions as she may
think most advantageous to the interest of herself and children. After the pay-
ment of my debts and of such specific or pecuniary legacies, as I may from time
to time, make by my Codicil to this my will, I direct that the whole of my Es-
tate, real and personal be equally divided into three parts or shares, which I
dispose of as follows; The one third part of my Estate real & personal I give devise
and bequeath unto my beloved Wife Amelia D W Mitchell to her, her heirs and
assigns forever— The other two thirds thereof I give devise and bequeath to be equal-
ly divided among such of my children as I may leave at my death capable of
inheriting, to them their heirs and assigns forever; and in case of the death of all
my children unmarried and in minority then the said two thirds of my estate
to be disposed of by my Wife by any writing in nature of a Will or otherwise
executed before three credible witnesses, and in default of such disposition in-
vesting to my heirs at Law— Although I have made above a general distribu-
tion of my Estate, it is not my intention that a division thereof be made until the
arrival at age or marriage of some one of the parties interested in this will, but

sonal, at public or private sale and on such terms and conditions as she may think most advantageous to the interest of herself and children. After the payment of my debts and of such specific or pecuniary legacies, as I may from time to time, make by my Codicil to this my will, I direct that the whole of my Estate real and personal be equally divided into three parts or shares, which I dispose of as follows; The one third part of my Estate real & personal I give devise and bequeath unto my beloved Wife Amelia D W Mitchell to her, her heirs and assigns forever. The other two thirds thereof I give devise and bequeath to be equally divided among such of my children as I may leave at my death capable of inheriting to them their heirs and assigns forever, and in case of the death of all my children unmarried and in minority then the said two thirds of my estate to be disposed of by my Wife by any writing in nature of a Will or otherwise executed before three credible witnesses, and in default of such disposition in writing to my heirs at Law. - Although I have made above a general distribution of my Estate, it is not my intention that a division thereof be made until the arrival at age or marriage of some one of the parties interested in this will, but my wish is and I hereby direct that the whole Income of my Estate together with the furniture Carriage & Horses and House Servants should be at the disposal of my wife for her very comfortable maintenance and for the liberal education & support of my children; and should it seem fit to the Almighty to remove me from life before my aged and beloved mother for the supply of my comfort which at her advanced age she may require - And lastly, I do hereby nominate constitute and appoint my beloved wife Amelia Dorothy Mitchell & W Mitchell the Executors of this my last Will and Testament and the

172 of the persons and Estates of such of my children as may be in minority. In witness whereof I have hereunto set my hand and seal this seventeenth day of April in the year of our Lord one thousand eight hundred and eighteen, and in the forty second year of American Independence — James D Mitchell S.S. —

Signed Sealed published & declared by the testator as his last Will and testament in presence of us, who, at his request, in his presence and in the presence of each other, have subscribed our names as witnesses to the due Execution thereof. Thomas Singellton — Wm. H. Gilliland — Edward Palmer —

Proved before Thos. Leche O. C. J. S., this ninth of November 1841. At the same time Qualified Wm. Amelia Dorothy Vanderhorst Mitchell Executrix —

Box 11 Charleston January 8th 1841 This is to Certify that I do hereby appoint No. 11 Mr. Thomas G. Finckley as my Executor and Guardian for my Five Children after my Death — B. W. Cockfield —

Witnesses J. P. Sandershire — J. M. Miscally — John Corby Senr. —

Proved before Thos. Leche O. C. J. S., this 17th day of November 1841. At the same time Qualified Thomas G. Finckley Executor —

Box 11 The State of South Carolina. The City of Charleston 8