

WILLIAM E. MITCHELL

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N<sup>o</sup> 34 In the Name of God Amen I William Misbet Mitchell of the Parish of Saint Johns Berkley in the State of South Carolina Planter being weak in body but of Sound and disposing memory and mind do make publish and declare this my last Will and Testament in manner and form following that is to say, Imprimis I will and direct that my just debts and funeral expences be paid & all debts due to me be collected as soon as possible after my death by my executors hereinafter named. Item I give and bequeath unto my Executors hereinafter named or to such of them as Shall qualify and act under this Will or to the Survivor of them my faithful man Servant Hard times in trust neverthelefs to Send or carry my said Servant Hard times into either of the States of South Carolina North Carolina or Georgia (in the Order in which they are named) in which it shall and may be practicable and allowed by Law to emancipate Slaves and my Said Slave Hard times there to emancipate and set free as soon after my death as possible and in case it Shall not be practicable or allowed by Law to emancipate slaves in either of the States hereinbefore named then and in that case in trust to permit my said Slave Hard times to apply and appropriate his time and labor or the proceeds of his time and Labor to his own proper use and behoof without the intermeddling or interference of any person whomsoever, my said Executors or the Survivor of them acting only as the guardian of my said slave. Item I give and bequeath unto my Cousin John Misbet my negro slave little Jim upon the same trusts and conditions and to the same uses as are Set forth and declared of and concerning my Negro slave Hard times in the preceeding clause of this Will. Item I give and bequeath unto my beloved friend Thomas Broughton the Sum of Six hundred Dollars and a pair of Gold sleeve buttons to be engraved W.E.M. Item I give and bequeath unto my friend M<sup>rs</sup> Mary Broughton the widow of my late friend P. S. Broughton deceased the Sum of One hundred Dollars. Item I give and bequeath unto my beloved Cousin John Misbit of North Carolina the Sum of One thousand Dollars and a

and remainder of my Estate real and personal whatsoever and  
wheresoever unto my Executors hereinafter named or to such of  
them as shall qualify & will act under this Will or to the sur-  
vivor of them in trust nevertheless to sell and dispose of  
the same and every part and parcel thereof at public or at  
private Sale or in such way and manner as may seem most bene-  
ficial and advantageous, as soon as may be practicable after  
my death (except the plantation held by Mrs Margaret Houseal  
for Life extending from the Broad Road to the big dam which  
will be sold by them after the expiration of her life estate)  
and the funds arising from such Sales to apply and appropri-  
ate to the payment of my Just Debts, funeral expenses and Leg-  
acies and after the full payment thereof and of each and every  
of them, then in trust to divide the balance of the said funds  
arising from from the sale of my said residuary Estate between  
and among the Children of my Uncle William Nesbit and the Chil-  
dren of my Uncle Thomas Nesbit of North Carolina share and  
share alike to each child and full power and authority are here-  
by given to my said Executors to make execute and deliver all  
proper and legal releases and Discharges of all and Singular  
my said residuary Estate real and personal as aforementioned.  
Lastly I do hereby nominate and appoint my relatives and  
Friends Colonel Francis Young John Nesbit and James Irvin for-  
merly of Statesville now of Georgia Executors of this my last  
Will and Testament revoking and annulling all former Wills by  
me made heretofore, ratifying and confirming this and none oth-  
er to be my last Will and testament. In testimony whereof I  
have hereunto set my hand and Seal this second day of March  
in the year of our Lord one thousand Eight hundred and twenty  
five.

W. W. Mitchell (Ld)

Signed Sealed published and declared (being first written upon  
five pages on this and the annexed sheet of paper and the words  
"my dear relatives eldest son William Mitchell Young" being first  
written on the third page first sheet) by the above named Testa-  
tor William W Mitchell as and for his last Will and testament  
in the presence of us who in his presence and in the presence  
of each other have subscribed our names as Witnesses thereto.

Alex. Broughton --- Henry Tresselt --- Thomas B. Allen

This is a codicil to my last Will and testament foregoing executed by me upon the same day therewith. Item I give and bequeath unto my friend Alexander Broughton as a mark of my esteem a pair of gold sleeve buttons to be engraved W.M.M. Item I give and bequeath unto my friend Samuel G. Barker the little patent breech gun bought by me for birding. Item I give and bequeath unto my friend Dr James H. B. Malmanson one hundred Dollars and a pair of gold sleeve buttons to be engraved W.M.M. as a proof that I am not forgetful of his attention to me. Item I give and bequeath unto my negro slave Elsey all my beds bedding and bed linen with my blankets. Item I will and direct that the burial ground at Fairfield in which my Brother and his Children are buried and in which my body is to be deposited be enclosed by my Executors with a Substantial brick Wall about four feet high Sufficient to keep off the Cattle and hogs, as soon after my death as possible. Witness my hand and seal this second day of March Eighteen hundred & twenty five

W. F. MITCHELL (Ls)

Signed Sealed published and declared by the abovesigned William F. Mitchell as and for a Codicil to his last Will and testament foregoing in the presence of us who in his presence and in the presence of each other have Subscribed our names as Witnesses thereto

Alex. Broughton --- Henry Tresselt --- Thomas B. Allen

In the Name of God Amen, This is the Codicil to my last Will and Testament which I made and executed not long since, Thereas in and by my said last Will and Testament I did among other devices and bequests give to my Cousin Sister James Yeabitt a certain proportion of my Estate, now it is my intention to revoke and I do hereby revoke all such clause or clauses in my said Will as give to the said Dr James Yeabitt any of my Estate and further I do hereby give devise and bequeath to my friend John or Andrew Young and to his heirs and assigns