

1851-1865

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Georgia
Bibb County

In the name of God Amen

I leadwell H. Raines planter of said County being in ordinary health and in the discharge of usual business duties deem it proper at this time for reasons satisfactory to myself to make publish & declare this my last will and Testament. Henceby revoking all other will by me heretofore made

Item 1st } I wish my body to be buried in a decent and christian like manner commending my soul to God — And humbly trusting in his son for the pardon of my sins whose Edification I profess to hope I enjoy

Item 2nd } I wish all my last debts paid without unnecessary delay. Particularly as there is no reason for delay in the payment thereof

Item 3rd } I wish all my negroes valued at a fair cash valuation to be made by my executor or in some fair and equitable manner by his direction and authority Counting and estimating their value in fee simple — I wish also that in the same manner shall be valued those negroes that I received under the will of my father in law Philip Shourmond being twenty to twenty three more or less In which I have only an estate for and during the life of my wife. Portena. These also to be valued and estimated in the same manner as if the fee was in me.

Now my will and desire is that my beloved wife Portena shall have a moiety in value of my said negroes Counting & estimating in the moiety so to be received by her the said Portena she estimate and value as aforesaid And said division may be in this wise — First value the Shourmond negroes in the mode already stated. Then value and set off a lot from my negroes of equal value the divide the remainder of my negroes into two shares equal in value one of which with the Shourmond negroes my wife takes the other share with these first set off to balance the Shourmond negroes added to it to be disposed of as mentioned hereafter in the 4th item of this will or the same may be done in any other just and equitable manner keeping in view my purpose and desire that my beloved wife shall have the one half in value of my negroes property Counting and estimating in such half (and that to be of value in fee simple) the negroes received by me under the will of said Philip Shourmond as aforesaid being my other entire half of my negro property free and unincumbered to be disposed of at in the next item of this will — I directed to the negro property given to my wife as above I give & bequeath to my said wife Portena and assigns my plantation in Bibb County Georgia

County of Bibb Georgia containing nineteen hundred and
twenty eight & three fourth acres (1925 3/4) more or less together with
all the Horses Mules Hogs Cattle and stock of every kind, provision of
every kind and tools and farming utensils of every kind
that may be thereon and then to belonging, at the time of my
death; and also the crop of every kind that may then be
growing thereon or matured whether gathered on in the
field. I also further bequeath to my said wife all
my house hold and kitchen furniture Spentons plates China
Glass of every kind, & nature whatsoever also my Carriage
and Match horses the appurtenances belonging to said Carriage
also with full liberty to occupy my present dwelling House
and Residence in the City of Macon (Near the Wesleyan
Female College so long as she may deem to occupy the same
without charge to her in any way except for Taxes and necessary
repairs. When ever she shall leave said dwelling to reside
else where either voluntarily or involuntarily or at her death
as the case may be then my executor to take possession
of said House and premises and the same to be disposed
of as hereinafter mentioned. This devise and bequest
of the foregoing property real and personal to be in lieu and
in bar of dower and of the usual allowance to widows for their
years support and in lieu and in bar of all other claims on
my estate in any way whatever.

After satisfying all the legacies and devises and bequests in
this will herein before and hereinafter named all the rest
and residue of my estate real and personal of every kind and
description whatsoever whether in the State of Georgia
Mississippi or else where including the House and lot described
in the foregoing Stone of this will (at the death of my wife or
her removal therefrom) I give and bequeath to my brothers and
Sisters and to the Children of my deceased brother John Hain
The said Children of my deceased brother to take in the place
and stead of their father. Share and share alike equally.
And should either of my said brother die before I depart this
life or should a Sister so die his or her share not to lapse, but
to become vested in their Child or Children of such deceased
brother or Sister. The part or share that may fall to or be received
by any Child of mine under this will The same to be to the sole and
separate use of such Child for and during her natural life
free from the debt of any husband with whom she shall here
after be married or may thereafter marry with remainder over on the
death of such Child to the Child or Children or the representatives
of Child or Children per stirpes share and share alike of such
share. And in the event that such share after the
vesting such legacy in her shall die leaving no Child
or Children or Children of Children living at the time of her death

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Item 5th } In addition to what my Nephew Cadwell Paines the son of my brother
Thomas Paines may by possibility take under the 4th Item of this
my will. I give and bequeath to him the sum of twenty five hundred dollars
to be paid over to him by my executor —

And in addition thereto and as much as I am voluntarily paying the expenses of the education of my said Nephew in College and desire and intend that his Education shall be completed by graduation from College — Now in the event that I shall die before such completion of his education then my will and desire is that my executor allow & pay the sum of five hundred dollars per annum for such term as may be necessary that to complete his Education, and my Executor is especially charged with seeing my wishes in this regard carried into effect —

Item 6 } I give and bequeath to my esteemed Nephew Charles E. Moore
five hundred dollars and also name and appoint him my Executor
and this legacy to be in addition to his lawful Commissions as such
Executor — I also bequeath to him my library of Books —
and I authorize him to sell a part or the whole of my real and per-
sonal estate bequeathed and devised in the fourth Item of my will —
whether in the State of Georgia Mississippi or else where or by
what so ever kind or character they property may be at public
or private sale for cash or on a credit in his discretion in order
to a speedy just and equitable settlement of my estate and recommend
him to use all reasonable diligence in the distribution
thereof. I hereby cloathing him with full power to make and execute
to the purchasers of said property real or personal goods and
sufficient titles in fee simple therefor. The foregoing five pages
are my last will and Testament — In witness whereof
I have hereunto set my hand and seal this the 16th day of April
A.D. 1853

L. W. Paines Seal

signed sealed, proclaimed and
published by said well & Haines
as his last will and Testament
in our presence and we have at
his request in the presence of each
other subscribed the same as witnesses
A. J. White
J. Jones
P. E. Bowden

Georgia } heart of ordinary. Feb'y Term 1834
 East County } Infrequent phenomena, appeared
 Bowles and Anderson. I think that
 Williams & the within and around.

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and Testament of ~~Charles E. Moore~~ who each after being
and sworn deposed and said that he saw Cadwall W.
Paines sign seal publish and declare the annexed and
foregoing to be the last will and Testament of said Cadwall
W Paines— That said Cadwall W Paines was then and then
of sound mind and memory and that they saw John E. Jones
sign the same as a subscribing witness and that said will
was signed in the presence of the Testator and in the presence
of each other and that the said three subscribing witnesses
signed at the request of the Testator

Subscribed and sworn to in
open court before me
This 4 day of February 1856
William J Mapes
Ordinary }

P. C. Bowden
Att. White,

Charles E. Moore named and appointed
as executor of the last will and Testament of Cadwall W Paines
decd and the said will having been proven by the oath of
two of the subscribing witnesses as herein before set forth
and he having taken the oath required by law
ordered by the court that said will be admitted to
record and that letters Testamentary do issue to Charles
E. Moore executor as aforesaid

W. J. Mapes Ordinary