

1851-1865

In the name of God
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I John Bailey of the State of Georgia and County of Bibb being of sound and disposing mind & memory do make this my last will & Testament, hereby revoking all former Wills made by me. I will direct that all my just debts be paid by my Executors from the proceeds of my Mills & Plantation & from the money due me as soon as practicable after my death.

Item I give bequeath & devise all my property, money & effects of every kind & description to my beloved Wife Polly & to my beloved Children Henry M. Bailey, James B. Bailey, Robert W. Bailey & Eliza A. E. Bailey, forever share & share alike. And it is my express will & desire that the portion of my Estate that falls to my daughter Eliza shall vest in her for her sole and separate use, free from the control or contracts of any future husband she may have & it is further my will & desire that the interest or share of my wife in my Estate shall rest in her during her natural life & at her death equally divided among my four Children, the share of my daughter to vest in her for her sole use as aforesaid.

Item Third. It is my will & desire that all my property, real & personal be kept together under the control & management of my said Wife during her life & widowhood, or until some one or more of my Children be married. And upon the death of my Wife, it is my will & desire that my property be equally divided between my four Children or the representatives of such as may be dead except the Children of my daughter Caroline. And in the event my Wife should marry, then she is to give her portion out of my Estate, it being one fifth part & to have the use of the same during her natural life, & at her death to be equally divided between my Children. And in the event any of my Children should die during the life of my said wife then such Child or Children are to draw his or their portion of my Estate out of the common stock & the same to be added to what is then as herein before provided. And when my daughter marries her portion to vest not trusted to be appointed by the Superior Court of Bibb County to be held by such Trustee for her sole & separate use, and in the event any of my Children should die without issue living or if leaving issue such issue should die under twenty one years of age the the portion of such Child or Children shall be equally divided among my surviving Children.

Item fourth. It is further my will & desire that my three grand Children, Mary C. Johnson & John W. Johnson the Children of my daughter Eliza, have each a good bed & be furnished to the value of \$1000 by my executors on their marrying or coming of age. And it is further my will that my said grand Children have my negro woman, Fanny & her family, & all the furniture, share & share alike. And that the said negroes be kept & managed for the benefit of my said grand Children till they are of age & then that the said negroes be equally divided between them. But it is my express will and desire that the share or portion that my grand daughter Mary go to her for her sole and separate use, free from contracts or debts of any future husband she may have.

Item fifth. It is further my will and desire that what is herein mentioned as the portion of my daughter Eliza shall be paid to her by my

responsible Freeholders of Bibb County, Georgia, in a majority of them for that purpose. And it is further my will & desire that my Executors or a majority of them may at any & at all times sell or otherwise dispose of any of my property that may become useless or may not be needed in the management & care of my estate & the proceeds thereof vested in the property used by my Executors as they may deem best for the interest of my Estate & my Heirs. It is my will and desire that my son in Law William L. Johnson take no share or interest in my Estate & that his Children take no other share or interest in my Estate than herein before specified.

Item Seventh: I hereby ordain constitute & appoint my beloved Miss Polly Bailey, & Emma M. Bailey, James B. Bailey, Robert M. Bailey & Robert Collins Executors & Executrix of this my last will and Testament.

In witness whereof I John Bailey the Testator have to this my will & Testament set my hand and seal this the sixteenth day of February in the year of our Lord Eighteen hundred and fifty three

Signed Sealed & published by the said John Bailey as his last Will & Testament in the presence of us who have subscribed the same in the presence of each other and in the presence of the said Testator Wm L. Johnson
William C. Hardy
Carlton B. Cole

Georgia Bibb County Court of Ordinary August Term 1854
Personally appeared before me William Tracy, Ordinary in & for said County William C. Hardy who being duly sworn deposes & says that he saw the said John Bailey sign seal publish & declare the foregoing instrument as his last will & testament - that at the time of signing the said Testator was of sound mind & disposing memory and in the free exercise of all his faculties & capacity says that he signed said Instrument as a subscribing witness in the presence of the Testator, at his special instance & request - and that he saw the two other subscribing witnesses William L. Johnson and Carlton B. Cole as likewise all of the witnesses signing the instrument at the request of the Testator in his presence and in the presence of each other. And the said William C. Hardy has hereunto set his hand and seal in open Court this 7th day of August 1854

Test. Wm Tracy, Ordinary
Georgia Bibb County

William C. Hardy

Court of Ordinary - August Term 1854 Aug 7
Whereas the last will & Testament of John Bailey late of this County dead has been presented in Court by Emma M. Bailey one of the Executors & proved by the oath of L. Johnson and William C. Hardy two of the subscribing witnesses and it appearing that Testator was of sound mind & disposing memory at the time of his signing the same as witnesses in his presence at his request for the purpose of such & that they saw him sign & published the foregoing as his last will & Testament & that the witnesses deposes that they saw Carlton B. Cole the other subscribing witness sign as a witness in the presence of the Testator at his request. Now therefore be it ordered that said will be admitted to probate as such & the same be put in force according to the tenor thereof.