

Last Will and Testament of William Nixon
State of Georgia
Bibb County

I William Nixon of the State and County
aforesaid, do make ordain and fulfill
my last will and Testament, hereby and herein revoking
and annulling all former wills, Testaments, devises of
me heretofore made.

And first, it is my will and desire and I hereby direct
that my body be interred decently in a Christian manner
and that my funeral expenses and just debts be paid
as soon as possible after my decease by my Executor
hereinafter named out of any portion of my estate
in money.

Secondly Having heretofore fully and justly provided for my
children by my first wife, I give and bequeath to
my beloved wife Priscilla Nixon formerly Priscilla
Pickett the house and lot whereon I reside in
Vineville, and furniture and family Carriage and
Carriage horses and driver John, during her life
provided she shall live single after my death and
not marry but should she marry, then and in that
case it is my will and desire that said property
real and personal do revert back and become a
part of my estate and be equally divided with
the rest of my estate share and share alike between
my said wife and my children by her hereinafter
named, as is herein after provided.

Thirdly Should my said beloved wife remain single and
not marry, in addition to my house and lot in
Vineville or such (in lieu thereof) as I may die seized
and possessed of at the time of my death and such
family carriage, furser and driver it is my will and
desire that she have one equal share of my other
estate both real and personal share and share
alike with my hereinafter mentioned children
by her begotten; during her life and at her death
the same to revert to my said estate and to be
equally divided between my said hereinafter
mentioned children equally. But should she
marry and have a child or children lawfully
begotten of her body born after my death then and
in that case, I give and bequeath to her child
part only of my said remaining estate to her and
such child or children as she may have or have
as of course after my death and being living at the
death forever.

Fourthly It is my will and desire that my estate both real and
personal be kept together and managed as best may
for the support of my wife and children and the
education of my children, and that each and every one
of my said mentioned children shall have
a good education and be fitted that very desirable
object, I desire that my Executor shall see that
my will is carried out.

172
Last Will and Testament of William Nixon
I do give and bequeath the proceeds of my said Estate for that purpose
And that the surplus after maintaining of my said
family and the Education of my said children which
may from time to time accrue be invested in
property or loaned out at interest upon due security
or vested in stock as will best promote the interest
of my said Estate and legatees.

Fifthly It is my will and desire that my said Estate both
real and personal except as is herein already
provided counting my said wife as one distributee
be equally divided share and share alike between
her and my children begotten and born of her
body to wit. Eliza Ann, Francis Lee, Mary Ellen, Elizabeth
Caroline, George Henry, Meritson, and Caroline Winn
and such other child or children as I may here-
after have by my said wife before my death or born
of her body in lawful time after my death share
and share alike and it is my will and desire
that the said respective shares of my said
personal property consisting in negroes horses
stock, choses, in action and other personal
property be divided and delivered to my said
children respectively to wit, as such of my said
sons respectively may come of age and desire to
take their portion, it is my will and desire that
my said Executor do then make an inventory and
appraisement of my said personal Estate and
divide to such son an equal portion thereof
to him, having due regard to the age, sex &
value of the negroes and property so divided,
and my said Estate, so as to make said share
as near as possible equal, equal to and just and said
shares so set apart and divided. I do give and
bequeath to my said son and sons respectively and
their heirs forever, and as my said
daughters may marry or become of age and
after said maturity as soon as they may desire
to receive their respective shares that my said
Executors do then divide my said Estate fore-
said and deliver to such daughters one equal
share of my personal Estate and soon as my
said children may marry or become of age
until the whole is equally divided between
them and my said wife, and if either of my
said children may so receive their share
or shares shall claim to occupy or cultivate
any of my lands not necessary to be used as is
herein provided before it is my will and desire
that they be permitted to do so and to my said
daughters I do give and grant to them their
share of my said Estate and their natural heirs
and assigns forever.

Last Will and Testament of William Nixon
respecting death forever And it is further my will and
desire that as soon after my death as possible that my
Executors do make out an Inventory and appraisement
of my personal property and return the same to the
Court of Ordinary as in case of Administration.

Sixthly It is my will and desire that my said beloved wife
Precilla shall have the management, use and control
of my Carpenter, Joiner, firm and tools, and my black
Davy, especially for the education of my children and support
of my family, but the value of said slave is to be taken
into account in the estimation of said distribution, And
should either of my said children avail themselves
of the use of any part of my lands they shall be
chargeable with reasonable rent for the same
And Seventhly It is my will and desire that whenever
it may be no longer the interest of my family by
the death of my said beloved wife or her marriage,
or the marriage or arrival of age of my children,
that my plantation and cropping establishment shall
no longer be kept up for their benefit, then it is my
will and desire that my Executor shall sell division
otherwise sell and dispose of all my lands and
tenements and the stock and the plantation
utensils and other property therein in the way and
manner and terms as will be most conducive
to the interest of my said legatee and that the same
be divided between them as is herein before provided
for the distribution of my personal property and
I do give and grant to my said wife and to each
of my said children according to sex their equal
portion with the limitation and restrictions herein
provided for the bequest of their respective shares
of my personal property And I do hereby appoint
and constitute my beloved wife Precilla Nixon
Executor and my trusty friend John D. Wimmer and
William D. Parker my Executors of this my last
will and Testament, In witness whereof I
have hereunto set my hand and affixed my seal
this twenty sixth day of July in the year of our Lord
Christ 1838

Signed, Sealed and delivered
in the presence of
In the 15th line as witnessed
after Eliza, second page 2nd
deposition of D. Strong
William A. Alcorn for
James S. Strong

Wm Nixon

I have stricken out John
L. Parks name, as one of my executor as I have
changed my opinion since the time of my
7th June 1839

Last Will and Testament of William Nixon
Georgia } Inferior Court for ordinary purposes,
Bibb County Chambers May 7th 1840
Present their Honors Myron Bartlett, John
Bailey and Jacob Johnson Justices of said Court.

Georgia }
Bibb County } Personally came before us John Bailey
Myron Bartlett & Jacob Johnson three of the
Justices of the Inferior Court of said County
Christopher A. Strong and Lucius J. Strong who
being duly sworn depose and say that they
saw William Nixon sign seal and deliver the
annexed and foregoing last will and Testament
of four pages and that they the said deponents
and William A. Pease Junior subscribe the same
as witnesses in the presence of the testator and
in the presence of each other. Deponents
further say that the said William Nixon at the
time of the Execution of said last will & Testament
was of sound disposing mind and memory.
Deponents further say in their oaths aforesaid that
the Codicil annexed to said last will and
Testament revoking the appointment of John L.
Parlier as one of the Executors of the said
Testament is in the proper hand writing of
the said Testator.

Sworn to & subscribed
before us this 7th May 1840
Myron Bartlett J. C.
John Bailey J. C.
Jacob Johnson J. C.

Christopher A. Strong
Lucius J. Strong