

In the name of God Amen;

I, John Payne

Gov. of the State of Georgia & County of Franklin being old and considerably infirmed in Body but of sound mind & disposing memory, calling to mind the mortality of my Body, & knowing that it is appointed for all once to die, do make and ordain this my last will and Testament, that is to say, principally and first of all, I give and recommend my soul to Almighty God who gave it and my Body I recommend to the earth to be buried in decent Christian Burial, at the discretion of my Executors -

And as touching such worldly goods where with it hath pleased God to bless me with in this world I give and dispose of the same in the following manner & form

First it is my will and desire that all my estate both real & personal, after the payment of my just debts shall remain in possession of my beloved wife Ann Payne during her natural life unless she and my Executors should think proper to make a division sooner -

2^d Ann. It is my will and desire that at the death of my said wife, or sooner provided she and my Executors should so think proper, that all my estate both real and personal be divided amongst my seven Children or their representatives in the following manner; To my eldest son Massfield H Payne one seventh part, deducting therefrom the sum of Twenty five dollars To my Eldest daughter Elizabeth Payne, one

One seventh part, and also one horse to be worth sixty five dollars -

To my Son Thomas Payne one seventh part, deducting therefrom the sum of sixty five dollars, and also what I may have to pay if any for and on account of my being sequestrated for my son Thomas to James Morris on two notes of hand each amounting to about sixty four dollars at the time given

To my third son David Payne one seventh part of my estate, and also my Blacksmiths tools, deducting therefrom the sum of Fifty Dollars -
To my second Daughter Nancy Mells, the widow of John Mells one seventh part of my estate, to be enjoyed and possessed by her during her natural life or widowhood, deducting therefrom Two hundred and twenty three dollars, and at her death, or intermarriage, to be equally divided amongst her Children -

To my son in law Chaffin Chatham one seventh part of my estate, deducting therefrom the sum of Three hundred dollars, it being in Consideration of one half of the price of the Land whereon he and William Chatham now lives, to be the property of the said Chaffin during his natural life, and at his death to be equally divided amongst all his Children -
By my daughter Polly now deceased -

To my son in law William Chatham one seventh part of my estate deducting therefrom the sum of Three hundred dollars, it being in Consideration of one half the price of the Land whereon he and Chaffin Chatham now lives: to be the property of the said William during his natural life, and at the time of his death to be equally divided amongst all his

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Children, by my daughter Ruth now deceased
And it is my will that all the Legacies here
given, shall be Considered as given in Fee
simple, except the life estate to my wife, to
Nancy Mills, to Chaffin Chatham & William
Chatham

I do hereby Constitute and ordain
Maccfield & Payne and David Payne my
first & third Sons Executors of this my last
will and Testament, Sealed, signed & published
this twentieth day of December 1831

In presence of, & in presence
of each other

Thos Payne son
Samuel Payne
Baker Ayers.

~~~~~

John Payne son. Seal  
mark B

Georgia Court of Ordinary  
Franklin County January Term 1832

Personally appeared in said Court  
Thomas Payne son. Samuel Payne & Baker Ayers  
who being duly sworn depose and testify, that  
they saw the above named John Payne son. sign  
and seal the within Will for the purposes therein  
mentioned when in his proper mind, and that  
they subscribed the same as witnesses —

Sworn to & subscribed  
2<sup>nd</sup> January 1832

Thos Payne  
Samuel Payne  
Baker Ayers

Thos Payne  
Samuel Payne  
Baker Ayers

Recorded 7<sup>th</sup> January 1832