

John Payne's Will

State of Georgia In the name of God Amen. I John Payne being diseased in body but in sound mind and disposing memory do make this my last Will and Testament viz
 Item 1st I will to my beloved Wife Millicent Payne the sum of one hundred and fifty dollars and premises whereon I live during her natural life also relative number of Cattle, Horses, hogs and other stock that she may think necessary for her Comfort and support also all my house hold Kitchen furniture plantation utensils and three negroes viz Ned, Hannah and Lu and provisions of a sufficient quantity for the support of my said wife and stock and family until the 25th of December next all the above named property to be to her my said Wife during her natural life and at her death to be divided as hereinafter directed

Item 2nd I do will to my daughter Jane Waddle a certain negro girl named Esther as her entire part of my Estate
 Item 3rd It is my Will and desire that after my just debts are paid that all the balance of my Estate not herein bequeathed to be equally divided there and there alike between all my Children or their heirs (excepting my daughter Jane Waddle)

Item 4th It is my will and desire that whatever amount of money or property may be the distributive share of the Children of my deceased son William to be placed in the hands of whoever may be appointed the Guardians to be equally divided between them as they may arrive at lawful age

Item 5th It is my will and desire that at the death of my wife Millicent Payne all the property both real and personal herein and hereafter bequeathed to her during her natural life to be equally divided there and there alike between all my Children or their lawful heirs (excepting my daughter Jane Waddle as aforesaid) and that the distributive share of the Children of my deceased son William Payne shall be disposed of and paid over to said Children as is specially mentioned of the other property willed them in Item the 4th of this instrument

Item 6th It is my will and desire that all the property or effects to be devised according to this my last Will shall be sold to the highest bidder after having been advertised the time specified by Law in such Cases in order that the division may be equal as aforesaid

Item 7th I do hereby constitute and appoint my son in law Marshall Waddle and my son John Payne my lawful Executors to this my last will and Testament. The testimony of the above (and foregoing) being made that with my Testament I have hereunto set my hand and seal this the nineteenth day of February A.D. One thousand Eight hundred and twenty eight

Witnessed and acknowledged before me
 Absalom Jones
 John H. Lyman
 Geo. Suggs

John Payne Esq
 made

Georgia Greene County Court of Ordinary May Term 1828

Personally appeared in Open Court George Suggs and John H. Lyman two of the subscribing Witnesses to the foregoing Will who being duly sworn say that they saw the within named John Payne sign and heard him acknowledge the foregoing to be his last will and Testament and that they each believed him to be of perfect sound mind and memory at the time of his so doing and that they each together with Absalom Jones subscribers their names as Witnesses therein in the presence of the Testator

Shown to us Open Court
 3rd May 1828
 Absalom Jones
 Geo. Suggs

Geo. Suggs
 John H. Lyman

Recorded 14th May 1828

Absalom Jones