

WILL OF WILLIAM POWELL  
BOOK A MARION COUNTY, BUENA VISTA, GA.

Marion County, Ga. GAR

In the name of God Amen, I William Powell being weak in body, but of sound and disposing mind and memory, do make and ordain this my last will and testament, hereby revoking all former wills by me made.

Item 1. It is my will and desire that my body is decently buried.

Item 2. I desire that all my just debts be paid by my executor, hereinafter named, as soon as convenient after my death.

Item 3. That in and for the natural love and affection that I have for my beloved wife Nancy Powell, I give and bequeath to her the following property, to wit: The plantation whereon I now live and the plantation called the Ashmore Place, also the land lying on the West side of the public road between my home and a spring known and called the School House Spring, altogether comprising about 425 acres. Also the following negroes: Claborn; Lewis; Thom; Frank; Allen Harris; Dock; Unity; Charlott; Sophia; Malinda; and Lucinda and her 2 children with their future increase, also 3 mules, 1 bay horse known by the name of Jim, 6 choice cows and calves, 1 yolk of oxen, 1 cart, 5 sow and pigs, thirty shoats, my Barchuch, 1 years support in provisions and \$200.00 in money and all my household and kitchen furniture. It is my further will and desire that my sister-in-law, Sally W. Edwards be supported out of the proceeds of the above specified property during her natural life or so long as she may remain single, but should she marry, I desire that support should cease out of my estate. I further will and desire that my wife, Nancy Powell, should have full management and control of the above mentioned during her natural life and at her death the property revert back to my estate and to be equally divided among my children in such way and manner as I shall desire in a subsequent clause of this will with the exception which may be afterwards to this maintenance of Sally W. Edwards.

Item 4. I further will and desire my executors hereinafter mentioned to purchase the lot of land belonging to the estate of John Simmons deceased, late of the County of Marion, State of Ga., whatever price it may sell for and pay for the same out of the effects of my estate and that my son, Josiah C. Powell shall take possession of said land, live upon and cultivate the same as he may see proper to do free of charge or rent so long as my wife, Nancy Powell may be in life and at her death revert back as the property of my estate and be disposed of as I shall direct in a subsequent clause of this will.

Item 5. I give and bequeath to Martin L. Bivin in Special Trust \$600.00 for my 2 grandchildren, Mary Ann and Martha Bivin, which amount will only their portion equal to what I have previously given to my other children.

Item 6. My will and desire is that all of my negro property not disposed of in the 3 clause of this will be put into equal lots as near as can be done, and divided equally among my children and grandchildren, as follows to wit; One equal part to my son, James L. Powell in Special Trust for his wife and the children he may have at the time of his death. And at his death, the property to be equally divided among his wife and children, and at the death of



or marriage of his wife, the property to be equally divided among the lawful heirs of my son James L. Powell and not subject to his debts.

The same as above applied to his son, Samuel J. Powell; his son Josiah C. Powell; also to his son-in-law, Augustus Finley in Special Trust for his grandchildren (William's), William P. Finley, Mary A. Finley, Benjamin F. Finley, Frances M. Finley, Henry H. Finley, Josiah C. Finley, John M. Finley and Augustus C. Finley; also his son-in-law, Martin L. Eivin in Special Trust for (William's) grand children, May Ann and Martha Eivin; also son-in-law Thomas A. Hall, in trust for his wife and children of her body; also one equal share be given to my daughter, Emily Frasier, as trustee for her children that may be in life at her death, with the exception of one equal share of the property bequeathed her as trustee and that portion to be paid to my grandson, William P. Frasier, by my executors as soon as convenient after my death, and that my daughter, Emeline Frasier control and manage the same as trustee, and at her death to be equally divided among her children that may be in life. The property to be in no event liable for the debts of said Emeline Frasier.

It is my further will and desire that all the remainder and residue of my property of whatsoever kind, both real and personal, be sold by my executor to the highest bidder on a credit of 12 mo. and the proceeds be equally divided among my children and grandchildren in the same way and manner and for the same purposes as I have desired my negro property disposed of, namely, 1 share to Jas. L. Powell in trust, 1 share to Samuel J. Powell in trust, 1 share to Josiah C. Powell in trust, 1 share to Augustus L. Finley in trust, 1 share to M. L. Eivin in trust, 1 share to Emeline Frasier in trust not to be subject to the debts or liabilities of the trustees.

Item 8. I will and desire that all the property that may re-voke back to my estate at the death of my wife, or otherwise, be equally divided and sons-in-law who may be living at the time, in trust for my grandchildren to be managed and disposed of in the same manner and for the same purposes as herein before set forth and specified, in the preceding items of the will.

Item 9. It is my will and desire that the money and property which may come into the hands of my children and sons-in-law be managed and controlled by them as trustees and the profits arising from the same, to be disposed of and used by them in any way and manner they may choose and apply the profits to their own exclusive benefits, but the principal to be held in Special Trust and not subject to the debts or liabilities in any manner whatsoever.

Item 10. I constitute and appoint my son Josiah C. Powell and my son-in-law, Martin L. Eivin executors to this last will and testament, hoping they will carry out the provisions, but should either of them die or refuse to qualify, I constitute and appoint my son, Samuel J. Powell in the place of the one that shall be dead or refuse to qualify.

In testimony whereof I have herunto set my hand and affixed my seal, the 17th day of May in the year of our Lord, 1852. Inter ----- and read the testator before signed, William Powell. L. S.

D. Vorsham

Potoloway Jernigan

James L. Raker

Public Notice made in the Columbus Times