

26

Continued
make enough corn wheat & pork to answer their necessities
in the (year) 1852 then my wifeabella Stewart is at liberty
to satisfy their wants from my farm in Marion County. My
wife is at liberty together with sister Harriet Corbin &
Eliza Harriet Gray to remain at my residence in Ma-
rion County for from charge to enjoy all the privileges,
 blessings & immunities of home as heretofore during
1851

I appoint my beloved & trusty brother James Stewart
my beloved & worthy Cousin Tho^s H Stewart my be-
loved & worthy cousin W. D. Stewart my beloved & worthy
cousin William R. Stewart my lawful Executors to
carry this my ^{last} will & Testament into execution or
to do any other business that they in their judg-
ment may seem best for the interest of the estate
& desire that my sister Mary Baicent shall take
my daughter Mary E Stewart

Signed & sealed in the (interlined before assumed)

presence of

James Crittenden
J. J. Kilcrease
Tho^s H Stewart

R. M. Stewart 

Georgia Superior Court of said County for Probate
Marion County } nary purposes, January Term 1851
Present their Honors Martin L. Bivens
Charles H. McCall, William Davis, Chapman & Macla-
den and George Champion Judges of said Court
January 13th 1851

The last will and Testament of Richard M. Stew-
art having been produced in open Court by James Stew-
art his Executor the same having been proved by the
oaths of Tho^s H Stewart and James Crittenden subseri-
bing witnesses and J. J. Kilcrease subscribed the same
as a witness and no objections being made to the same
it is therefore ordered that said will be admitted
to record.

A true extract from the minutes of said Court
this January 14th 1851. Wm. Williams C. C. O

Will and Probate of William Powell Deed
Georgia
Marion County }

Marion County Will Bk A 1845-1915
www.georgiapioneers.com

In the name of God. Amere-
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

First
 Second
 Thirdly
 Fourthly
 Fifthly
 Sixthly
 Seventhly
 Eighthly
 Ninthly
 Tenthly
 Eleventhly
 Twelfthly
 Thirteenthly
 Fourteenthly
 Fifteenthly
 Sixteenthly
 Seventeenthly
 Eighteenthly
 Nineteenthly
 Twentiethly
 Twenty-firstly
 Twenty-secondly
 Twenty-thirdly
 Twenty-fourthly
 Twenty-fifthly
 Twenty-sixthly
 Twenty-seventhly
 Twenty-eighthly
 Twenty-ninthly
 Thirtiethly
 Thirty-firstly
 Thirty-secondly
 Thirty-thirdly
 Thirty-fourthly
 Thirty-fifthly
 Thirty-sixthly
 Thirty-seventhly
 Thirty-eighthly
 Thirty-ninthly
 Fortiethly
 Forty-firstly
 Forty-secondly
 Forty-thirdly
 Forty-fourthly
 Forty-fifthly
 Forty-sixthly
 Forty-seventhly
 Forty-eighthly
 Forty-ninthly
 Fiftiethly
 Fifty-firstly
 Fifty-secondly
 Fifty-thirdly
 Fifty-fourthly
 Fifty-fifthly
 Fifty-sixthly
 Fifty-seventhly
 Fifty-eighthly
 Fifty-ninthly
 Sixtiethly
 Sixty-firstly
 Sixty-secondly
 Sixty-thirdly
 Sixty-fourthly
 Sixty-fifthly
 Sixty-sixthly
 Sixty-seventhly
 Sixty-eighthly
 Sixty-ninthly
 Seventiethly
 Seventy-firstly
 Seventy-secondly
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 Seventy-fourthly
 Seventy-fifthly
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 Seventy-seventhly
 Seventy-eighthly
 Seventy-ninthly
 Eightiethly
 Eighty-firstly
 Eighty-secondly
 Eighty-thirdly
 Eighty-fourthly
 Eighty-fifthly
 Eighty-sixthly
 Eighty-seventhly
 Eighty-eighthly
 Eighty-ninthly
 Ninetiethly
 Ninety-firstly
 Ninety-secondly
 Ninety-thirdly
 Ninety-fourthly
 Ninety-fifthly
 Ninety-sixthly
 Ninety-seventhly
 Ninety-eighthly
 Ninety-ninthly
 Hundredthly

revoking all former wills and testaments by me made
 My Will and desire is, that my body be decently buried,
 I desire that all my just debts be paid by my
 Executors hereinafter named as soon as convenient af-
 ter my Death,
 That in and for the mutual love and affection that
 I have for my beloved wife Nancy Powell, I give
 and bequeath to her the following property, to-
 wit (viz) the plantation wherein I now live and
 the plantation called the Armour's place Also
 the land lying on the west side of the public
 road between my house and a Spring known
 and called the School-house Spring altogether
 comprising about four hundred and twenty
 five acres, Also the following Negroes, Cabover
 Lewis, Tom, Frank, Allen, Harris, Dick, Unity, Char-
 lotte, Sophia, Malinda and Lucinda, and her
 two children with their future increase; Also
 three choice Mules and one bay-horse known by
 the name of Jerry, six choice cows and calves, one
 yoke oxen, and cart, five hogs and pigs, thirty
 Shouts, My Parson, one year support in provisions
 and two hundred dollars in money and all
 my house hold 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
 and should she survive after the death of my
 wife I desire my Executors hereinafter named to
 apportion off a sufficiency out of the before spec-
 ified property for a reasonable support during
 her life or so long as she may live single, but should
 she marry I desire that her support should come
 out of my estate. I further will and desire that
 my wife Nancy Powell shall have full manage-
 ment and control of the before named property dur-
 ing her natural life and at her death the prop-
 erty to revert back to my estate and be equally
 divided among my children in such way and man-
 ner as I shall direct in a subsequent clause of
 this Will with the exception of that portion which
 may be apportioned to the maintenance of Sally
 W Edwards—
 I further will and desire my Executors hereinafter named to
 purchase the lot of land belonging to the estate of
 John Simmons deceased late of the County of Gwin-
 net Georgia at 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 Hannah Powell may be in life and at her death to revert back as the property of my estate and be disposed of as I shall direct in a subsequent clause of this will

Fifthly

I give and bequeath to M. F. Powers in special trust for my two grand-children Mary Ann and Martha Powers ten hundred dollars which amount will only make their portions equal to what I have previously given to my other children

Sixthly

My will and desire further is, that all of my personal property not disposed of in the third clause of this will be put into equal lots as near as can be done and divided equally among my children and grand-children as follows, (viz) One equal part to my son James F. Powell in special trust for his wife and the children that he may have in life 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 or marriage of his wife the property to be equally divided among the lawful heirs of my son James F. Powell and in no case to be subject to the debts or liabilities of my son James F. Powell—

Also

one equal part to my son Samuel F. Powell in special trust for his wife and children and at the death of my son Samuel F. Powell the property to be equally divided among his wife and children he may have in life at the time, and at the death of his wife or should she marry then her portion to be equally divided among the lawful heirs of my son Samuel F. Powell, the said property to be in no event subject to the debts or liabilities of my son Samuel F. Powell—

Also

one equal share to my son Josiah C. Powell in special trust for his wife and the children he may have in life 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 his wife or should she marry after his death her portion of the property to be equally divided among the legal heirs of my son Josiah C. Powell and the said property to be in no event subject to the debts or liabilities of my son Josiah C. Powell.

Also

one equal share to my son in law Augustus S. Finley in special trust for my grand-children: William S. Finley, Mary F. Finley, Benjamin F. Finley, James M. Finley, Henry H. Finley, Josiah C. Finley John W. Finley

and Augustus C Finley to be equally divided among them and for each one to receive their proportionable share whenever they marry or arrive to the age of twenty one years and the said property to be in no event subject to the debts or liabilities of their father Augustus C Finley.

Also one equal part to my son in law Martin Luther Biver in special trust for my grand children Mary Ann and Martha Biver to be equally divided between them whenever they marry or arrive to the age of twenty one years the property to be in no event subject to the debts or liabilities of their father M. L Biver.

Also one equal part to my son in law Thomas A Wall in special trust for his wife and the children of her body the property to be in no event subject to the debts or liabilities of my son in law Thomas A Wall.

Also one equal share to be given in trust to my daughter Emeline Frazier as trustee for her children that may be in life at the time of her death with the exception of one equal share of the portion bequeathed her as trustee and that portion to be paid to my grand son William F Frazier by my Executors as soon as convenient after my death and that my daughter Emeline Frazier control and manage the same as trustee and at her death to be equally divided among her children who may be in life the property in no way to be subject to the debts or liabilities of my daughter Emeline Frazier.

Seventh. It is my further will and desire that all the remainder and residue of my property of whatever kind whatever real and personal be sold by my Executors hereinafter named to the highest bidder on a credit of twelve months and the proceeds to be equally divided among my children and grand children in the same way and manner and for the same purposes as I have desired my negro property to be disposed of. To wit one fourth of the said proceeds one share to Gamaliel F Nowell in trust, one share to Francis C Nowell in trust, one share to Augustus C Finley in trust, one share to M L Biver in trust, one share to Thomas A Wall in trust and one share to Emeline Frazier in trust and not to be subject to the debts or liabilities of the Trustee.

Eighth

And I further desire that all the property that may revert back to my estate at the death of my wife or otherwise be

equally divided among my children or my sons in law who may be living at the time in trust for my grand children to be managed and disposed of in the same manner and for the same purposes as set forth in the preceding clauses of this Will.

Monthly

It is my will and desire that the property and money 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 or manner they may choose and apply the same to their own exclusive benefit, but the principle to be held strictly in trust and not subject to the debts or liabilities in any way or manner whatever.

Sixthly

I constitute and appoint my son Josiah C. Powell and my son in law Martin S. Bowers Executors to this my last Will and Testament hoping they will carry out its provisions but should either of them refuse to qualify & constitute my son Samuel C. Powell Executor in the place of the one which may be dead or refuse to qualify.

In testimony whereof I have hereunto set my hand and affixed my seal this 14th day of May in the year of our Lord 1852

Witnessed and read to Testator before signed, my

Test

D. Worsham

Stolony Jernigan

James F. Baker

Georgia Before me E. W. Miller Ordinary of the Court
Marion County of Ordinary for said County in vacation for
monthly came Josiah C. Powell and Martin S. Bowers Ex-
ecutors of the last Will and Testament of William C.
Powell late of said County deceased, and the witness-
es of said Will "to wit" D. Worsham, Stolony Jernigan
and James F. Baker which witnesses being duly sworn
depone and say that they saw William Powell the Testa-
tor sign, seal, declare and publish the instrument now
presented as his last Will and Testament, freely, voluntar-
ily and of his own accord and without any compulsion,
or influence whatever that at the time of the execution of
said Will said Testator was of sound and disposing
mind and memory; that Deponent signed said Will as
witnesses in the presence of the Testator and at his special
request and in the presence of
other, sworn to and subscribed

before me this August 2nd 1852

E. W. Miller Ordinary

D. Worsham
Stolony Jernigan
James F. Baker