

Will of John Powell

Filed in Office July

9th 1863 L. Bruner Ordinary

Done in Vacation in
common form of Law, on
the oath of S. A. Hill, one
of the subscribing Witnesses
August 11th 1863

L. Bruner Ordinary

Georgia, Sumter County

Remitted to Probate Office

of Will Page 93 & 94

Aug. 31st 1863 P. C. Chapman

Dr. C. C.

\$ 1.75
1863

97th

Ordinary's Office
Sumter County

GAT

In Vacation August 11th 1863

Before me personally came James A Hill, one of the
subscribing witnesses to the will of John Powell late of said county deceased
now presented for probate, in common form and being duly sworn, says
he saw John Powell the testator, sign, seal, publish and declare the
paper purporting as his last will and testament, in the presence of
the witnesses; That at the time, he was of sound and disposing mind
and memory. He signed the same as a witness, saw the other witnesses
sign the same in his presence and in the presence of the testator

Sworn to and subscribed before
me this 11th day of August 1863
L. Bruner, Ordinary.

James A Hill

and sister's children who may be in life
at the death of my mother. I also desire and
direct that the property thus distributed shall not
be under the control of either of my brothers

State of Georgia, Spalding County

I, John Powell, of said State and County do make this my last Will and Testament hereby revoking and annulling all others by me heretofore made.

First. I desire and direct that all my just debts be paid without delay by my executor hereinafter named and appointed. (GW)

Secondly. I give bequeath and devise to my

Sister Ann Swallow my entire stock of horses.

Thirdly. I give and bequeath to my beloved Mother, Mary Powell, for and during her natural life only, the following property viz all my interest in lots of Land numbered one hundred and fourteen, one hundred and twenty five and one hundred and twenty six in sixteenth District of said County and all of my notes and accounts and all other property of every description except the stock of horses above mentioned.

Fourthly. I desire and direct that after the death of my mother, all of the property above given to her for and during her natural life, shall be sold at public outcry except notes and accounts which I do not desire to be sold publicly. (GW)

Fifthly. I desire and direct that after my Mother's death, the money for which the land above mentioned is sold and my notes and accounts shall be equally distributed among my brothers and Sister children who may be in life at the death of my mother. I also desire and direct that the property thus distributed shall not be under the control of either of my brothers

not subject to the debts or contracts of my brother
or of my sister.

Sixthly. I deem and direct that, should either
of my brothers present an account against my
estate, the children of such brother shall not
be entitled to & shall not receive any of the
property given in this will.

Seventhly. I also deem and direct, before the
distribution above mentioned is made that the
expense of burying my mother and of putting
a suitable tombstone over her grave shall
be paid out of my estate. The tombstone to
consist of a brick wall two feet & a half high and
covered with a slab. I also deem and direct
that at the same time tombstones of the same
character shall be placed over the graves of
my father Robert Powell, my sister Moley Powell
and my brother Job Powell. (GN)

Eighthly. I do hereby appoint my brother Robert
Powell executor of this my last Will & Testament.

In testimony whereof, I have hereunto set my hand
and seal this 12th day of May, 1862

John Powell (L.S.)

Signed sealed dictated and published
by John Powell as his last Will and Testament
in the presence of us the undersigned, who subscribed
our names here to in the presence of said Testator,
at his special instance and request and in
the presence of each other this May 12, 1862

Thomas (Pumpkin)

to Carter
Jesse Hall