

1849

The Last Will and Testament of Nicholas Lewis

Nicholas Lewis of the County of Troup and State of Georgia do hereby certify and make this my last will and testament as follows:

Section 1st I do hereby appoint as my Executors to Lewis & Co. of the County of Troup and State of Georgia James G. Todd my executor, my children. Section 2nd It is my will that before my children that I have mentioned above, to that I shall have no part or portion in the Estate that I may die possessed of, viz (William H. Lewis, Nicholas H. Lewis, John Lewis, Caroline H. Haralson, Samuel J. Lewis, Mary E. Todd, Howell Lewis, Francis Lewis in right of his dec^d wife Frances Sarah his daughter, Correll C. Haralson & Heller in right except what shall be lawfully provided hereafter out.

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Section 3rd It is my will that all the property that I may die possessed of both real and personal shall be divided between Harriet W. Lewis my wife, Robert Lewis, Oscar H. Lewis, Pauline Lewis, Warner Lewis, Charles Lewis at the following time and in the following portions; that is whenever any of my mentioned children just ~~named~~ mentioned becomes of age or married, as soon thereafter as the crop on hand may be gathered or finished the one becoming of age or married shall have her or his portion allotted to her or him in the following manner: If a daughter she shall have an equal portion of all the Estate, Land and lot excepted, between my wife and the latter children just mentioned and the rest or residue of the property shall

I shall be continued on the plantation until the next become of age or marriage, when the like division shall take place in the same way & manner as the first, only with this difference: Should one of my sons become of age then the personal property shall be divided in the same way as before pointed out; but the land shall be equally divided between my wife and my younger sons Robert, Oscar, Warner & Charles, and should any of my children viz. Robert, Oscar Fitzgallen, Pauline, Warner & Charles, the property shall be divided among these children last named equally in the manner and on the same principle, before pointed out and the residue or balance of the property shall continue on the plantation as tho I was living for the life of my wife and the children equally, that have not had their portion, allotted to them; but should my wife think proper to marry again it is my will that she be dismissed from being executrix of my estate & that Robert be substituted in her place as one of my executors and that my home and land, be sold on reasonable time of payment or payments for the benefit of herself and my younger boys viz. Robert, Oscar Fitzgallen, Warner & Charles, and the money accruing therefrom put at interest for their benefit. The portion allotted to my wife she is to have her natural life and give or will to any of my children that she may think proper.

Section 4th I do solemnly request that my wife would keep my home

open to any of my children that may
 be or have been indigent or unfortunate.
 Section 5th It is my will that my
 little children be raised in the principles
 of the Christian religion and in fear and
 admonition of the Lord and as soon as
 I am absent in death that my wife
 will personally set up Family worship &
 pray with & for my children -

Section 6th It is furthermore my will
 that my Executrix and Executors may
 with the profits arising from the Estate
 purchase property if they may think it
 advantageous to the Estate for the benefit
 of my younger children (viz) Robert
 Oscar G. Pindus, Warner, & Charles, ~~and~~
 should any purchase be made prior to
 any division then for the benefit of all
 just named - ~~the~~ ^{the} division then
 that may have drawn their portions
 shall have no interest in the property
 thus acquired and also for the benefit
 of my wife equally with the before
 mentioned children -

Section 7th It is my will that my
 children may have their option whether
 they will draw their part of the negroes
 or let them work upon the plantation
 and draw their proportion; and it is
 further my will that my wife shall
 have the House and lots in La Grange
 furniture and her natural life or
 widowhood. It is further my will
 that my lands shall not be divided
 until the youngest becomes of age

Signed Sealed published and
 declared in presence of us and each
 of us - this the third day of

November 1847
James M. Beall
E. S. Harris
James Turner
Charles D. Fuller
Nicholas, Lewis

State of Georgia - Inferior Court
of Troup County, sitting as a court
of Ordinary in vacation Friday
19th day of November 1847

Present their Honors
Jep. McLendon
John Douglass
Sevi. Yeer
Nathan Burwick

Justices

The within last will and testament
of Nicholas Lewis late of this County
dec^d was, this day produced before
the Justices of the Inferior Court afore-
said in vacation by George Hard
in whose possession it was, and in
due form of law proved upon the
oaths of James M. Beall, Edmund
S. Harris, Charles D. Fuller and
James Turner the Subscribing
Witnesses to the same
attest, Wiley Wilson C.C.O.

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Georgia Inferior Court of Troup County
sitting for Ordinary purposes met on
Monday the 24th day of January 1848.
pursuant to adjournment
Present their Honors

John Douglass
Jep. McLendon
Nathan Burwick

Justices

The within last will and testament
of Nicholas Lewis late of this County

deceased having been duly and legally
 proven in vacation on Friday the 19th
 day of November 1847 before Justices
 M. Sherman, John Douglass, Levi Green &
 Nathan Newrick four of the Justices
 of the Superior Court in & for said County
 upon the oath of James M. Beall
 Edmund S. Harris, Charles D. Fuller
 and James Turner the Subscribing wit-
 nesses to the same as directed by
 the Statute in such cases made and
 provided Ordered that the same
 be now admitted to record this being
 a regular meeting of said Court
 atw. M. Wilson cco

Recorded 26th Jan'y 1848
Wiley Wilson cco