

WILL OF
JOHN W. PAYNE

17 R.^s In the Name of God Amen I John W Payne of
N^o 28 Charleston South Carolina being of sound and
disposing mind but infirm and weak in body do now hereby
& herein make Execute Publish and declare this as my
Last Will and testament hereby annulling cancelling and
revoking all other wills and testaments of Whatsoever
Kinds Imprimis I order and direct that all my just debts
and necessary expences be first justly paid. Item I give
and bequeath unto Isabella R Payne, Maria Payne & Serina
Payne the children of my Brother Josiah S Payne One hun-
dred and fifty Dollars unto each of them. Item I give
devise and bequeath and dispose of all and Singular the
rest and residue of my estate both real and personal which
I hold pofsefs or am interested in or entitled to either
in pofsefsion remainder or reversion Either in Law or by
Equity, in the manner following, that is, to be divided
into two equal parts or shares, one half thereof I hereby
grant give devise & bequeath absolutely and forever unto
my Sister Emma Payne, her and her heirs and afsigns for-
ever. But the same is to be held and pofsefsed and en-
joyed by her as own separte estate and not to be subject
to the debts engagements contracts or controul of any
Husband of hers. Item I give devise and bequeath the
other half of my estate as herein above mentioned unto
the children Lawfully begotten of my brother Robert Keith
Payne to be divided equally among them share and share
alike unto them their heirs and afsigns absolutely and
forever. And if he should have but one such child then
unto that child in manner as aforesaid. But in case he
shall have no such child or children then and in that case
I hereby give devise and bequeath the aforesaid one half
part of my Estate unto him the said R.K. Payne his heirs

representatives and assigns absolutely and forever. And it is my wish and I do order and direct that all I may possess, have or be interested in or entitled to from of or out of the Estate, that is the trust Estate of M M Payne and Children be included in and Subject to the directions & dispositions of this my Last Will and testament. I hereby nominate constitute & appoint my Father and my two Brothers Josiah S Payne and Robert K Payne my Executors, declared Sealed and Signed by the said John W. Payne this first day of October one thousand Eight hundred and twenty six in our presence who witnessed and signed the same in the presence of each other, words "all" 12th line and "child" 3 line first inserted-----

John W. Payne (LS)

F. O. Elliott --- James Ramsay MD --- D. G. Joye ---

Proved before James D Mitchell Esquire O.C.T.D. October 14, 1826 At same time Qualified William Payne Executor 1834 August 12th, Qualified Robert K Payne Executor

Ex.^d

J.D.M.

Recorded in Original Will Book G 1826-1834

Recorded on Charleston Co. Wills

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