

Will of John Rainwater, 4 Nov 1771, Surry Co., NC

4 November 1771 Surry County, North Carolina

I, John Rainwater of Surry County, North Carolina, being now in perfect sense and memory, thanks be to God, but yet considering that life and sense is uncertain, do make and ordain this my last will and testament. My soul I recommend unto the hands of God. My body I recommend to the earth to be buried in a Christian manner, and as to my worldly estate, I give, devise, bequest and dispose of the same in the following manner and form.

First, I give to **my daughters, Mary, Sarah, Betty, Winney, Milley and Molley**, to each Five Shillings Prov., money to them and raised out of my estate the same is in full and a bar from their obtaining any more. I give to my **son, John**, Five Shillings Prov., money to be raised aforesaid, the same is in full and a bar from his obtaining any more unless he should succeed his brother James as Trustee in the management of that part of the estate which I give for support of **my wife and son William**. I give my plantation and all my land, **my negro man Jack** and all other of my estate of what kind soever to the whole and sole use, support and maintenance of **my wife and son William** during their lives, and do hereby will and subject the same into their hands, care and management of **my son James**, whom I hereby constitute and make Trustee to appropriate the said estate to their sole use, support and maintenance as aforesaid, to them either jointly or single in such way and manner as he the said James shall judge and think the most to their profit and best for their support and comfort. And if any part of the said estate should remain after their decease, my will and intent is that he, the said James, his heirs and assigns, enjoy the same forever. If my son, James, decease before **my wife and son William**, I will that **my son John** succeed **my said son James** in every point as Trustee.

Lastly, I appoint **my wife, Mary**, Executrix and **my sons, John and James**, Executors of this my last will to see that all things be performed according to their true intent and meaning thereof. And I hereby disannul and revoke every former will and ratify and confirm this and no other one to be my last will and testament. In witness thereof I have hereunto set my hand and seal, this 4th day of November 1771.

John (X) Rainwater

Signed, sealed, published, pronounced and declared in the presence of us.

Jesse Brimp, John (X) Pain

North Carolina, Surry County Court, May 1777

Jesse Brimp, one of the subscribing witnesses to the last will and testament of John Rainwater made oath that he saw the said John Rainwater publish and declare the same to be his last will and testament; that he was of sound and disposing mind and memory and that at the same time, he saw John Pain sign the same as a witness and on motion it was ordered to be recorded.

Recorded accordingly, Jo Williams, County Clerk

DEPARTMENT OF CULTURAL RESOURCES
DIVISION OF ARCHIVES AND HISTORY
Archives and Records Section
109 E. Jones Street
Raleigh, North Carolina 27601-2807

Date: June 14, 1999

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IN RESPONSE TO YOUR REQUEST RECEIVED: May 21, 1999

- ☐ We have the following record(s) in which you may be interested:

Surry Co. Original Wills, 1770-1970, CR 092.801.27
John Rainwater, 1777.
Xerox Copy: NO CHARGE (copies enclosed)

- ☐ We have searched without finding

- ☐ Other:

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#302

John Parnwater
M.A.

May Term 1777
Will

Recorded & Examined

In the name of God, Amen. I John Rainwater
of ~~Curran~~ ^{Curran} County in N^c Carolina, being now in Perfect Sense
and Memory, Thanks be to God, but yet Considering that Life and Sense
is Uncertain, do make and Ordain this my last will and Testament
Wiz^t My Soul I Recommend into the Hands of God, My Body
I Recommend to the Earth to be Buried in a Christian manner,
And as to my Worldly Estate I Give, Devise, Bequeath and Dispose
of the same in the following manner and Form

Impr.^t — I Give to my Daughters Mary, Sarah, Betty, ~~Mar~~
Winney, Milley, and Molley, to each, Five Shillings
Proc. Money, to be Paid and Raised out of my Estate,
the same is in full, and a Bar from their obtaining
any more

Item — I Give to my Son John Five Shillings Proc. Money
to be Paid as aforesaid, the same is in full, and a
Bar from his obtaining any more, Unless he should
Succeed his Brother James, as Trustee in the Manage-
ment of that part of my Estate, which I Give for the
Support of my Wife, and Son William

Item — I Give my Plantation and all my Land, my Negroe man
Jack, and all other my Estate of what kind so ever, to
the whole and Sole Use, Support, and Maintainance of my
Wife, and Son William during their Lives, and do here-
by Will and Subject the same, into the hands, Care
and Management of my Son James, whom I hereby
Constitute and make Trustee, to appropriate the
said Estate to their Sole, Use, Support, and Maintain-
ance as aforesaid to them either jointly or single, in such
way and manner, as he the said James shall judge and
think most to their Profit, and best for their Support
and Comfort. — And If any part of the said Estate
should Remain after their Decease, my Will and Intent
is, that he the said James his Heirs and Assigns, Enjoy
the same for ever

Item

Item If my son James Decease before my Wife and son
William, I Will, that my son John succeed my said
son James in every Point, as Trustee —

Lastly I appoint My Wife Mary Executrix, and my sons
John and James, Executors of this my Last Will
to see that all things be perform'd according to
the True intent and meaning thereof. And I do
hereby Disavow and Revoke every former Will
and Ratify and Confirm this and no other to be
my last Will and Testament In Witnefs whereof
I have hereunto set my Hand and Seal this
fourth day of November

1741

Sign'd Seal'd, Publish'd pronounced
and Declair'd in the presence of us
Jesse Brumby Jurat

John J. gain

John J. Rainwater