

State of Georgia, in the County of 4th June
 Newton County I, Shelby Downs of said State and County, being of an
 advanced age, though of sound mind and memory, and
 knowing that I must shortly depart this life, deem it right and proper
 both as it regards myself and family that I should make a distribution of
 the property with which a kind Providence has blessed me, so that for
 unto this my last will and testament hereby writing all these bequests
 make by me.

Item 1st I give and devise that my body be buried in a
 decent and Christian-like manner, my soul I trust return to rest with
 God who gave it.

Item 2nd I give and devise that my just debts be paid
 by my Executors hereafter appointed.

Item 3rd My will and devise is that my negroes be
 divided by lots among my children; the children of my deceased son
 Willis M. Downs receiving one share or a child's part so far as they may be
 divided by lots, so as not to separate mother and child, and should be-
 come not drawing a negro or negroes by lot, shall have money instead of
 negroes.

Item 4th My will and devise is that my lands and all other
 property belonging to my estate be sold by my Executors, and the pro-
 ceeds arising therefrom be equally divided among my children by the
 children of my deceased son Willis M. Downs to have one share, my sons
 Henry M. Downs, James M. Downs, William D. Downs, Shelby P. Downs
 John S. Downs, William S. Downs and my cousin James M. Black
 John A. Whitman, M. H. Hicks, J. H. Hicks and my daughter Letitia Ann D.
 Downs and Louisa D. Downs each to have one share, after paying the spe-
 cific legacies hereafter mentioned.

Item 5th I give and bequeath to my wife Nancy Downs One
 Thousand dollars bed and furniture and this to be in lieu of dower
 or any other portion or interest in my estate whatever.

Item 6th I give and bequeath to my son William S. Downs
 two hundred dollars and to my daughter Louisa D. Downs three hun-
 dred dollars over and above my other children, to educate and clothe
 them.

Item 7th My will and devise is that my children to whom
 I have given property and money by, my sons Henry M. Downs J. M.
 Downs, William D. Downs, Shelby P. Downs and John S. Downs, and my
 Cousin James M. Black, John A. Whitman M. H. Hicks and J. H. Hicks
 make out a schedule of property and money received of me in my
 lifetime, and send the same to my Executors. And as my deceased
 son Willis M. Downs received of me one hundred and twenty-five

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 appears in his lifetime. It is
 December 1863 on the account for his lifetime
 item 5. The hereby when and a short my son Henry
 it Down and Shelly Down and my intention for it Shelly Down
 to carry out the my last will and testament. The twenty-ninth day of
 September 1863 Shelly Down

Signer, Seals, published and attested by Shelly Down as his last
 will and testament in the presence of us the subscribers who witnessed
 our names hereunto in the presence of the testator and of each other
 this the twenty-ninth day of September 1863

Wm S McGraw &
 William Wellingham &
 Presley P Christian all

Georgia
 Santa County; October 27th 1863
 Court of Ordinary in vacation

In vacation personally appeared Wm S McGraw
 William Wellingham and Presley P Christian who being duly
 sworn depose and sayeth that they saw Shelly Down the
 testator sign seal publish and declare the within instrument
 to be and contain his last will and testament, and that he was
 at the time of said signing and publication of same and deposeing
 mind and memory - that he executed the same freely and without
 compulsion so far as they know or believe - that they signed the same
 in the presence of the testator and of each other - and that the words
 "sea and firmiana" on the second page was subscribed before signed
 by the witnesses & intended by the direction of the testator
 Wm S McGraw
 William Wellingham
 Presley P Christian

Wm D Luckie Ordinary

Admitted to record November term 1863
 Wm D Luckie Ordinary