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The Last Will & Testament of William Kilpatrick
Georgia
Bibb County

In the name of God Amen.

I William Kilpatrick planter
of the said County being in usual good health
and of sound mind & memory, do make public &
declare this my last will and testament hereby revoking
all other wills by me made

Item First. I wish my body to be buried in a
decent & Christianlike manner suitable to my circum-
stances in life without any unnecessary expense
If I die in Bibb County I wish to be buried in the
yard or cemetery at my former residence in
Bibb County known as the Rice place

Item Second } I give & be-
queath to my son George Washington Kilpatrick
five hundred dollars over & above an equal share of my
estate on account of his tender years and to defray
the expenses of his education & he to have this legacy
at all events even if I educate him.

Item 3rd } All the rest and
residue of my estate real and personal between
my wife & children equally to be divided share and share
alike subject to the conditions limitations & trusts
following. Except as to Thomas S. Kilpatrick as hereafter
fully set out and declared The share that may fall
to my wife to be in lieu & bar of dower and widows allowance
and all other claims on my estate. The share that will
or may fall to my son Thomas S. Kilpatrick shall be
as follows having made advances to him I will & desire
that his wife & children have one half of one equal
share to his wife now living or any wife he may hereafter
have during life and at his death to his children
the other half of said one share to be divided between
my children to the exclusion of said Thomas S.

Item 4th } The share that may fall to my daughter
Mary Ann Townsend to be kept & retained in the hands
of my Executor and the annual hire rents & profits to
be paid to her during her life and at her death to her
children in equal shares. She to account for & deliver
from her distribution share four hundred dollars
which sum I have already given her

Item 5th } The share to my daughter Ann
to her sole & separate use for life and at her
death to her children free from the debt control or
engagement of any husband with whom she may
cohabit.

Item 8 My executor to have leave to sell my property at public or private sale, in his discretion without applying to any Court.

account for four hundred dollars & having advanced him four hundred dollars & Francis S. Kilpatrick to deduct and account for one hundred dollars, I have advanced him one hundred dollars.

Item 9th It is particularly & expressly my wish & desire that if my son Francis S. Kilpatrick should die leaving no wife or child (except his present wife Ann formerly Ann Hightower & her child) then and in such case the part or share that may fall to said Francis S. to him for life and at his death to return to and become a part of my estate & be equally divided between my children then living. In no event shall said Ann or her child become entitled to any part of my estate.

Item 10th I nominate constitute and appoint my son William S. Kilpatrick Trustee for my daughter and guardian for my minor children and Executor of this my last will & testament and in the event of his death I appoint my nephew George L. Kilpatrick in his place or stead.

Item 11th In the event of either of my children dying before the period of distribution arrives then and in such case the children to take the place of the former. Except as to the present wife & child of said Francis S. In no event will she or her present child be entitled to any thing. Witnesses my hand and seal.

W. Kilpatrick

signed sealed published & attested by William Kilpatrick as & for his last will & testament at his request & in his presence we have signed the same as witnesses. August 1st 1855.

Georgia } Office of Ordinary
Bibb County } in open Court January 1857

Personally appeared before me Thomas P.

Stables A. H. Wyche & D. R. Rodgers who say on oath that William Kilpatrick sign seal & publish the foregoing as & for his last will & testament & that he was of sound mind & memory & executed the foregoing freely & voluntarily as for his last will & testament without constraint from any one & in their presence & in the presence of each other subscribed & sworn to before me this 12th January 1857.

W. J. Murphy

Ordinary

Thomas P. Stables
A. H. Wyche
D. R. Rodgers