

State of Georgia
Burke County

In the name of God Amen. I John Owens of said State and County, being of advanced age, and knowing that I must shortly depart this life, deem it right and proper, both as respects my family and myself, that I should make a disposition of the property with which a kind providence has blessed me, do therefore make and declare this my last will and testament, hereby revoking all others made heretofore by me.

Item. I desire and direct that my body be buried in a decent and Christianlike manner. My soul I trust shall return to rest with God who gave it, as I hope for eternal salvation through the merits and atonement of the blessed Lord and Savior Jesus Christ.

Item. I desire and direct, that all my debts be paid, without delay by my Executors hereinafter appointed, as I am unwilling my Estate should be delayed in their rights.

Item. To Ellington Attaway, I give in trust for the benefit of my daughter Emily Owens widow of the late William Owens dec and his Child or Children the following negroes to wit, Silba a girl and her Child

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Milton together with the further increase
them - to my brother William J. Owens in trust for my daughter
Sarah Ann Owens the following negro to wit named and his son
Leah and her future increase. Also a boy Ellen a woman Attie and
and Martha a girl with their future increase & further will and
desire my old negro woman Leary to be kept with her daughter
Mariah by my brother William J. Owens that she may be taken
care of by my daughter Sarah Ann Owens as she has been a valuable
and faithful servant to me. I also give to my brother William J.
Owens in trust as aforesaid my Buggy and one horse to be chosen
from all my horses by my daughter Sarah Ann Owens. Also my
dinnerhold and kitchen furniture, consisting of four pew beds
steads and the furniture of each, Chairs, Table, Sideboard, Clock
and my Family Bible, with all other books and every thing
whatevever.

It is my will and desire that after my decease my servant Ben
a man be sold, also my plantation, whereon I live, with all my stock
consisting of Horses, Cattle, and Hogs, also my plantation implements
out of the proceeds of which, I desire that all my just debts be
paid, and the remainder to be divided in the following manner
to wit: Eight Hundred dollars to be given to my brother William J. Owens
in trust for my daughter Eliza McBroom, wife of James S. Mc.
Broom, and her Child or Children, and the amount over and above
if any (after payment of my debts and payment of Eight hundred
dollars to William J. Owens as above directed) to be divided equally
between my three daughters for their benefit by their
trustees.

It is my will and desire that my brother William J. Owens as
trustee for my daughter Eliza McBroom, shall purchase a negro
woman and Child, or if the amount be not sufficient, purchase
a negro woman only, for the benefit of my daughter Eliza Mc.
Broom, with the money that shall fall to her share under the
provisions of the 15th fifth Item said negro woman, or negro
woman and Child, to be held by him in trust by him for
for my daughter Eliza McBroom, as aforesaid. But in
and under no circumstances, shall said negro woman or
negro woman and Child as the case may be, pass to the un-
controlled possession of James S. McBroom, or any part, or
portion of my property whatever, and inasmuch as I have
experienced ill treatment and abuse from the said James
S. McBroom, and have reason to suspect that he may after
my death try to assume authority in my place, and even may
threat or abuse my family, or property, I hereby expressly state
that in the event of his assuming any authority whatever
or in any wise ill treating my family, or property, then it shall be
at the discretion of my Executors, whether or not the said James S.
McBroom shall receive any benefit whatever from my estate.

It is my will and desire that should my daughter Sarah Ann Owens
die without a Child then, in that event, the property assigned to my
brother William J. Owens, in trust for said Sarah, in the 14th fourth
Item shall be divided equally between my daughters Emily

Owens and Eliza McBrown to be held for them in trust by their son John Owens and Ellington Starnes to be held by them in trust free from the control, debt or liabilities of their or either of their husbands or husbands. It is my will and desire that in the event there may be a crop planted at the time of my death then in that case the property shall be kept together until the same be made and gathered.

I also give and bequeath to my beloved Grandson Benjamin Franklin Crossman of my daughter Emily Owens one negro boy Simon as he is a good, dutiful and affectionate child and I hope will become an honorable and useful man.

I hereby constitute my beloved brother William Owens and my esteemed and worthy friend Robert E. Thompson Executors of this my last will and testament.

John Owens (D)

Signed, Sealed, Declared and published by John Owens as his last will and testament, in presence of us, the subscribers who subscribe our names hereto, in the presence of said testator at his special instance and request, and of each other. This February 4th 1857

Henry White
R. E. Thompson
Matthew Saxon D.P.

Georgia
Burke County

I Robert E. Thompson of said County and State have been appointed by John Owens late of said County deceased, executor of his last will and testament, which said will was signed, sealed, declared and published & declared by him on the fourth day of January, in the year eighteen hundred and fifty seven in said County do now, before said will has been presented for probate, hereby renouncing all claim to the executorship under said will, hereby forever disclaiming & renouncing all right title to the executorship as aforesaid.

In presence of
Mitchell Jones
Thos Moore Corrieu
Notary Public (Seal)

R. E. Thompson (Seal)

Georgia
Burke County

Appointed in the Court of ordinary for said County, William J. Owens, executor of the last will and testament of John Owens, late of said County deceased, with the will of said testator for probate and also Henry White, Robert E. Thompson and Matthew Saxon the subscribing witnesses to said will, which said witnesses severally swear that they were present by the request of testator and did see him sign seal publish and declare the annexed paper writing of four pages as his last will & testament, that said deponents signed the same as witnesses thereto in presence of said testator and of each other and that at the time of the execution publication & declaration of said last will & testament and while mind of said & disposing mind & memory

4th October 1858.
S. A. Barker M.B.C.

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R. E. D. Thompson

Matthew Suron

The last will and testament of John Owens late of the County of
Burke dec'd having been presented to the Probate Court by William J. Owens
the Executor (Robert E. D. Thompson the other executor having renounced
the executorship & said will having been duly proven in open Court
by the subscribing witnesses thereto. It is on motion ordered that the
said will be admitted to record, and that a warrant of apprais-
ement & letters testamentary do issue in terms of the law.

Recorded 8th October 1858.