

Last Will & Testament of Thomas Torsion

Georgia Clay County I Thomas Torsion of the County and State aforesaid, being of sound mind and memory but in feeble health, do hereby publish and declare the following writing to be my last Will and testament to wit:

Item 1st I give and bequeath to my beloved wife Sarah Torsion the following negroes to wit: Tom a Man, John a Man, Bill a Man, Dick a Man, Charlotte a Woman, Rorry a Girl, Lizzie a Girl, Lona a Girl, Ben a Man, Leg a Boy, Ireland a Boy, ~~Matthie~~ Mitchell a Man, and John a Boy forever. I also give to my said Wife the lands whereon I live in Clay County Georgia containing about one Thousand Acres more or less together with all the stock thereon or belonging thereon with all the household or Kitchen Furniture to have and to hold the same during her life or Widowhood or until she shall have said land. Upon the happening of either of the aforesaid contingencies then the said land, Stock & Furniture is to go and become the property of my adopted Son Thomas Torsion Jr. alias Thomas Torsion to whom I have willed the remainder.

Item 2d I will and bequeath to my brother Benjamin Marable the following named Negroes and their increase to wit: Rufus a Man, Seareaux a Man, Sally a Woman, Eliza a Woman and Fimpes a Woman. to have and to hold the same during his life, and at his death to go to his daughter Sarah Marable.

Item 3d I will and bequeath to my Brother John Marable of the State of Alabama and County of Calhoun one Hundred and sixty Acres of land whereon he now lives to have and to hold the same forever. I also give and bequeath the following named Negroes and their increase to my said Brother John Marable to wit: John Poffen and his Wife, Charity to have and to hold the same during his life, and at his death said Negroes and their increase to go to my said adopted Son Thomas Torsion alias Thomas Marable to whom I have willed the same forever.

Item 4th I will and bequeath to my adopted daughter Elizabeth Bryan Wife of Daniel Bryan the following named Negroes to wit: Anthony a Man, Mary Leard a Woman, and her child George and Houston (Mary Leard's child) to have and to hold during her life with all increase of said Negroes, and at the death of said Elizabeth Bryan to go to and become the property of her children by said Daniel Bryan.

Item 5th I will and bequeath to my adopted Son Thomas Torsion alias Thomas Marable the following described property to wit: A Negro Woman named Caroline, Jerry a Woman, Lucy a Girl, Patience a boy, Anna a Girl, Jack a Man.

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John Bull a boy, Milledy a boy, Alast a boy, Dennis a boy, Old Lehardette a Woman, also about Eight Hundred and Seventy Acres of land lying on Lehardette River the place whereon Benjamin Marable now lives and lot being Number 306 in the fourth district of said County of Lehigh the other land lying around or near it together with the remainder mentioned in items one and three. Alast give to My said son Thomas all the residue of My property be it of what ever kind it may after paying off My just debts and any such legacies herein contained.

Item 4th I will and bequeath to My friends H. A. Morgan, Thomas Leasberry, and Joseph B. Senger who are now in the Army of the Confederate States each One Hundred Dollars provided they return from said Army, and direct that My Executor pay the same on immediately after my death and their return from the Army.

When reflecting I wish that the household furniture mentioned in item Number one be at the happening of the contingency therein mentioned be equally divided between My said Wife and My Son Thomas as aforesaid. I also give and bequeath to My friend Mrs Adeline Bell Wife of John Bell One Hundred and twenty five Acres of land lying in the fifth district of Randolph County being part of the Mangum Mill lot on the South Western Rail Road to have and to hold the same during her natural life, and at her death to go to her children forever.

It is my will and desire that in case my said adopted son Thomas Towson Jr. also Thomas Hunter should die without issue or before coming of age that the legacies herein contained be made to him be equally divided between My Brother Benjamin Marable John Marable and My adopted daughter Elizabeth Bryan according to the provisions made in item 2d.

I hereby appoint My friend William Le Ester My Executor to execute this My last will and testament and I hereby appoint him Guardian of My said Son Thomas Towson Jr. also Thomas Hunter giving him My said Executor's authority to contract said property as well as the person of My said Son during his minority. I wish him to be esteemed liberally out of the proceeds of said property.

In witness whereof I the said Thomas Towson

have hereunto set My hand and seal
 hereby publishing the foregoing to be My
 last will and testament this 27th day of
 September 1861

Signed sealed published & delivered in presence of
 Wm. B. G. Sager
 B. G. Sager
 John H. Jones

Thomas Towson

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Georgia, Clay County

Before me Leonora A. McCendon Ordinary
for said County in open Court came William H. Estes Executor
of the last Will and Testament of Thomas Towson deceased
and produced the last Will and Testament of said deceased
and one of the witnesses to said Will to wit John H. Jones which
witness being duly sworn deposes and says that he saw Thomas
Towson the Testator sign seal publish and declare the instrument
now presented as his last Will and Testament fully voluntarily
and of his own accord and without any compulsion or influence
whateven that at the time of the execution the said Testator was of
sound mind and disposing memory that deceased signed said
Will as a witness in the presence of the Testator and at this special
instant and registry and that he saw the other witness sign
the same in his presence in presence of the Testator and also at
said Testators request.

Given to and Subscribed in open Court before me this December 1st 1862
S A McCendon Ordinary John H. Jones