

State of Georgia

In the Name of God. Amen. I, James Towns,
of the County of Madison and State aforesaid. Being in good
health of body and of sound and disposing mind and
memory do make and publish this my last Will and Testament

1st I give and bequeath, under the following conditions
and restriction, the whole of my estate both real and personal
except my Negro man named Sandy, to my children and
grand children to be equally divided between those now
living and the children of those dead so that the grand
children shall only be entitled to the share of their parents
and that the notes, with interest thereon due by my children
whether living or dead. Though the same shall be barred by
Lapse of time, shall be taken and considered as a part of my
estate and shall be deducted from the share of those of my
children who may indebted to me by said notes

2nd I give and bequeath to my sons John W. Towns, Willis
Towns and Benjamin Towns their share of my estate
absolutely; - but the share of the children of my son Drury Towns
deceased; and of the children of Elizabeth Matthews deceased
the wife of Phineas Matthews I leave to my sons John W. Towns
and Benjamin Towns in trust for the use and benefit
of said children

3rd I give and bequeath to the said John W. Towns
and Benjamin Towns the share of my daughter Martha
Williford to be held for her sole use and benefit, and not
to be under the control or direction of her husband
Samuel Williford

4. I give and bequeath to the said John W. Towns and
Benjamin Towns the share of Sam^r Towns for the use and
~~benefit~~ of his children and not to be subjected to the
payment of the debt of the said Sam^r Towns

5. My Negro man Sandy is to remain with and to
serve my sons John W. Towns and Benjamin Towns.
Requesting them to protect him and to use him kindly
in consideration of his faithful services to me

6. I do hereby constitute and appoint my sons
John W. Towns and Benjamin Towns executors of this
my last Will and testament

In Witness whereof I the said James Towns have
to this my Will and testament set my hand and

seal this twentieth day of April in the year eighteen
hundred and forty four

James Towns

(L.S.)

Signed, sealed and published and declared by the said
James Towns as his last Will and testament in the presence of us
who in his presence, and at his request have hereunto set our names
as witnesses

John Kirkpatrick

Charles Henry

Ed: Harden

Georgia. Superior Court sitting for Ordinary Purposes
Madison County, 3 In open Court Personally appeared John

Kirkpatrick who being duly sworn saith that he
saw James Towns sign the above instrument for the purpose therein
named declaring it to be his last Will and Testament and that he
believed the said James Towns at the time to be of sound and disposing
mind and memory. that this deponent signed the same as a witness
and saw Charles Henry & Ed: Harden do so likewise

Sworn to & subscribed to in
Open Court this 8 Jan'y 1844
Jona: Sanders C. C. C.

John Kirkpatrick

Recorded this 9th January 1844. Jona: Sanders C. C. C.