

In the Name of God Amen.

I Thomas S. Walton of the City of Augusta County and State being in full health, but of sound mind and memory do make and publish this instrument as and for my last Will and Testament hereby revoking all others heretofore made by me.

I Will that all my just debts be paid
I give and bequeath to my Wife Rejiah Walton absolutely forever, my Wares and Carriage, and all my House hold Furniture, and upon the Condition herein after expressed give to her for her for her own use during her Natural life the following Slaves to wit a Mulatto boy about fourteen years old. Bill and Grace, also Mary and her son Jackson, Henry, Sarah and Harriett the five last named being the same mentioned in a deed of Trust now of Record - Executed by me on the fourth day of March Eighteen hundred and six, also and in like manner for and during her Natural life, all debts which may be declared and become payable on the third (3rd) of March of The Georgia Rail Road and Banking Company which I may own at the time of my death but the said gift and bequest are made upon the Express Condition that my said Wife renounce and forever abandon for the benefit of my estate all claim whatever to a certain female slave named Lydia also included in the said deed of Trust above mentioned.

To my Executors hereinafter named or such person or persons as they may designate to receive the ^(same) and bequeath all dividends which become payable on the ^{remaining} one third (3rd) of such stock as I may at the time of my death own or be entitled to in the said, The Georgia Rail Road and Banking Company, in trust that they will apply said dividends to the support and maintenance of my step son David during his Natural life

I give bequeath and devise, To such person or persons as my son Mary A. Walston Wife of my Brother William Walton, writing under her hand and seal appoint as Trustee to receive the same and administer the real and personal property belonging to me owned by said Brother William purchased by me under bond and now in the possession of the said Mary A. Walton also all what from said

and all my house hold goods and Carriage and all my house hold
furniture and upon the condition herein after expressed
that for the use and during her natural life the following
sum of Money about fourteen hundred and fifty Dollars
and her son Jackson, Henry, Sarah and Harriet the
names being the same mentioned in a deed of Trust now of record
executed by me on the fourth day of March eighteen hundred and
fifty, also and in like manner for and during her natural life,
which may be declared and become payable on the third (3rd) of
of the Georgia Rail Road and Banking Company which I bought
at the time of my death but the said gift and bequest
upon the Express Condition that my said Wife Renounce and
abandon for the benefit of my Estate all Claims whatever to a certain
slave named Lydia also included in the said Deed of Trust above
mentioned.

To my Executors hereinafter named or such person or persons
they designate to receive the same ^(sum) and bequeath all dividends which
shall become payable on the ^{remaining} one third (1/3rd) of such stock as I may
own or be entitled to in the said, The Georgia
Rail Road and Banking Company, in Trust that they will apply
the same to the support and maintenance of my said wife
during her natural life

I give bequeath and devise, To such person or persons
as my said Mary A. Walton Wife of my Brother William Walton
shall appoint under her hands and seal appoint as Trustee to receive
and manage the real and personal property belonging to
my said Brother William purchased by me under
the will of the said Mary A. Walton also in
the name of the said Mary A. Walton, also in
the name of my said husband or his Estate. Fully Authorizing and
empowering them to have the same transferred or made over to such
person or persons they may appoint as herein before provided
and the said duty to be held by the
said person or persons that he or they will permit the
said person or persons to have possession for the support
and maintenance of my said wife during her natural life

...and during the life of my said daughter Mary M. More, she shall have the use and enjoyment of the same for her life, and upon the death of the said Mary M. More, she shall have the same, and I will after making suitable provisions for the support of them in life (which in all cases must be provided for) divide the same properly among the said children & their representatives, but in case the said Mary M. should survive her said husband (children), the said Trustee will dispose of all of said property as she may by her last Will and Testament direct and appoint, and I give bequeath and devise To my friend Fleming Freeman of the State of Alabama as Trustee of my Daughter Mary M. More (being the wife of Luther S. Hill) all the rest and residue of my Estate in whatsoever form may consist including the Georgia Rail Road Stock mentioned in second and third clauses of this Will subject to the provisions therein made for the benefit of my Wife & their son & the slaves mentioned in said clause in which my Wife has only an interest for life. Upon the trust of said Trust that he the said Fleming Freeman Trustee as aforesaid and whoever succeed him in said Trust, will hold the same for the sole and separate use of my said Daughter for and during her natural life and in case of her death, leaving a husband and child or children, divide said Trust Estate Equally between or among such surviving husband and children, said Trustee continuing to hold the portion or portions of said child or children until he or she or they shall marry or attain the age of Twenty One and in case of his or her or their death before marriage or attaining that age that the said Trustee will so long as the husband and any children or children shall survive, divide the portion or portions of the deceased child or children between or among the surviving husband and child or children, and turn over to such surviving husband if then in life, the entire portion of the last surviving child; and upon the further trust that in case of the death of my said Daughter leaving neither husband nor child or children or descendants of a child, he the said Trustee will distribute one half of the Trust Estate intended to be hereby created or one half or any part thereof as may then be in existence in such portions to my Brother William and Benton Walton share & share alike, and the other half thereof in such manner as may my said Daughter direct by her last Will and Testament.

Richmond, the said Trustee will dispose of all of the same
May by her last Will and Testament direct & appoint in case
I give bequeath and devise to my friend Fleming Foreman Trustee of Alabama as Trustee of my Daughter Mary the sum of
of \$1000.00 all the rest and residue of my Estate my intention
may consist including the Georgia Rail Road Stock mentioned in
second and third Clauses of this Will subject to the provisions therein
made for the benefit of my Wife & step son & the slaves mentioned in said
Clause in which my Wife has only an interest for life. When the trust shall
expire that he the said Fleming Foreman Trustee as aforesaid and who shall
succeed him in said Trust, will hold the same for the sole and separate
use of my said Daughter for and during her Natural life and in case
of her death, leaving a husband and child or children, divide the
Trust Estate Equally between or among such surviving husband and
children, said Trustee continuing to hold the portion or portions of such
children until he she or they shall marry or attain the age of Twenty one
and in case of his her or their death before marriage or attaining that age
that the said Trustee will so long as the husband and any children or children
shall survive, divide the portion or portions of the deceased child or children
between or among the surviving husband and child or children and
turn over to such surviving husband if then in life, the entire
of the last surviving child: and upon the further trust stating
the death of my said Daughter leaving neither husband nor child or
descendants of a child, he the said Trustee will distribute one
half of the Trust Estate intended to be hereby created or one half or any
part so much thereof as may then be in existence in equal portions to the
my Brother William and Benton Walton share & share alike
one of the other half thereof in such manner as may my said
Wife by her Last Will and Testament direct & appoint in case
I make any Testamentary disposition of such other half that the said
Trustee, will distribute the whole, share & share alike
to the children of my said Brothers William & Benton
as it is my Will and desire and I hereby constitute and appoint
the Trust hereinbefore created that the said Fleming Foreman
shall be the Trustee of said Trust.

the proceeds of sale in other property to be held in trust and may also if he should deem it advisable, permit said daughter or, during her minority her and her husband to use of and manage the Trust property or any part thereof but the Trustee retaining the right to resume at pleasure the possession and management of the same

To Mother Benton Walton I give and bequeath all monies debts and demands which my Executor might but for this gift require of him.

It is my will and desire that my executor hereinafter named do as they shall have regularly assumed their character & functions as such Jointly and severally have the right at their discretion and without ~~procured~~ leave or order from any Court whatever to sell any and every portion of my Estate Not Specifically disposed of by this Will at time and place and on such terms as they may deem expedient & reasonable the proceeds of such sale in such manner as the acting Executor or Executors may think best for the interest of those intended to be benefited by this Will:-

I hereby nominate constitute and appoint my friend — John H. Mann of the City of Augusta and Fleming Sherman of Montgomery Alabama Jointly and severally Executors of the my last Will and Testament.

In Testimony Whereof I have hereunto set my hand and seal this Eight of September in the Year of Our Lord Eighteen Hundred and Forty Nine Signed sealed and published

by Thomas S. Walton as and for his Last Will and Testament. in our presence who in his presence & in in the presence of each other & at the request of the Testator have hereunto set our hands as Witnesses this 8th day of September 1849.

Henry H. Cummings

Martin Frederick

Thomas S. Walton