

Georgia

Monroe County

In the name of God Amen.

I John H Owen of the County and State aforesaid do make ~~and~~ declare this my last Will and testament in the manner and form following; First, I resign my soul into the hands of Almighty God; and my body I commit to the Earth to be buried at the discretion of my Executors hereinafter named; and my worldly estate I give and devise as follows:

First I give and devise to my beloved wife Polly Owen all the tract of land whereon I now live formed of the following lots viz lot No one hundred and seventy one (171) lot No one hundred and seventy two (172) lot No one hundred and eighty (180) and eighty acres of lot No one hundred and fifty it being the east part of said lot, all containing six hundred eighty seven and one half acres be the same or less, all lying and being in said County Monroe and Seventh District; also fifty Andy, Sings, and Frances also the horse called Ball and the Carriage three Choice Cows and Calves the waggon and Choice yoke of steers, ten choice Head of Sheep, all the household and Kitchen furniture, the spinning Machine, the best called Bee was, also as many of the farming tools as she may want to carry on farming, also all the Corn fodder and oats that may be on hand at my death, also all the bacon that may be on hand at my death, also as many hogs as she may want for her support; it is further my will and desire after the death of my wife the property so devised to her that may be remaining to be sold and the amount raised therefrom my son Hlen D Owen to have one equal share, my son James H Owen to have one equal share, my Daughter Sarah J Gaffington to have one equal share, my Daughter Susan Bankston to have one equal share, my son Newton Owen to have one equal share, and my son Newton Owen in trust for the use and benefit of my Daughter Dorothy Smith one equal share which includes all my children, and it is further my will and desire the amount so devised to my son Newton Owen in trust for my said Daughter Dorothy Smith after her death to be equally divided between the lawful heirs of her body.

Secondly, I give to my son Newton Owen in trust for the use and benefit of my Daughter Dorothy Smith a negro woman by the name of Sue or Susan and after the death of my said Daughter the said negro woman to be sold and the amount raised therefrom to be equally divided between the lawful heirs of her body.

I would further remark that the said negro woman Sue or Susan named in this clause of my will is to be considered as being worth five hundred and sixty five dollars.

Thirdly the balance of my estate of whatever it may consist to be so and after paying my just debts out of the proceeds thereof to be divided among my son Glen D Owen, Niles H Owen, Sarah J Lappington, Tom Owen, Newton Owen, Quanton Bankston until each of them receive five hundred and sixty five dollars, and if there should be a plus remaining, then ~~and~~ in that case Newton Owen the Trustee my Daughter Dorothy Smith shall come in for an equal share of balance of my children as trustee &c.

And do hereby appoint my son Glen D Owen ~~and~~ Wilborn Bankston Executors to this my last will and testament hereby revoking all former Wills by me made. In Witness Whereof I John H Owen hath hereunto set my hand and Seal this twenty ninth day of February in the year of our Lord one thousand eight hundred & forty.

Signed sealed and declared by the testator as ~~and~~ for his last will and testament in presence of us who at his request in his presence and of each other subscribed our names as witnesses ~~through~~ the word wife a ninth line from the beginning interlined before signed

Jackson Bush
Seaborn J Thomas
Robert Collier

John H. Owen ^{his} Mark

Georgia
Monte County } Personally appeared in open Court Seaborn Thomas who being duly sworn depone that he saw John H Owen, by his marks, sign, seal publish and this writing as & for his last will & testament, that depone in the presence of Jackson Bush & Robert Collier attested said will as witnesses, and that said Jackson Bush and Robert Collier in presence of the testator & at his request & in presence of each other & of the deponeant attested said will as witnesses, and that said testator at the time of the execution of said will was of sound disposing mind and memory, and that he executed the same freely voluntarily & without compulsion
Sworn to & subscribed in open Court Nov 19th 1849
James Anthony D. C. C.

The last will & testament of John H Owen dec^d having been proven in open Court upon the oath of Seaborn J Thomas. It is ordered by the Court that the same be admitted to record, and that letters Testamentary issue to Glen D Owen and William Bankston the executors in said will named