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Georgia In the name of God Amen  
Clarke County

I A. S. Clayton do make certain  
I Establish this my last will & Testament

First It is my desire and Intention part of which  
I have already performed to give my Children that have  
arrived at age Morris, George, William & Phillip five  
Thousand dollars each, which when effected they are  
to recie as hereafter provided.

Second It is my further desire that as each of my other  
Children arrives at age. As if my daughter Mary comes  
age, she or she shall also receive five thousand dollars.  
When the last Child arrives at age it, & my wife if alive  
shall also receive five thousand dollars each & then the  
Residue of my property is to be equally divided between  
my surviving Children & the Children of such as may be  
Dead, who are to stand in the place of their parent, &  
also my wife if alive.

Third I give to my beloved wife as anniversary of me, my  
Wish & Unity Dollars to purchase anniversary bread pie  
to be made upon that day which I desire is faithful  
& affectionate to me in life & will doubtless feel many a fond  
recollection of me in death.

Fourth It is my further desire that all my property except  
such as may be necessary to pay off the before mentioned  
Legacies, be kept together in the possession of my wife & managed  
by her for the support of herself & the Education & Main-  
tainance of her minor Children as they respectively arrive at  
age & if there is any more than will sufficiently answer  
that object in the manner the best have been raised & raised  
then it is to go into the estate to be distributed as mentioned  
in the second clause of this will.

Fifth It is my desire that my wife five thousand dollars  
should not be paid her until her last Child arrives at age, unless  
she marries & in that event it is to be paid her, & she is also  
to receive her share of the Residue as mentioned in the second

Charge of this will, but her Executorship is to cross of the manors of the estate is to be managed by my other Executors—

Sixth. I Constitute & appoint my wife my Executor & my Sons George William & Phillip the Executors of this my last Will & Testament

In Witness Whereof I have hereunto set my hand & seal Signed Sealed & Acknowledged in presence of us Subscribers by us in the presence of each other this 20<sup>th</sup> day of October 1813

Jacob Phinney  
L. A. Cobb  
W. J. Hunt  
George Durd

J. Clayton

Codicil

I Augustus S. Clayton do hereby establish the following as a Codicil to the aforesaid & foregoing Will executed by me— Also it was my intention by said Will to follow my younger Children upon agreeing with my elder Children, who have arrived at age (if they have been clothed, educated & supported in the family) in their partition I believe it can be done without making my elder Children wait for admission of my property till the youngest be arrived at age or married. I therefore will & desire that a sufficient fund be set apart by my executors to educate, clothe & support my younger Children in the same manner that the elder ones have been treated over & above their equal Division of my estate & that they remain with their Mothers as their Guardians whom for that purpose I now appoint with Authority to retain & manage their respective Shares with her own as also the additional fund set apart for their education & maintenance as aforesaid, the others to receive their shares at my death, I mean such as are of age or have married. My sole desire is to make an equal distribution of my estate between my wife & Children, except the legacy given to my wife, but I do expect that object my younger Children must be first educated & clothed & fed in the same manner that was done to my elder

Children, for this purpose the said mentioned above is assumed  
that done, I wish my Older Children to receive their respective  
Shares as soon as they can after my Death, by no means however  
interfering with a comfortable support of their mother which I hope  
can be secured by her retaining the share of her Minor Children with  
her own supporting herself & them, out of the same, as well as  
making it productive for their benefit - In the event of her  
Marriage however the Guardianship is to cease, & another mother  
are to be appointed for my Children - In witness whereof I  
have hereunto set my hand & seal this 11<sup>th</sup> day of March 1837.  
Signed sealed & acknowledged in presence of us Subscribers by us in  
the presence of each other.

Wm. Mitchell  
Jacob Phinney  
Rever. Pope.

A. C. Clayton Seal

Second Codicil

By the will of Mr. Elijah Clayton I was appointed  
Trustee of John P. Carr, & his Son Johnston Carr. That instrument  
never before me, and I am not clear either from its terms I  
am authorized to transfer the Trust, but knowing that my Son  
William Clayton is familiar with all the details of the business  
connected with the Trust, I do hereby so far as I am  
able appoint the said William Clayton in my place, to carry  
into effect the purposes of the will of Mr. Elijah Clayton in  
relation to the devise first above mentioned, In witness whereof  
I have hereunto set my hand & seal this 10<sup>th</sup> August 1838.

A. B. Longstreet  
Asbury Hall  
Wm. F. Carr

A. C. Clayton Seal

Examined and approved & ordered to be Recorded Aug.  
Adj. Court 1839.

Georgia Court of Ordinary  
Columbia County August adjourned Term 1837

(37)

Personally came into open Court Jacob  
Phinney one of the Witnesses to the aforesaid will & the  
after being duly sworn deposed that he saw the  
Testator Augustus McCloy sign & seal the aforesaid  
instrument & heard him acknowledge the same to be his  
last will & Testament that the said Testator was of  
sound mind & memory at the execution thereof, & requested  
this deponent to attest the same that the other Witnesses  
to wit: J. S. Cobb, M. D. Hunt, & George Cony de-  
coming to the last recollection & belief of this deponent  
signed said will at the same time & with this deponent  
in the presence of each other & in the presence of the  
Testator.

Sworn to in open Court this 5<sup>th</sup> day of August 1837  
Burlin Kerner C. C. O. Jacob Phinney

Georgia Court of Ordinary  
Clarke County August adjourned Term 1837

Personally came into open Court Jacob  
Phinney & David Pope two of the Witnesses to the said  
Codicil of the aforesaid will of Augustus McCloy  
& the after being severally sworn each deposed that  
they saw Augustus McCloy sign & seal the said  
Codicil to his said last will & Testament & that they  
each heard the said Testator acknowledge the same to  
be his Codicil to his last will & Testament and he  
requested the said deponents each to attest the  
same & they each further say that at the execution  
of said Codicil the said Testator was of sound mind  
and memory, & that the other Witness Thomas Little  
according to the best recollection & belief of each  
deponent signed the same in the presence of

Said Plaintiff & Defendant in the presence of  
said Testator, known to & subscribed in open Court  
this 5<sup>th</sup> day of August 1839.

Bonlin Courser C. C. D.      P. Res. P. p.  
Jacob Phinizy

Georgia      Court of Ordinary  
Blacks County      August Adjourned Term 1839.

Personally came into open Court William  
A. Carr one of the Witnesses to the second Codicil to the  
forgoing will of Augustus S. Clayton who after being  
duly sworn depose & testify that he saw the said  
A. S. Clayton sign & seal the second Codicil to his said  
will & that he had acknowledged the same to be a  
Codicil to his last will & testament as aforesaid that  
he requested said Defendant to collect the same & that  
the execution of said Codicil the said Testator was of  
sound mind & memory and that the other witnesses to the  
second Codicil to wit, S. B. Longstreet & S. L. Long shall  
sign said Codicil at the same time with this Depo-  
sant in the presence of each other & the Testator  
known to in open Court this 5<sup>th</sup> day of August 1839

Bonlin Courser C. C. D.      W. A. Carr