

Georgio } I W^H Astbury of the County of Utah aforesaid, being
 Canab County } in bad health but sound in mind desire it right
 proper to make this my will & testament, as I have made
 no other.

Item 1st I hereby will all my property, real personal & mixed, after the
 payment of all my just debts, to my wife Louisa W. Astbury during her
 life or widowhood & after her death or marriage as the case may be. I will
 & direct all my property be sold according to law & equally divided amongst
 my children according to what amount may remain in the trust that
 my shall many she may inherit equally with my children.

Item 2^d I will & direct that my wife be empowered to give off to one
 child or their descendants such property or money as she may see
 to spare keeping a strict account of the same, so that it may be
 counted in an equal distribution, except that no account shall
 be kept against my sons for board, or schooling, nor clothing
 till they become twenty years of age in the trust that my sons or
 either or all of them leave the homestead without their mother's consent
 and refuse to work for the family they shall forfeit half their
 interest unless they return to the homestead in six months from the
 time they leave.

Item 3^d My Executor with advice & consent of the majority shall
 use a wise discretion as to how much schooling my children shall
 have. I desire that my children shall have a good English Education
 if the condition of my estate will admit of it.

Item 4th My Executor shall as soon as this will is probated and
 admitted to record, have power to sell any of my land that she
 may think proper, except the homestead or place where I now am
 living. I direct that my homestead be not sold till my youngest
 son becomes fourteen years of age & then after the guardians have
 been appointed for each of my sons as may remain under twenty
 years old my Executor may sell the homestead for the money in
 another place - but this shall not prevent my property from all being
 sold at my wife's death or marriage.

Item 5th In this will when I use the term my heirs, my sons, or any
 children I mean the children born of my wife Louisa during our
 marriage & no other.

Item 6th I hereby appoint my wife Louisa W. Astbury Executrix of
 this my last will & testament. This 28th 1869.

W. H. Astbury, (Sd.)

I signed and sealed & published & declared as my last will & testament in
 presence of all the subscribers, who subscribed & witnessed thereto in presence
 of said testator, at his special instance & request & of each other on
 the 28th 1869.

Wm. Williams
 M. A. M. Wheeler
 Richard Carson

State of Kentucky
Randolph County

Codicil

I William H. Astory the maker & testator of the foregoing & annexed will do ordain and establish this Codicil as part of my last will & testament -

I will & direct that my Executors pay down as she came owing me as do, out of my estate or of what may be produced upon it, to Mrs. P. Kellogg, President of College Temple at Newnan Geo, for my daughter within in the year 1865: such sum as my Executors & the Kellogg may agree upon. I further will & direct that my Executors pay B. E. Kirk at present of Mo. the sum of five dollars which sum or money that much I am now owing Kirk on account. There is against me a balance of a note payable to H. H. Wildeman of Augusta. Ga. & another payable I think to George & Pico tobaccoists perhaps of Virginia. The latter of which I may have paid, but I think not. These notes are made before the war. I do not think I ought to pay all of these notes, nor any other interest. I have not known where they are, nor had any opportunity to compromise in any way with the holders since about the beginning of the war. I direct that my Executors, if these notes shall appear against my estate shall pay the honest holders thereof a reasonable sum thereon - such as she may deem just. I hereby annul, abrogate & make void as no part of my will that part of the 2nd Article of the foregoing annexed will - which declares that any or all of my ones shall forfeit any part of their interest in my estate for any Cause what ever -

Signed sealed & declared as Codicil to the will & testament of W. H. Astory this 1st day of Jan^y in the year 1872.

W. H. Astory, Test.

M. A. McWhorter
J. P. McWhorter
F. J. Stephenson.

Kentucky, Randolph County - I being dead - made then 1875 -

Personally came before me Wm. Williams & M. A. McWhorter, who being duly sworn say that they signed their names as subscribing witnesses to the last will & testament of W. H. Astory dead, in said County on the 28th day October 1868, that they saw the testator sign the same, that they signed as witnesses in his presence & at his special instance & request in the presence of each other.

William Williams
M. A. McWhorter

Sworn to & subscribed before me this 1st March 1875. D. B. Johnson - Ordg.

M. A. McWhorter being sworn says that on the 4th day Jan^y 1872, W. H. Astory made & declared the within Codicil, as an addition to his said will, that he saw W. H. Astory the testator sign the same, that deponent M. A. McWhorter & F. J. Stephenson signed & said Codicil as witnesses, in the presence of each other & in the presence of the testator & at his special instance & request.

Sworn to & subscribed before me this 1st March 1875. D. B. Johnson. Ordg. - M. A. McWhorter

I do solemnly swear that this writing contains the true last will & testament of the within named W. H. Astory so far as I know or believe, & that I will well & truly execute the same in accordance with the Law of this State & help me God.

Sworn to & subscribed before me this 1st June 1875
D. B. Johnson. Ordg. -

Louisa W. Astory