

117.
+ State of Georgia. In the name of God Amen.
Cherokee County. I Elizabeth S. Newton, being sound
in body, and mind, and desiring
that my Temporal affairs, should be so arranged
in life, that they may be easily settled, after my
death, and left to me so uncertain - &c.
I do hereby make, constitute and Ordain
This my last Will.

Item 1 I resign my body to the Lord and my spirit
to God who glasse it.

Item 2 It is my desire that my Estate remain in the
hands of my wife Elizabeth S. Newton, to be
managed and disposed of by her, in conjunction
with my Son William S. Newton, both of whom
I will appoint, as my Executors, and that they be
relieved from the need cesuly of appraising or
exposing, to publick Sale, the entire Estate, as is
the usual custom, but that they proceed to sell
at private Sale or at publick auction as they may
think best in Order to promote the best interest of
my Estate, to sell such articles as they in their best
judgement, deem best, in order to raise money to
pay off my just debts, which I desire may be
done as soon as practicable.

Item 3 It is my desire, that my whole Estate be equally
divided among my children, now living or their
heirs, should they die before it is done and that
my Executors have reference to my ledger in which
I may be found, an account of money as
well as other articles charged to each child
or may hereafter be charged, and in settling
with each child in the closing up of my Estate
after the payment of all my just debts and all
reasonable and lawful funeral expenses.

My Executors will pay out first to the legates
who has received the smallest until all shall
have received, as much as the one who has had
the largest amount, then continue to pay to
each the same or an equal Sum, so that at the
close, or winding up of my Estate all shall have
received the same or like amount, either in money
or its equivalent in other property.

Item 4 In as much as I have already given to my
beloved Deceased Daughter Mary Elizabeth Chamber
more than most of my other children as will
appear on my Ledger, at this date, should my Estate
when entirely wound up by my Executors, be able to
divide, and to pay over to each of the four legates,
now living, an amount equal and above the amount
which has been paid to her, then and in that event
my desire and will is that her daughter Elizabeth
Chamberlain in life, shall be entitled to a

receive from the hand of my Executor, an amount from the balance of my Estate, which will be equal to the amount received by each of my other grand children, as near as may be calculated, taking the event, she should die without child. The amount thus received by her from my Executor to be sent, and be equally divided, among all my grand children which may then be living.

Item 5

I do hereby constitute & appoint Coligny L. Newton and my Son William G. Newton, Executors & Executrix to this my Last Will and Testament,

In witness whereof I have hereunto set my hand and Seal this March 11th 1871.

Coligny L. Newton (Seal)

Signed, Sealed, published, as, and for, the Last Will & Testament, of Coligny L. Newton, in presence of us who have signed the same, in his presence, and in the presence of each other,

Young G. G. Harris (Seal)
J. Thomas
John Crawford,

Codicil

Georgia. Whereas I Coligny L. Newton of said County of Clarke County, and State of Ga. did on the 11th day of March 1871, execute publish and declare the within writing as my Last Will and Testament and whereas I am desirous of changing and adding to said Will only in so far as to add to the number of the Executors thereof, now I do therefore make, publish and Codicil to this my Last Will, the following provisions, To wit: I hereby nominate, appoint as Executors of this my said Will, my two Sons Edward Peyton Newton and James Callier Newton, to be Executors jointly and with the same authority and powers as the Executors named and appointed in and by my said Will.

In witness whereof I have hereunto signed my name & affixed my seal, this first day of March 1871.

Coligny L. Newton, (Seal)

The above writing was signed, sealed, published and declared by Coligny L. Newton as a Codicil to his Will of March 11th 1871, in our presence, we have subscribed the same as witnesses in the presence of each other and of the Testator and at his special request this 1st day of March 1871.

Young G. G. Harris
J. Thomas
Arthur C. Griffith