

Will of William H. Fuller Sr

Clayton County Wills 1859-1921
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State of Georgia
County of Clayton

I, J. H. Fuller of said State and County, being

of advanced age, but of sound and disposing mind and memory, knowing that I must shortly depart this life, deem it right and proper, both as respects myself and family, that I should make a disposition of the property with which a kind Providence has blessed me.

I do therefore make this my last Will, and Testament, hereby revoking and annulling all others by me heretofore made.

Item 1st

I devise and direct that my body be buried in a decent and Christianlike manner suitable to my circumstances and conditions in life, as herein-after more fully directed. My soul I trust shall return to rest with God, who gave it, as I hope for salvation through the merits of the blessed Lord and Saviour, Jesus Christ.

Item 2nd

I have already by Deed of Gift, dated The 25th day of January, 1879, given to my son John E. Fuller, sixty-three acres of land, more or less, contained within the boundaries of said Deed: Which land together with what I have previously given him I value at the sum of Eleven hundred dollars. And I will and direct that said tracts of land shall be all the property which he is entitled to, coming from my Estate, except hereinafter directed.

Item 3rd

I give and bequeath to my son J. H. Fuller, Forty-one acres of land lying and being in the South-east corner of the East half of Lot No (144) one hundred and forty-four, in the 13th Dist of originally Fayette, now Clayton County Ga, except a strip across the South side of said lot, containing fourteen acres, and also Twenty-two acres of lot of land No (118) one hundred and thirteen, in the 12th Dist of originally Henry, now Clayton County Ga, lying and being in the South-west corner of the West half of said lot. Also one square acre of land on lot No (112) one hundred and twelve, in the 12th Dist of originally Henry, now Clayton County, bounded on East by right of Way of Central R. R. on the North by lands of J. E. Fuller, whereon is now erected a negro station, and also a road twenty feet wide, running from said acre of land, West along the line of J. E. Fuller's land, and on said lot No (112) one hundred and twelve, to the Western corner of said J. E. Fuller's land, thence North to the land herein given to said J. H. Fuller, all of said road being on said No 112 aforesaid. These several tracts of land, containing in all sixty-five (65) acres of land, and valued by me at the sum of Eleven hundred dollars I give and bequeath to my said son J. H. Fuller as his distributive share of my Estate, except as hereinafter directed.

Item 4

Whereas I own the following tracts of land, which I wish to divide between my two sons E. H. Fuller and J. H. Fuller, to wit: The first tract is a strip of land, twenty-five rods wide, running across the South half of the East half of lot No 144, in the 13th District of originally Fayette, now Clayton County, and being the same strip of land mentioned and excepted in the deed to my son J. H. Fuller. The other, is all of lot of land No 145, in the 13th District of originally Fayette, now Clayton County, except that part lying in the Northwest corner owned by E. L. Johnson, and supposed to contain about forty-five acres.

Now I give and bequeath to son J. H. Fuller a strip of land on the South side of said lot, eighty rods wide, and running across said lot, from East to West till it strikes the creek, and also, the strip of land lying South of Johnson land and between the two creeks. And I give and

W. A. Fuller's Will - continued

bequeath to my son G. W. Fuller all the rest of said lot owned by me, and the fourteen acres ^{Clayton County Wills 1854-1924} ^{www.georgiapioneers.com} above mentioned.

Also I give and bequeath to my son J. H. Fuller a lot fronting on the R. R. right of way 200 feet, lying directly North of the land of J. H. Fuller, and running back West three hundred feet. And I give and bequeath to my son G. W. Fuller a similar lot lying on the North of the back lot, being 200 feet fronting on the right of way of the Central R. R. and running back West three hundred feet (300). I further give and devise to my three sons J. E. Fuller, J. W. Fuller, and G. W. Fuller to be used by them, and to be twenty feet wide. This road is to commence on the back line of the lot of 200 by 500 of G. W. Fuller above described, and on land lot No 112 in the 12th District of Clayton County, run along the West line of the 200 by 300 lot given to J. W. Fuller, to J. E. Fuller's land, thence West, along and next to J. E. Fuller line till it strikes the original North and south line of Lot No 112, thence North along said line till it reaches the lands of G. W. Fuller; all of said road to be on and out of lot No 112 in the 12th District of Clayton County. I give the several tracts of land above mentioned to my said two sons as their distributive share of my estate, unless otherwise hereinafter directed.

Item 5 I give and bequeath to Jessio, Sidney, and Rockhill children of my son A. R. Fuller, and such other lawful heirs as he may have of his body, the following tracts of land: thirteen acres of land lying and being in the 12th Dist of originally Henry, now Clayton County Ga. and being nearly in the middle of lot No (113) one hundred and thirteen, and being of an irregular triangular shape - commencing at the middle point of the North line of lot No 113 and running South-west to a point on the creek ditch about half way the length of said ditch on the Northwest fifty (50) acres of said lot No 113, thence due South to the line of John E. Fuller's land, thence due East to the middle line, dividing said lot of land from North to South, thence due North on the middle dividing line to the point of beginning; and also Fifty (50) acres square in the Northeast corner of said lot No 113, one hundred and thirteen; also a strip of land running across lot No 114, one hundred and fourteen, in 12th Dist of originally Henry, now Clayton County, and bounded on the East by Central R. R. right of way, and on the West by the original line of lot No 113, one hundred and thirteen, and on the North by lands of Patrick Calhoun, containing ten (10) acres, more or less. And I hereby constitute and appoint my son A. R. Fuller, Guardian of said children's property herein bequeathed, with instructions that said property be used for the benefit of said children and himself until they severally become of age, or as long as he may live.

Item 6th I give and bequeath to my beloved wife Luvenia Fuller, for and during her lifetime all the balance of lot No 112 in the 12th District of Clayton known as my home place, except those portions already herein devised, and one square acre, where the graveyard now is, which square acre I reserve for a family graveyard for myself and children. After the death of my said wife I will and bequeath that said land shall go to my son W. A. Fuller Jr.

Item 7 I give and bequeath to the children of my daughter Martha Adamson deceased, the house and lot in the town of Jonesboro Ga. known as the Barnes lot, bounded on North and West by lands of Crawford, South by lot of J. M. Smith, on East by public roads, containing 1 1/4 acres more or less.

W. A. Fuller's Will continued

- Item 8 I give and bequeath to my daughter M. F. Kimble the house and lot in Jonesboro Ga. known as the lot to her, containing one acre, bounded North and South by the lot of J. J. Haines in said town, and at her death to her children.
- Item 9 I give and bequeath to my son, John E. Fuller, son of my daughter Sophronia Calhoun the sum of one hundred Dollars.
- Item 10 I direct that after my death all my personal Estate be converted into money by my Executors herein after named, and that after paying all of my just debts, funeral expenses, and expenses of administration, the proceeds I direct to be paid to all my named children, per capita as they severally arrive at majority, and that said fund be kept at interest, and each one to share equally his pro rata share of the principal, together with the interest on the same, up to the time of his majority.
- Item 11. I hereby constitute and appoint my sons W. A. Fuller and John E. Fuller, Executors of this my last Will and Testament.
- Item 12. I direct that my Executors above named have myself and wife buried in a metallic coffin, and monuments placed over each of our graves, just like that over my first wife's grave; and to have the whole graveyard in front of my residence enclosed in such manner as they may deem best to protect it.

This November 27th 1885.

W. A. Fuller (Seal)

Signed, sealed, declared and published by W. A. Fuller as his last Will and Testament, in the presence of us, the undersigned, who subscribed our names hereto, in the presence of said testator, at his special instance and request, and in presence of each other. This November 27th 1885.

J. B. Hutcherson
J. C. Cannon
W. M. Wright

Codicil No. 1

Georgia

Clayton County } I, W. A. Fuller having heretofore made and executed my will, dated Nov 27th 1885, in the presence of J. B. Hutcherson, J. C. Cannon, and W. M. Wright, desire to make some changes therein, and for this purpose hereby make this Codicil to my said last Will and Testament.

Item 1st I hereby revoke all of Item four of my said last Will and Testament, as far as it contains a devise to my son J. W. Fuller to certain lands therein described, and I desire to give and bequeath to my said son J. W. Fuller the sum of three hundred dollars, to be paid to him by my Executors after my death.

Item 2 I desire to add to the devise to the children of my daughter Martha Calhoun deceased, contained in Item 9th of my said last will and testament, the following property, to wit: A house and lot in the town of Jonesboro Clayton County, containing one half acre more or less, said lot lying between the widow Harper's lot and the widow McConnel's lot and on the street running out towards Williamsons Mill.

Item 3 I desire to add to the devise to my daughter M. F. Kimble contained in the 8th Item of my said last will and testament, the following property, to wit: A house and lot in the town of Jonesboro, lying West of the of the lot heretofore devised to her, and known as the Buck House

W. A. Fuller's Will - continued - Codicil No 1
and let us said Town of Jonestown, containing one acre more or less
for and during his life, and at his death then Whitherso.
Whereas said the said W. A. Fuller did on the 19th day of October 1886
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W. A. Fuller has bought the interest of my son J. H. Fuller, I hereby man-
ifest the same and that I am satisfied with the trade between my
said two sons, and I hereby direct my Executors to turn over the interest
deceased to said J. H. Fuller, to my son W. A. Fuller Jr.

It is my wish and desire that my last Will and Testament and this
Codicil be carried out as it is written, and that no litigation be had over
my Estate, to this end I direct and require of my Executors that if any
of my children create or cause any litigation over my Estate by seeking
to obstruct my Will, then they shall forfeit all interest in my Estate, and
my Executors shall take and divide the interest or interest forfeited
among those of my children not contesting my said Will and this Codicil.

It is my wish and desire that my son W. A. Fuller Jr. look after the inter-
ests of my present wife during her lifetime. I further direct that the reversion
any interest in the land devised to her by me shall not be sold during her
lifetime, and that she shall not be troubled in the use or possession of said
land, and whichever one of my children shall trouble her in the use or
possession of said land shall forfeit all of her or his interest in my Estate
and my Executors shall take said forfeited interest and divide the equally
among my other children.

This 19th day of October 1886

W. A. Fuller

Signed, declared and published by W. A. Fuller as his Codicil to his
last Will and Testament in the presence of us the subscribers, who
subscribe our names hereto in the presence of said W. A. Fuller and at
his instance and request, and of each other. We signing in our presence
and we signing in his presence.

This 19th Oct 1886

C. E. Barkedale

D. A. Rea

A. P. Adamson, A. P. & J. P.

Codicil No 2

State of Georgia
Clayton County

Whereas J. Williams A. Fuller did on The 19th day
of October in The year 1886, sign, seal, declare and
publish my last Will and Testament in the presence of C. E. Barkedale
D. A. Rea and A. P. Adamson, who signed The said Will and Testament as
witnesses

And whereas I desire to make a certain definite devise and bequest to my
present wife, I therefore make and publish This Codicil to said Will
and Testament.

I give and bequeath to my beloved wife Louisa Fuller the following personal
property, to wit:

One mare named Topaz, or a mule in her place if said mare should
die before my decease, to be selected by my said wife.

One Buggy and harness - One Cow and Calf, One Feather bed, to be
selected by my wife, Two pair of Blankets, Two Comforters at her election.
Eight sheets and eight counterpanes - Two Bedsteads - one set of chairs,
one large Rocking chair - one Center table - one Book case - One Sofa
Two small Tables - one Dining Table - one eight day clock - one
large looking glass - eight Bed quilts - two small and two large

W. A. Fuller's Will - continued - Codicil No. 3.

(22) Pillows - The big Chest and side boards - Two table cloths - one set of plates - one set of cups and saucers - one Pitcher - one set of Table and one set of Tea spoons and forks - one wash bowl - one large Dish - one Butter bowl and one strainer - two milk pans, one set of Ball to - Two iron cooking irons - one set of Sandirons, one pair of Tongs - one wash pot - one Cooking stove and cooking utensils - one tray and sifter - all the tools on my place at the time of my death - seventy five bushels of corn, and eight hundred bundles of Fodder - and one hundred and twenty Dollars in money or provisions, at her election - two water pails and two wash tubs - one plow stock and gear, and hoes sufficient for one year, and mending hoes and one axe, one shovel and spade - one grubbing hoe or mattock - one hand saw and hammer - one well bucket and rope and mill fixtures and rollers. And I direct my Executors immediately after my death, to turn over these articles above enumerated to her, and put her in full possession of the same.

This 21st day of Dec. 1886.

W. A. Fuller (L. S.)

Signed, sealed and dated, declared and published in the presence of us the undersigned, who subscribed our names hereto in the presence of said Testator, at his special instance and request, and in the presence of each other. This Dec 21st 1886.

J. A. Evans
W. M. Wright
W. A. Figner

(Codicil 3.)

Georgia

Codicil No. 3.

Clayton County } Whereas I, William A. Fuller did on the 19th day of October in the year 1886, sign seal and publish my last Will and Testament in the presence of G. B. Barksdale, B. A. Ree, and A. P. Adamsons who signed the same as attesting witnesses, and whereas I desire to make a change in said last Will and Testament, I hereby revoke and annul Item 11 of said last Will and Testament and in place thereof insert the following - I hereby constitute and appoint my son W. A. Fuller Jr. my sole Executor of my last Will and Testament, and direct him to see to the full carrying out of said Will and Testament, and also the Codicil thereto in reference to my wife and the property therein devised to her, and follow out the directions given therein, without delay, and if any of the articles mentioned, are not on hand, to supply the same to her. This 9th day of Feb 1887.

W. A. Fuller (L. S.)

Signed, sealed and dated, declared and published in the presence of us the undersigned, who subscribed our names hereto in the presence of said Testator, at his special instance and request, and in the presence of each other. This 9th day of Feb 1887.

G. B. Barksdale
J. A. De Vaux
W. A. Figner

(Codicil 4.)

Georgia

Codicil No. 4.

Clayton County } Whereas I, William A. Fuller did on the 19th day of October in the year 1886, sign seal and publish my last will and Testament

W. A. Fuller's Will, continued. Codicil No 4.

in the presence of C. E. Hutchison, D. A. Rex and A. O. Adams who signed the same as attesting witnesses, and whereas I desire to make certain changes therein, I therefore make and publish this Codicil to said last Will and Testament.

Item 1st I wish it distinctly understood that since my wife Lurina Fuller has departed this life since the making of my will above referred to, that the property devised to her in the 6th of my said Will, shall at my death go to my son W. A. Fuller Jr. and I will and bequeath the same to him.

Item 2 Having sold to my son W. A. Fuller Jr all the lands, and parts of land, and interest in land devised to my son J. W. Fuller in Item 11th of my said Will I hereby revoke all devises to said J. W. Fuller mentioned in said item and amend all his interest in any real estate mentioned in my said Will, and in lieu thereof I give and bequeath to my said son J. W. Fuller the principal of a certain note of Seven Hundred dollars, dated March 5th 1889, and due July 1st 1891, without interest, payable to one, and signed by my son W. A. Fuller Jr. It being my will that no interest shall ever be collected on said note or any renewal thereof till after my death.

Item 3rd Whereas I hold another note on my son W. A. Fuller for the sum of seven hundred dollars dated Oct 19th 1886, and renewed the same on March 5th 1889, both notes being without interests it is my will that my son W. A. Fuller shall never pay any interest on this note till after my death, and I hereby declare the same that there may be no misunderstanding about any interest on said note.

W. A. Fuller (L. S.)

Signed, sealed, and dated, declared and published in the presence of us the undersigned, who subscribed our names hereto in the presence of said Testator at his special instance, and request, and in the presence of each other. This March 5th 1889.

W. M. Reeves

C. E. Duffey

W. A. Taylor

Codicil No 5.

State of Georgia }
Clayton County } Whereas I Wm A. Fuller did on the 27th day of November in the year 1885, sign, seal and publish my last will and testament in the presence of J. B. Hutchison, J. C. Cannon and W. M. Wright, who signed the same as attesting witnesses, and whereas I have heretofore made four Codicils to said Will, one on the 19th of October 1886 in which the date of my above will was correctly referred to, and whereas in the subsequent Codicils the Will above first made, was referred to as of date the 19th Oct in the year 1886, by mistake. I do hereby correct the date, and say the date in the three last Codicils should be the 27th November 1885 instead of 19th Oct, in the year 1886, and the Codicil of the 19th 1886 referring to my Will of Nov 27th 1885 should have been Nov 27th 1885 instead of Nov 27th 1886 as it stands expressed in said Codicil.

Item 1st I desire to make some changes in my Will dated Nov 27th 1885 signed in the presence of J. B. Hutchison, J. C. Cannon and W. M. Wright attesting witnesses.

I hereby revoke Item 5 of my said last will and Testament bequeathing certain lands to Jessie, Sidney and Rochelle, children of my son A. R. Fuller, and declare the same inoperative.

I do this because I have deeded the lands therein mentioned to

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H. A. Fuller's Will. - continued - Codicil No. 5.
my son A. R. Fuller, in fee simple, to wit on the 11th of August 1890.
Item 2nd Whereas on the 11th day of August 1890, I, H. A. Fuller, in reaching of accounts
between myself and my son A. R. Fuller, and ascertained that he was
entitled to me in the sum of (\$1400.75) fourteen hundred and five dollars
and seventy eight Cents; and whereas I was willing to give him the above
amount as his distributive share, and did so, taking his receipt there-
for, dated Aug 11th 1890.

My said son A. R. Fuller having thus received said sum is not
entitled to receive any other or further sum out of my Estate; but what
he has already received I now declare to be his full distributive share
of my Estate, and my Executors shall not pay him or his heirs any
further sum whatever from my Estate.

H. A. Fuller (L.S.)

Signed, sealed, declared and published by H. A. Fuller as his
Codicil to his last Will and Testaments of date 27th day of Nov.
1885, in the presence of us The subscribers who subscribed our names
herein in the presence of said H. A. Fuller, and at his special instance
and request, and in the presence of each other; this Aug 12th 1890.

J. A. Evans

R. S. Signer

H. A. Signer