

the last Will and Testament of my dear  
Augusta in the County and State aforesaid  
making and executing thereof of sound  
mind and understanding, I have thought proper  
to make by these my last Will and Testament, by the goodness of the God of my  
mercies, the best and most perfect, then the prevalent mind of the  
disposition of the life which is to come, to make an arrangement and  
disposition of my worldly affairs, and thereby, so far as depends on  
me, to prevent all future doubt and contention among those persons  
to whom my estate will pass, by the terms and conditions of this  
my last will and testament.

First, It is my will and desire, that all my lawful debts, of which  
there are but few, and none of any magnitude, be paid by my  
Executors, hereinafter named, as promptly as may be after my de-  
cease.

Second, I give and bequeath to my beloved wife Ann Humming  
for and during the term of her natural life, only, the following  
property, to wit, All that Lot of Land in the City of Augusta  
whereon we now reside and have lived for many years, with its  
buildings and appurtenances, which is known and designated in  
the plan or sketch attached to this instrument, drawn by me and  
verified by my signature and that of the witnesses to this execution  
of this Will as Lot A having about seventy five feet on Broad Street  
by which it is bounded on the South; on the East by the Lot design-  
ated in the said Plan or sketch by the letter A. on the West by  
another Lot of mine, now occupied by Solomon Shreve and others  
and extending thereon, about two hundred and eighty feet, designated  
in the said Plan or sketch, by the letter D. and on the North by an  
Alley of about twenty two feet width which being extended as a divid-  
ing line to the Lot of the late Alice Campbell will form a Northern bound-  
ary of the Lot A and also of the Lots C and D. It is my will and  
desire that the smaller alley on the West side of the Lot B running  
northwardly from the larger alley heretofore described to Richmond  
Street shall continue in appurtenance to the Lot C. devised to my wife  
during her life and after her decease shall be added to my vacant  
ground west of D. or kept open, as a common way of the same width  
as now, less than ten feet, between that vacant ground and the Lot  
B, as my Executors shall see fit, in the final disposition or sale of that  
vacant ground, subject, always, to my said wife's claims during her  
natural life.

Third, I give and bequeath

Fourth, I give and bequeath to my said wife Ann Humming  
and during the term of her natural life, only, my Lot at Sumner  
as now situated with all its buildings  
and also fifty and of Pine  
part of D that of land which

...you age from the  
...may be laid off in  
...and except the ... of my ...  
...I give and bequeath to my wife Ann ...  
...her Executor administrators and assigns, to hold as her own and  
...property and to be used and disposed of by her at her own discretion  
...All my Library my household and other furniture of every description  
...my estate all the liquors and provisions and family stores of every kind  
...which shall be on hand at the time of my decease my best carriage  
...and pair of horses to be chosen by herself out of those owned by me at  
...the time of my decease, four grown negroes and two smaller ones, male  
...or females at her option to be paid for by her from among the negro  
...belonging to my estate at the time of my decease, within three calendar  
...months thereafter and also Eighty shares in the Capital Stock of the  
...Bank of Augusta to be transferred to her by my Executors, so as to en-  
...able her to receive the first accruing dividend after my decease I  
...give and bequeath to my wife Ann ... to her, her Executors  
...administrators and assigns, my old servant Billy I commend him  
...to her care, with a request, that he may be retained in the family and  
...indefinitely provided for in the continued indulgence of his separate  
...room and in easy employment I further give and bequeath to my  
...said wife Ann ... to her, her Executors administrators and  
...assigns my aged negro Ben Holiday Abram and Jimmy his wife  
...Julia old Nancy and Temper I commend these aged servants to her  
...care and request that they may be retained by her in easy employ-  
...ment, but if any of the said negroes who have children or connections  
...among the negroes, shall desire when my negroes are generally sold  
...to be disposed of with their children or other connections, they are to be  
...sold accordingly to the purchasers of their children or other connections  
...if such purchasers will take them at any price then the proceeds shall  
...form a part of the residue of my estate.

Fifth I give and bequeath to the Augusta Free School Society, Five  
hundred dollars to be paid by my Executors within one calendar year  
after the sale of the residue of my estate as herein after provided for.

Sixth I give and bequeath to Robert L. Cunningham now a student of  
medicine in Maryland and to Thomas M. Cunningham now at the  
Pleasant Academy near Amherst in Massachusetts, brothers and grand-  
sons of my deceased brother General Robert Cunningham to each the sum  
of fifteen hundred dollars intended to defray the expenses of their  
Education, to be paid by my Executors out of the sales of my estate  
to my son Henry M. Cunningham and to my son in Law Lawrence I  
doe, trustees under this will Robert L. Cunningham and  
Thomas M. Cunningham, in such proportions and at such periods as  
said Trustees shall see fit, according to the orders by my Executors  
amounts as shall appear on my account books to the date of  
their several disbursements of the same to be paid to the said  
and the said Thomas M. Cunningham, and the said Henry M. Cunningham  
throughout as they may require and the said Robert L. Cunningham  
and the said Henry M. Cunningham.



...estate as aforesaid. In advance  
the purpose of acting in the name  
Robert C. Cunningham and Thomas  
W. Cunningham, I hereby direct my Executors shall upon the at-  
tainment of the age of twenty one years by the said Robert C. and  
Thomas W., to ally to the said Robert C. in his presenting to my Ex-  
ecutors in due form a Diploma from any established medical  
college, within the United States (accompanied by satisfactory evi-  
dence in writing of his holding a good moral character, of his qual-  
ification and fitness for the practice of medicine and surgery, they  
the said Executors are authorized and required to pay him, out of  
the sales of my Estate, the sum of Fifteen hundred dollars as con-  
sented that a like sum of Fifteen hundred dollars shall be paid  
by my Executors, out of the sales of my Estate, to the said Thomas  
W. Cunningham upon his attaining the age of twenty one years, if his  
conduct and moral character, should, in the judgment of my Executors  
and the aforesaid Trustees, or a majority of the said Executors and  
Trustees, who and they by requested and authorized to determine, render  
it proper and expedient to afford him this aid, out of my Estate in  
the beginning of any business or profession, for which he may have  
qualified himself, which I sincerely trust that the withholding the payment  
of these two legacies, would, in effect, be to the interest of the Executors  
and of my Estate I am, nevertheless, confident, that upon mature  
consideration of the points left to their decision (without  
apprehension) they may decide and act, according to good conscience my  
wishes to have the interests of these two youths are obvious, I have be-  
lieved expended considerable sums, for their support and education -  
should it appear on my account Books, and in my own hand writ-  
ting) or in the writing of some person or persons specially authorized,  
that at the time of my decease they shall have received more than  
fifteen hundred dollars each of the sums intended

The Cunningham

their education (now partly expended) the excess, shall go against the  
Legacies and deducted therefrom. Should they become entitled to receive  
such legacies by this time, and conditions hereinbefore declared by me,  
but if they should be withheld, no charge is to be made by my Ex-  
ecutors for any advances either on the expenditure accounts, or any  
further sums in anticipation of the Legacies which may appear  
on my account Books at the time of my decease, if they should ap-  
pear to my Executors to be best to divide the payment of these  
Legacies, or either of them, (should they be allowed) by the pay-  
ment of five hundred dollars to each person, the advance in-  
stead of the whole or more they are authorized to do so, and more-  
over, to stop at the end of that time in one year if it shall appear  
to my Executors that the person to whom the same shall have been  
advanced is not off in one year the balance

...in happy...  
...Square and together to the...  
...all of the City of...  
...and administrators, all...  
...with the buildings and...  
...and appearances therein...  
...the plan or sketch first...  
...fronting, about fifty four...  
...brick building, thereon...  
...of and adjoining the Lot...  
...front on Broad Street four...  
...is designated in the said...  
...running Northwardly, along...  
...alley of about twenty two...  
...about fifty four feet to the...  
...thence along the same Northwardly...  
...Broad Street to the place of...  
...said City of Augusta, which is...  
...the letter B bounded on the South...  
...feet, width, thence before referred...  
...hundred and thirty eight (138) feet...  
...by Reynolds Street, on the East...  
...by the smaller alley...  
...Lot B and running Northwardly...  
...to Reynolds Street, Upon the Trusts...  
...and to and for the...  
...and with, under and subject to the...  
...provisions, limitations, and declarations...  
...and declared of and concerning the...  
...Upon Trust, that they or the survivor...  
...administrators of such survivor as long...  
...the Rents issues and profits of the...  
...dispositions of this will, or any of...  
...the buildings thereon, and kept in...  
...they be insured from damage by...  
...and, in case any such loss or...  
...the money to be received upon...  
...may be laid out in...  
...apply so much of the rents and...  
...that behalf, respectively, and...  
...the aforesaid trusts Upon Trust, that...  
...administrators of such survivor, as...  
...continue to receive the rents issues...  
...the buildings thereon, or either of...  
...will, or any of them, do, after...  
...repairs and other necessary...  
...noting plan of...  
...the executors of this last, ...  
...and every person...





of these three...  
the several...  
following (that is to say) my...  
and my...  
and in the terms...  
deducting the sum, the...  
or which hereafter may be given, and the expenses of the...  
of this Will, and the Executions thereof, and of this trust, and my...  
lawful debts, and funeral Expenses and all lawful claims against...  
arising under this will and not otherwise herein provided for...  
and their lawful commissions, to pay over and appropriate and distribute...  
among the persons and in the proportions herein after de-  
scribed, and set forth, and according to my will and direction...  
herein after specified. And for the true understanding of my...  
will and intention in regard to the residue of my Estate, both as to...  
the sales and appropriation of the proceeds thereof, I do hereby...  
direct, that the same shall be exposed to public sale, by any Execu-  
tor as soon after my decease as may be considered by them, most con-  
ducive to my estate in such lots or parcels as they think most...  
expedient in the City of Augusta, between the ordinary hours of bargain-  
ing and closing public sales at a day and time to be by them...  
fixed, with full power to continue the same, from day to day, up to...  
that the personal property shall be sold for cash, and the...  
real property for one third cash, and the other two thirds, payable...  
in two equal annual Installments, secured by mortgage, on the prop-  
erty sold, that sixty days notice of the time, place and terms, of...  
such sale, shall be given by publishing the same in all the news-  
papers in Augusta, one in Savannah and if the Executors think...  
proper, one in Charleston and one in Milledgeville, and the pro-  
ceeds of such sales, whether consisting of money or securities for mo-  
ney after taking therefrom the deductions herein before specified...  
and provided, shall constitute a fund for distribution among...  
the several legates herein after named share and share alike...  
to which shall be added for the like purpose of distribution among...  
some persons, the several amounts or sums advanced by me to the...  
or to any or either of them, whether in money or property, for...  
annual sums or amounts, together with the persons to whom they...  
chargeable up to the time of the execution of this will, and appor-  
tioned in a schedule of the same, here attached, prepared by me, and...  
signed by my signature and that of the witnesses to the execution...  
of this will, and such as may hereafter be added, up to the time of my...  
decease were approved by certain of my now named witnesses in...  
writing of account, which it is my will and desire, shall be taken...  
considered as conclusive evidence of the same, and the sum and...  
from the said sales (that is to say) the same amount, therefrom...  
consisting of money or securities for money together with the...  
amounts of advances made by me to the several legates...  
as aforesaid.



...as his father in  
...of distribution to  
...William Cunningham, Joseph  
...and Alfred Cunningham, and  
...Mary C. Cunningham, Anna  
...Cunningham and Sarah Cunningham, each one for the part  
...said beneficiaries to divide and each of their executors, adminis-  
trators and assigns respectively. If any of the Persons before  
named as Legates of the residue of my estate shall depart this life  
before the distribution of this sum or the vesting thereof in such leg-  
atee leaving a child or children it is my will and desire that his  
child or children shall stand in the place and stead of

And Cunningham

her or their Parent, and be entitled to, and receive, from, my Executors  
the proportion or share which such parent would have been entitled  
to receive under the aforesaid bequest of my residuary Estate. If  
any of the parties before named as Legates of the residuary of my  
Estate, shall depart this life before the distribution of the same, or  
the vesting thereof in such legatee, leaving a husband or wife but  
without children or child living at the time of his or her death or  
(in case of leaving a wife) born within the ordinary term of gestation  
thereafter, then, it is my will and desire, that one moiety of the part  
or share herein bequeathed to such legatee, so dying, as aforesaid shall  
be paid by my Executors to such surviving husband or wife for her  
or his sole use benefit and behoof, for ever, and the other moiety thereof  
shall be distributed among the surviving residuary Legates, under the  
my will. If any of the persons before named as Legates of the resi-  
dum of my Estate shall depart this life before the distribution of my  
Estate, or the vesting thereof in such residuary legatee, without leaving a  
husband or wife and without children or child living at the time of  
the death of such legatee, then it is my will and desire, that the part  
or share herein bequeathed to such deceased legatee, shall be distributed  
among the surviving residuary legates, under this my will, share  
a like. It is my intention and I do will and declare ac-  
cordingly, that should it appear, upon closing the sales of my Estate  
a share of the residuum thereof shall exceed the amount ad-  
vanced by me to Joseph Cunningham the surplus whatever it may be, is  
bequeathed to him in trust for his children for whom, in this com-  
pact hereby appointing their trustees, to be by him invested for them in  
and not otherwise, in some particular fund or property, and dis-  
tributed to his children at his own discretion. And, if the amount due  
advances, up to the time of my decease by either of the said Persons  
named as Residuary Legates, or if this sum shall equal or ex-  
ceed the amount of the advances, then the Legates named be entitled to  
share or share of my estate, and the balance of the said sum shall be  
distributed to the said Legates named be entitled to share or share of my estate

I do hereby direct, my Executors, within two months  
 after the completion of the sale of my Estate, that is, of the Residuum  
 thereof, to pay over and transfer to my sons William Cummings,  
Joseph Cummings, in trust, as aforesaid John M. Cummings, Henry C.  
Cummings and Alfred Cummings and to my wife Ann Cummings  
 the parts or shares of the said residuum, to which they shall respectively  
 be entitled under this my will. I do moreover direct my Executors  
 that by purchase at the said sale, or within a reasonable time there-  
 after, not to exceed six months, to invest the parts or shares of the said  
 Residuum, to which my Daughters Mary C. Davis formerly Mary C.  
Cummings, Ann Eliza Cummings & Sarah Matilda Cummings, are  
 respectively entitled, under this my will in such profitable  
 or other productive Property, as in their judgment shall be most  
 suitable and the titles to, in the names of the said Mary C. Davis  
Ann Eliza Cummings and Sarah Matilda Cummings shall be  
 taken and noted, to my sons William Cummings and Joseph Cummings  
 as trustees for the said Mary C. Davis, Ann Eliza Cummings and  
Sarah Matilda Cummings.



...of the said  
...of the said  
...quarterly and every year  
...Mary to Davis and Eliza  
...to wit, to her the said Mary  
...I Davis during their joint  
...and the said Eliza  
...respectively their proportions  
...of the said stocks and proceeds of the said stocks  
...as they shall remain sole and for  
...the term of their <sup>respective</sup> natural lives  
...and

And burning.  
in the death of the said Mary to Davis, leaving no children or  
children and in the death of the said Ann E. burning and Eliza  
and burning, respectively, sole and unmarried, to convey or  
transfer the said stocks or other property, to which such person  
is dying, was entitled to such person or persons, as by her last  
will and testament, duly made and executed, she shall nomi-  
nate and appoint, and in default of such will and testament  
then to convey and transfer the same to her own right heirs and  
in the marriage of the said Ann E. burning and Sarah M.  
burning, respectively, to convey the said stocks or other prop-  
erty to which the said persons so marrying is entitled, to such per-  
sons as she shall appoint, and notify to such trustees, in the  
following trusts (that is to say) to the use of the intended wife with  
the benefit <sup>thereof</sup> to the use of the husband and wife, during their joint  
lives and to the survivor, during his or her life; after the death of the  
survivor to the use of the issue of the marriage, if any; in failure of  
such issue at the death of the wife then and half to the use of  
such person or persons as she by her last will and testament, duly  
made and executed, shall nominate and appoint, and the other  
half to her own right heirs and in defect of such will or testament  
then the whole to her own right heirs subject in such case to the  
life estate reserved to the husband if he shall survive.

It will appear that my wife Ann burning is entitled to a  
share by the provisions of the Will, a larger portion of my estate  
than either of my children I desire that the nature which in-  
fluenced me in making the discrimination, should be understood  
and be found in the ever increasing care and  
attention to our common interests and in her persevering kind-  
ness and affection for me and our children who are and will be a debt of grati-  
tude to her for her kind and generous services to endeavor to repay in  
the satisfaction that the property of the private fortune was of  
meant to receive money

Paul Rogniol  
Augustus Moore  
W. Veitch

Signed  
Thos. Cunningham





The Summing

It is hereby certified by me Thomas Cummings to the  
 creditors of the said deceased, that the sum of the  
 claims of the said creditors, as referred to in the eighth  
 clause of the said will of my wife.

|                           |                                                               |           |
|---------------------------|---------------------------------------------------------------|-----------|
| To William Cummings       | Twenty thousand Dollars                                       | 20,000.00 |
| To Joseph Cummings        | Twenty thousand Dollars                                       | 20,000.00 |
| To John R. Cummings       | Twenty thousand five hundred Dollars                          | 17,500.00 |
| To Henry R. Cummings      | Fifteen thousand six hundred and seventy one Dollars & 00/100 | 15,671.31 |
| To Alfred Cummings        | Eleven thousand eight hundred and sixty six Dollars & 00/100  | 11,866.25 |
| To Mary C. Davis          | Twelve thousand and twenty one Dollars & 00/100               | 12,021.00 |
| To Anna Eliza Cummings    | Six thousand four hundred and forty six Dollars & 00/100      | 6,446.00  |
| To Sarah Wallace Cummings | Two thousand nine hundred and thirty nine Dollars             | 2,939.00  |

Witnesses  
 W. Hitch  
 Augustus Moore  
 Paul Poppignot

Thos. Cummings

Georgia

Richardson County } Personally appeared before us Paul Poppignot  
 not a subscribing witness to the foregoing will and two hundred  
 subscribers who being duly sworn made oath that he was personally  
 present, and did see the Testator sign, seal, publish, pronounce  
 and declare the same to be and contain his last will and Testament,  
 that he was of sound and disposing mind and memory, accord-  
 ing to the best of his belief and knowledge, and that he took  
 them with William Hitch and Augustus Moore subscribers there-  
 to, to the same at the request and in the presence of the  
 said Testator, and as we the presence of each other.

Paul Poppignot

26th day of April 1836  
 Edw. Thomas J. S. C. C. C.  
 Green B. Marshall J. S. C. C. C.

Whereupon it was ordered that the same be submitted to the  
 Court of Chancery for record. Witness my hand, Clerk  
 of the Court, at the City of Richmond, this 26th day of April 1836.

At a Court of the County of Richmond, Georgia, this 26th day of April 1836.  
 The Court for the County of Richmond, Georgia, do hereby certify that the  
 foregoing last will and Testament of the said deceased, as  
 presented to be proved, is a true and correct copy of the original  
 of the said last will and Testament, as the same was presented to the Court  
 for the purpose of being recorded.

*Marigold*

The  
Co.  
both

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| 00 |

57  
29  
06  
50  
02



in the year of our Lord beginning the hundred and thirty (1830)

Thos. Cunningham

Hand

presence of the said Three

the other the same "idea"

Ans.

Whitman, J. Thomas

...by my last will and testament...  
...on the 23<sup>rd</sup> day of August...  
...hundred and twenty eight...  
...Henry H. Cumming...  
...in the consolidated fund...  
...I have decreed and ordered...  
...and personal...  
...have just been allowed and paid...  
...Henry H. Cumming...  
...being desirous of altering my said will...  
...legacy or portion intended to have been bequeathed to the said Henry H. Cumming in manner and form aforesaid, do therefore make this present writing, which I will and direct to be annexed as a codicil to my said will and testament, and taken as a part thereof, and I do hereby give and bequeath unto Joseph Bryson, the elder of Hunt Lion Hancock County, William Cumming of Augusta, and Joseph Cumming of Savannah, or the survivor of them, or the Executor or administrators of such survivor, one ninth part or distribution share of the said consolidated fund, which the said Henry H. Cumming would have been entitled to receive, according to the eighth section of my said will.  
Upon Trust, that <sup>they</sup> the said Joseph Bryson, William Cumming and Joseph Cumming, shall within six months after the division of my estate, lay out and invest the amount of said distributed share in their own names in some profitable fund or other property, either real and personal, and do and shall stand possessed of or interested in, all such stocks, funds or other property, upon the several trusts, and to and for the several ends, intents and purposes, and under and subject to the several powers and provisions hereinafter expressed and declared of and concerning the same, that is to say, upon Trust, that they the said Joseph Bryson, William Cumming and Joseph Cumming, do and shall at the end of every quarter, during the natural life of the said Henry H. Cumming, pay the dividends and profits of such stocks, funds, or other property, unto such person or persons as the said Henry H. Cumming shall by writing from time to time direct or appoint, and should I die <sup>before</sup> the death of the said Henry H. Cumming, then the said Henry H. Cumming, that in such case the said Joseph Bryson, William Cumming and Joseph Cumming shall, at the end of every quarter during the natural life of the said Henry H. Cumming, pay the dividends and profits to such person or persons as the said Henry H. Cumming shall by writing from time to time direct or appoint. And my will further is and I do hereby declare, that after the death of the said Henry H. Cumming, and of his heirs, assigns, executors, administrators, and assigns, all the stocks, funds, and other property hereunto bequeathed, shall remain in the hands of the said Joseph Bryson, William Cumming and Joseph Cumming, or their heirs, assigns, executors, administrators, and assigns, until the death of the last survivor of them.



the property of the children  
Julia A. and I do hereby declare  
William Cunningham and Joseph  
Bryan, to assign, transfer and deliver  
the said stocks funds or other property to be a  
my will further is, and I do  
hereby declare, that if the said Julia A. should survive her husband  
Henry H. Cunningham, as well as their children now in life or  
hereafter born, that then the said Julia A. may by her last will and  
testamentary devise of and convey of the said stocks funds, or other prop-  
erty then held and possessed by the said Joseph Bryan, William  
Cunningham and Joseph Cunningham as Trustees aforesaid, which the said  
Joseph Bryan, William Cunningham and Joseph Cunningham are hereby  
directed to pay over to the Executors of the said Julia A. within six  
months after the probate of her will, and the remaining moiety  
shall immediately revert to my Estate and be subject to distribution  
equally among my legal heirs, and in defect or omission of a will  
by the said Julia A. then, the whole of the said stocks funds or  
other property shall revert to my Estate and be equally distributed  
among my legal heirs - also further, if the said Henry H. Cun-  
ningham should survive his wife Julia A. as well as his children now  
in life or hereafter born, that then all the stocks funds or other  
property then held and possessed by the said Joseph Bryan, William  
Cunningham and Joseph Cunningham as trustees aforesaid, shall vest in  
and become the absolute property of the said Henry H. Cun-  
ningham and the said Joseph Bryan, William Cunningham and Joseph Cun-  
ningham are hereby directed to conclude the several trusts herein contained  
by delivering and legally assigning to the said Henry H. Cunningham  
the said stocks funds or other property held by them, as trustees a-  
foresaid: Provided always and my will further is, and I do hereby  
declare, that it may be proper and lawful to and for the said Joseph  
Bryan, William Cunningham and Joseph Cunningham, with the consent  
and approbation of the said Henry H. Cunningham, separated in man-  
ner to vary, alter and transfer all such stocks funds or other  
property for other of the like nature when and so often as it  
shall be convenient or desirable so to do, and that the said Joseph  
Bryan, William Cunningham and Joseph Cunningham do, and they  
shall procure of and introduce in, all such new or other stocks  
funds or other property upon such and the same trusts and for  
such and the same intents and purposes, and under and in-  
cluded or contained in the provisions as herein before de-  
clared or contained in the stocks funds or other property  
from the said stocks funds or other property such new stocks funds or





changed and the same to be deducted from the one hundred  
 part of the estate of any estate and the balance paid  
 first to the trustee thereof and for the purpose thereof  
 further the said of the said Thomas Cunningham gave  
 to this Court, by my hand and seal this twenty fourth day  
 of October one thousand eight hundred and thirty one  
 signed sealed and published  
 by the said Thomas Cunningham and  
 as far as before, in presence of us who  
 have subscribed our names in his  
 presence, and of each other  
 Robert Walton  
 Horace Montague  
 William Poe

## Georgia

Richmond County } Personally appeared before us Robert Walton a  
 subscribing witness to the three foregoing Codicils to the last will and  
 Testament of Thomas Cunningham the Testator, the first dated the 3 day of  
 March 1830, the second dated the 6th day of February 1831 and the third  
 dated the 25th day of October 1831, who being <sup>asked</sup> sworn made oath that he  
 was personally present, and did see the said Testator sign, seal &  
 publish the said Codicils to his last will and Testament, that he was  
 of sound and disposing mind and memory, according to the best of his  
 knowledge and belief, and that he together with John Berie and Fran-  
 cis Gamble subscribed the first of the said Codicils, and that he toge-  
 ther with Horace Montague and William Poe subscribed their names  
 to the second and the third Codicil at the request, and in the presence  
 of the said Testator and in the presence of each other  
 immediately as the 26th  
 day of April 1834  
 before Thomas S. B. W. C.  
 James B. Marshall J. S. B. W. C.

Robert Walton

Wherefore it was ordered that this same be submitted to the next Court  
 Ordinary for record.

Just George M. Wacker, Clerk

A Court of Ordinary held in and for the County of Richmond on the  
 day the 1st day of May 1834  
 the three Codicils to the last will and Testament of the said  
 Thomas Cunningham were read and ordered to be recorded  
 at the Court of the said Court of Ordinary

Whereas I have been formerly  
sole executor my last Will and Testament, bearing date the twenty  
day of August, in the year of our Lord 1784. Whereas said last Will and  
Testament of which I now desire to appoint my friend Robert T. Pease executor  
to wit: those already named therein. Now therefore by this writing, I do  
declare to be a bequest to my said son and direct to be named as trustee  
and taken as part of the same, I do nominate and appoint my friend  
The said Robert T. Pease executor of my said last Will and Testament, in  
addition to those already named therein.

The Cumming Trial

The foregoing writing was signed, sealed & published by Thomas Canning as a Codicil to his last Will and Testament, therein referred to in the presence of us who at his request, and in his presence, have subscribed our names as witnesses to the same this twenty sixth day of February in the year of our Lord Eighteen Hundred and thirty four.

Wm Savage

*Duguid's Pastors*

Stillman Po

Georgia

Richmond County Personally appeared before us Drigald Patterson a subscribing witness to the foregoing Codicil to the last Will and Testament of Thomas Cunningham deceased, who being duly sworn made oath that he was personally present, and did see the said Testator sign, seal and publish the said Codicil to his last Will and Testament, and that he was of sound and disposing mind and memory according to the best of his knowledge and belief and that he together with William Savage and William Poe subscribed the same at the request of the said Thomas Cunningham and in the presence and in the presence of each other.

known to before me this \_\_\_\_\_ Drigald Patterson

Wingard Patterson

26th day of April 1834

Green B. Marshall. S. S. C. R. Co.

Oct 20. Thomas J. A. B. M. B.

Whereupon it was ordered that the same be submitted to the next Court of  
Ordinary for records.

Test George M. Matthews, Coler?

At a Court of Ordinary here on and for the County of Baltimore on  
day the 5<sup>th</sup> day of May 1882 the foregoing Record was presented  
read and ordered to be returned.

George M. Walker, Clerk



and being made up of the said last and Testament, bearing date the  
said day of the month of June of our Lord Eighteen hundred and  
eighty, to which I desire to make some additions. Now therefore, I do hereby  
declare this present writing to be a codicil to my said will and as  
not it to be annexed to, and taken as part of the same.

First - I hereby nominate and appoint my friend Robert T. Pease an  
Executor of my said last will and Testament, in addition to those therein  
named.

Secondly, I give bequeath and devise unto "The Trustees of Christ  
Church" (the Presbyterian Church, in Augusta in said State, part of  
a certain Lot of land in said City, Bounded North by Broad Street  
East by McIntosh Street, South by Ellis Street & West by Mrs. Elizabeth  
Jordan's Lot, to wit, that part of said lot which lies in the corner of  
McIntosh and Ellis Streets and extending North to the Northern Wall of  
the Building now standing thereon (inclusion of said wall together with  
the said Building) commonly known as the "Masonic Lodge" or "Lecture  
Room" with the intent and on the condition that they the said Trustees  
"will set apart a portion of said Building as a Lecture Room for the use of  
said Church and, appropriate all the rest of said Building to the use of  
a Sunday School (as it has long been my intention it should be devoted  
to this purpose). Fully to carry into effect my intention in this respect  
it is my earnest desire that "the Trustees of Christ Church aforesaid, may  
within as short a period as possible have the lower story of said Building  
finished in a proper style for convenient use for one or other of the  
mentioned.

Thirdly, To enable the said said Trustees more conveniently to finish the  
lower story of said Building in a manner suitable for this purpose for  
which it may be intended, I hereby release give and bequeath unto the  
Trustees aforesaid any moneys now or hereafter to become due to me for  
the rent of that part of said Building heretofore and now used as a  
Lecture Room.

In witness whereof, I the said Thomas Cunningham have hereunto  
hand and affixed my seal this day of March in this year of  
our Lord Eighteen hundred and thirty four  
Signed, sealed, published and  
Tested, by the said Thomas Cunningham

as before to his last will and Testament  
in the presence of us witnesses at his request  
in the presence and in the presence of each  
other have hereunto set our names and signatures thereto  
this day of March A.D. 1834  
A. Cunningham, Witness  
William C.

...and being { ... before ...  
...witness to the foregoing ... to the last will and  
of Thomas Cunningham deceased, who being duly sworn, made in the last  
and personally present, and did in the said Testator sign, seal and put  
to the said Codicil to his last will and Testament, and that he was of sound  
and disposing mind and memory according to the best of his knowledge  
and belief, and that he together with Alexander Cunningham and  
James P. subscribed their names to the same at the request and in the  
presence of the said Thomas Cunningham and in the presence of each other  
known to before us this

10th day of April 1834  
Edw Thomas, J. C. P. C.  
James B. Marshall J. C. P. C.

Dugald Patterson

Whereupon it is ordered that the same be submitted to the next Court  
of Ordinary for record.

Test George M. Walker, Clerk.

Now Court of Ordinary held in and for the County of Richmond  
Monday the 5th day of May 1834, the foregoing Codicil to the last  
will and Testament of Thomas Cunningham was presented and ordered  
to be recorded.

Test George M. Walker, Clerk.

State of Georgia

Richmond County In the name of God, amen, I Felix J. May  
of Hudson County, Florida, but at present of the County and State of  
said, being in body but of sound and disposing mind, make this  
to be my last will and Testament in manner and form following  
to wit.

- First, I desire all my just debts to be paid
- Secondly, I give to my nephew Jackson Dearborn the sum of one  
thousand dollars, but should he die without leaving a child then  
I give and bequeath the said sum to my brother John and his  
heirs forever.
- Thirdly, I give and bequeath to my mother my negro boy Isaac  
during her natural life, and after her death I give the said  
boy to my s. brother John and his heirs forever.
- Fourthly, I give and bequeath to my brother John Five hundred  
dollars to be held by him or his wife at his discretion in  
trust for my sister Mary.
- Fifthly, I give and bequeath all the rest, residue and  
left both here and forever to my s. brother John and his heirs  
forever.