

# William Clay

State of Georgia Washington County

In the name of God Amen,

I William Clay of the County and State aforesaid, being in advanced age and infirm as to physical strength, but of sound and disposing mind and memory, thank be given to Almighty God for his mercies, being desirous to arrange all my worldly matters while enjoying the full strength of mind to do so hereby make public and declare this to be my last Will and Testament in manner and form following, viz.

Item 1<sup>st</sup> It is my Will and desire that all my just debts be paid that I may be owing at the time of my death with the least possible delay.

Item 2 I give and bequeath to my beloved Wife Mary Clay, during the term of her natural life all my property both real and personal except to much of it that I shall dispose of in the third item of this my last Will and Testament.

Item 3<sup>rd</sup> I give and bequeath to my beloved Daughter Sarah Hitchcock at the death of my beloved Wife Mary Clay, all that part of my land lying on the West side of Brushy Creek wherein she is now living, to her and her child then born.

I also give and bequeath to my daughter Emily Harris, the wife of Joseph Harris, all that part of my "David Clay" tract of land lying on the East side of Brushy Creek, to her and her children forever.

I also give and bequeath to my son Nicholas W. Clay his heirs and assigns all my tract of land wherein I now live known as the "Avery" tract at the time I purchased it containing about one hundred and fifty

more or less. I also give and bequeath to my said son Nicholas W. Clay in trust for the use and benefit of my daughter, Martha Lee Fowcock and her children, free from the disposition of her present or any future husband

and she may marry, a tract of land in said County embracing the "Vile" tract commencing about fifty yards from the corner of Miller's old field and running a direct line to the corner of the field given in this Will to my

son Thomas Clay containing about one hundred and fifty acres. I also give and bequeath to my son Thomas Clay his heirs and assigns, forever a part of my "Mell" tract of land which I purchased from Franklin Rutherford

commencing at a pine corner and running a direct line to a point near Mrs. Walter's Grave thence by such course as will embrace the House and pile

around it, and the spring, until it intersects a corner which I am to mark out, thence a South west course until it intersects Joseph Harris' line

estimated to contain about one hundred and seventy acres, more or less. I give and bequeath to my son Adam Clay the balance of the "Mell" tract as aforesaid estimated to contain about one hundred and sixty acres, more or less.

I also give and bequeath to my said son Adam Clay one of my negro boys to wit, some about five years old, and one feather bed and furniture. The negro boy and bed to go into his possession at the time he may arrive to the age of twenty years.

All the above described tracts of land lie in Washington County in the State aforesaid and to be under the Control of my wife during her natural life - The balance of my land in said County is a small piece which I reserve for sale either by myself or my Executor

hereafter named, containing about sixty acres. Should I not sell it in my lifetime - I clothe my Executor with full authority to sell without

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the necessity of an order from the Court of Ordinary, and to apply the proceeds to the payment of my just debts. I also give and bequeath to my son James W Clay, and to his heirs and assigns forever all that certain lot of land in the twelfth District of Dorsey County, Kansas and distinguished as number seventy four which he is to go in possession of at the time of my death.

Item fourth - I give and bequeath to my beloved daughter Mary Clay, and to her children, if she should have any two negro girls and their issue to wit Manerva about seven years of age and Polly about two years old, also one Horse bridle and Saddle and one Cow and Calf one bed and furniture, which is to be given off to her whenever she may marry or arrive to the age of twenty one year, this bequest is intended to make her equal in property with those of my children that has already married and left me.

Item 5 - I give and bequeath to my daughter Lydia R Clay, and to her children (should she have any) two negro girls and their issue to wit Peggy about five years old, and Orelia about two years old, one Horse Bridle and Saddle one Cow and Calf and one bed and furniture which is to be given off to her at the time she may marry or arrive at the age of twenty one year, this bequest is intended to make her equal in property to those of my children that has married and left me.

Item 6. It is my Will and desire, and I do hereby direct, that soon as practicable after the death of my wife Mary Clay that all my negro property that may be in remainder, not herein disposed of together with all the rest of the property of every kind be sold in terms of the law and the proceeds thereof be distributed among my children save one share alike, to wit the children of my daughter Elizabeth Watkins deceased to take the amount their mother would be entitled to if she was in life. Pierce Clay Sarah Hitchcock, Emily Harris wife of Joseph Harris Nicholas H Clay, James W Clay, Martin Lee Franks Thomas Clay Adam Clay Mary Clay and Lydia R Clay, the portion that may fall to my daughter Martin Lee Franks to be controlled and be under the same restrictions and limitations, as that part left her by virtue of the third item of this my last Will and testament.

It will be perceived that I have not given any thing to my beloved daughter Nancy Lock wife of William R Lock by virtue of this my Will. The reason is I have already advanced to her wife and paid out for him the sum William R Lock more money than would be her equal share of my Estate but it is not for the want of love and affections I have and bear for her, but from a desire to treat all my children alike.

Item 7 I do hereby nominate and appoint my beloved son Nicholas H Clay my sole Executor to carry out the provisions of this my last Will and Testament nothing with other wills made by me.

In witness whereof I have hereunto set my hand and seal

47  
William Blay

this 8<sup>th</sup> day of February in the year of our Lord one thousand eight hundred  
and fifty six Wm Blay

Signed Sealed published and declared by William Blay the testator in  
the presence of us the subscribing Witnesses, to the same, who have signed the same  
as such in his presence and in the presence of each other,

John Wise

Alfred H French

Henrywood Brothers &c

Robert Fluker junr.

State of Georgia

Washington County

In the name of God Amen,

I Robert F Fluker of the County and State aforesaid, being in  
bad health but of sound and disposing mind and memory, do declare  
and establish this my last Will and testament, in manner and form  
following that is to say

Firstly It is my Will and desire that all my just debts, be paid by my Exe-  
cutors herein named.

Secondly - I give and bequeath to my beloved Daughters Susan Ann  
my Bearskin with Buck Case attached. Also unto my beloved Daughter  
Mary Jane. I give and bequeath my other Bearer.

Thirdly - I desire that all my property be kept together and  
that the farm whereon I now reside be continued, and that all my  
lands lying in the County and State aforesaid on the waters of Oconee  
River containing about two thousand eight hundred acres, be divided  
between my four Sons viz, Milton B Fluker Benjamin W Fluker  
Robert F Fluker and Joseph W Fluker, and that each one have  
his proportion, in attaining the age of twenty one years.

Fourthly As it is my Will and wish to divide my property equally  
among my children, I therefore desire that my two Daughters Susan  
Ann and Mary Jane on arriving at the age of twenty one years, or  
marrying receive in money or other property a sufficient amount,  
to make them equal with my sons for their proportion of my lands.

Fifthly - I hereby nominate and appoint my worthy relations and  
friends Joseph A Lepions and my son Milton B Fluker Executors  
to this my last Will and Testament.

Robert F Fluker

Signed Sealed and published

by Robert F Fluker as his last

Will and Testament in the presence

of us the subscribers who subscribe

himself in the presence of said Testator

and of each other

Wm F McBoide

Thomas Barber Mat C Williamson