

State of Georgia

County of Clarke

I, Mrs Mary (Lan) Fellows widow of George P. Fellows deceased of said State and County being of sound and disposing mind and of advanced age and realizing that it is appointed unto all persons to die and desiring to make a just and proper disposition after my death of all the real and personal property with which God has blessed me do make declare, and publish this as my last will and testament revoking any and all other wills heretofore made and published by me

Item 1<sup>st</sup> I desire all my just debts paid including the necessary expenses attending my burial which I wish to be had according to my position in life and the usual religious Exercises of the Christian Church

Item 2<sup>nd</sup> I have this day executed a deed of Trust to Samuel Hunter as trustee for his wife Caroline O. Hunter my daughter and her children born and to be born to her for the trust and use therein provided to the North end of the lot whereon I now reside and where my husband George P. Fellows now deceased formerly resided the metes and boundaries of said lot are accurately and fully set forth in said deed this lot I conveyed to Samuel M. Hunter as trustee for his wife and children my said daughter having never received any property from her - Further during his life nor from me since his death

Item 3<sup>rd</sup> My husband George P. Fellows made full and joint provision for my other two daughters Mrs Frances A. Williamson and Mrs Georgia M. Warmsberking during his life he having given land to the former and other property to the latter also for my daughter Mary E. Dean her Father made suitable provision during his life

Item 4<sup>th</sup> I give and bequeath to my remaining children for whom neither their Father nor I have made any other provision Wirt Elmeria Clayton Fellows, Ella Nora Fellows, my daughters and Cyrus Stephen Fellows my son all my property real and personal and of all kinds and descriptions, whatever that I may die possessed of subject to the trust and uses herein after provided that all of the said lot of said husband George P. Fellows deceased and on which I now reside less the portion on North end this day conveyed to Samuel M. Hunter in trust for his wife & children it being the balance of the two lots after deducting said portion in the City of Athens purchased by my husband George P. Fellows deceased of Daniel Grant the deed from said Grant dated Feb 22 1838 and being lots No 20 & 21 in the Meriwether Survey of said City of Athens and each containing four acres more or less less the streets and both together containing eight acres more or less less the streets and the South portion with the

dwellings other houses Appurtenances thereon hereby bequeathed conveying after deducting the North portion this day conveyed as herein before stated about seven Acres less the streets more or less and also all the household furniture and other personal property of any description on land

Item 5<sup>th</sup> It is my will purpose and desire to provide a permanent home for my said three children Elmira Clayton Fellows Ella Nora Fellows and Cyrus Stephen Fellows and therefore will and bequeath to them all the property real and personal described in the fourth (4<sup>th</sup>) Item of this instrument for their trust use and benefit for and during their natural life with remainder over in fee simple after the death of the last surviving one of the three among their children share and share alike taking per Stirpe

Item 6<sup>th</sup> Should however my said three children be unable to continue to live together for any reasons satisfactory to themselves and desire to divide said property therein bequeathed then then it is my will and desire that they divide the said lot into three parts of as nearly equal value as near as possible each taking one of the three lots when so divided and if this cannot be done then I desire the property sold by my Executor herein after named and direct him to invest the proceeds of said sale in such manner as he shall think best for the interest of each of my said children said property so purchased by my Executor to be in the name of some suitable person in each case as trustee for my said daughters and son and to be held subject to the trust and use before created for their sole and separate use and benefit during their natural lives free from the debts contracts and control of any future husband in case of my two daughters and remainder after their death to such child or children or representative of child or child born to them or shall survive them the representative of child or children taking "per Stirpe"

Item 7<sup>th</sup> After my Executor has sold and reinvested proceeds of sale of property as herein before provided then I desire that the portion reinvested for benefit of my son Cyrus Stephen Fellows share be for his sole use and benefit free from his debts and contracts during his natural life and with remainder over to his child or children or representative of child or children surviving him the latter taking "per Stirpe"

Item 8<sup>th</sup> After my Executor has nominated a Trustee for each of my daughters and son as herein before provided and invested proceeds of sale of property for their benefit subject to use and trust herein created it is then my desire and purpose that in the event said Trustee shall resign his trust each of my daughters and son may appoint

themselves trustee and or others in way to necessary and I give to their trustee's nominated by my Executor is appointed by themselves power in response to the written desire and application his executor had either of my daughter's son to sell at his discretion and reinvest the purchase for their benefit subject to trust & was herein created as often as may be necessary.

Item 9<sup>th</sup> I nominate B M Hunter Executor of this my last will & testament. Words on 3<sup>d</sup> page & line also for my daughter Mary E. Swan her Father made suitable provision during his life. intended before execution. "Also death of 5 page 12 line.

Signed Sealed published Mary Ann<sup>er</sup> Fellows and declared to be her last mark

Will and Testament by Mrs Mary Ann Fellows this 11<sup>th</sup> day of March 1876 in the presence of all the undersigned each of whom were present and saw her sign her name in our presence and we signed at the same time in her presence and in presence of each other and we each also saw her sign each page as did margin at same time.

Howell Cobb  
P. A. Heard  
J. M. King

State of Georgia,  
County of Clarke. Whereas I Mrs Mary Ann Fellows did on the 11<sup>th</sup> day of March 1876 Sign Seal publish and declare my last Will and Testament in presence of Howell Cobb P. A. Heard and J. M. King for who signed said Will as witnesses at my request and whereas I am desirous of changing my Executor I therefore make publish and declare this to be a codicil to said Will (said Original will hereto annexed) First I remove Samuel M. Hunter as my Executor and I nominate my son Cyrus Stephen Fellows in his place as the Executor of my said last Will and Testament and the codicil thereto and I give to said Cyrus Stephen Fellows all the power and charge him with all the duties attending Execution of my said Will of March 11<sup>th</sup> 1876 which were therein given to and charged upon Samuel M. Hunter the Executor nominated in my said Will of March 11<sup>th</sup> 1876 (Witness my hand) Seal this the first day of Nov 1879 and in all other respects I have affirmed my said Will of March 11<sup>th</sup> 1876.

Mary Ann<sup>er</sup> Fellows  
mark

Signed Sealed and published and attested by Mrs Mary Ann Fellows as a codicil to her last Will and Testament of March 11<sup>th</sup> 1876 in the presence of us the Subscribers who subscribed their their names hereto in the presence of said said Mary Ann Fellows the testator at her special request and in the presence of each other this May 1<sup>st</sup> 1879.

v. Howell Cobb  
v. Andrew J. Cobb  
Samuel M. Hunter

Georgia  
Clarke County

Personally appeared before me Howell Cobb one of the Subscribing witnesses to the within and foregoing will and codicil of Mary Ann Fellows late of Said County deceased who on oath swears that he saw said deceased sign & seal said will and codicil and heard her acknowledge said will to be her last will and Testament and said Codicil to be her codicil to her said last will & Testament that she did so freely and voluntarily of her own free will and accord without any persuasion or coercion on the part of any person or persons to wit that at the time of so doing she was of sound and disposing mind and memory that he P. A. Heard and William King Jr all signed said will as witnesses in the presence of the testatrix & at her request and in the presence of each other and that he Andrew J. Cobb Samuel M. Hunter all signed said Codicil as witnesses in the presence of each other and of the Testatrix & at her request  
Spurn to and Subscribed Howell Cobb  
before me this day of 1879  
Also on Jackson Ordinary

Where upon it is Ordered & Considered by the Court that said will and codicil is in common form of law and duly proved to be the last will and codicil of Mary Ann Fellows deceased and that the same together with the probate thereof be recorded in terms of the law  
Regular Term 6<sup>th</sup> Oct 1879

Also on Jackson Ordinary

Recorded 11<sup>th</sup> Oct 1879