

Cath of the State of Georgia } Before me came on this 28th August
Forsyth County }
Witnessed }
ing the last will and testament of John
Wofford one of the witnesses W^m Wallis and the will being before that time
brought before me for probate in Common form, by the nominated exec-
utor John M. Broyer who has filed a petition for probate of the same in
Common form, to the said witness depose of the same, that he hath said
John Wofford sign and publish the same as his last will and testament
on the day and year stated in said will as executed by him, that he witnessed
the same, that he saw W. Banister and Jell. Kinston sign the same as witnesses
the testator signing the same in presence of all three witnesses by making his
mark with his own hand and each witness signed in presence of testator and
each other; at testator's own request and instance, and that said testator was
of sound disposing mind at the time and that the same was voluntarily
executed by him and without persuasion force or any undue influence
whatever so far as witness knows,

Sworn to and subscribed before

me 28 Aug, 1856. (Signed) W^m L. Bentley, Cof.

(Signed) William Wallis,

Last Will and Testament of George Kellogg,

Georgia } In the name of God Amen;

Forsyth County } George Kellogg of the County and State aforesaid,

being of sound mind and memory, and desiring to
settle my worldly affairs, do make, ordain and publish this my
last will and Testament hereby revoking all others heretofore made
by me.

Item 1st

I commit my Soul to God, who gave it, and I desire my body buried
in the graveyard at Ebenezer Church in said County, in a plain and the
customary manner, my grave to be marked with a head and foot
stone of good fine white marble, with the simple inscription of
my age and name,

Item 2^d

I desire all my just debts to be paid by my Executors hereinafter
appointed,

Item 3^d

I give to my son Henry C. Kellogg, the one undivided fourth
interest in and to one undivided sixth of Lot of Land No 1113 in
the 1st Dist. 8th section of Cherokee County, also the one

undivided fourth interest in Lots Nos 168, 9th Dist, now Fannin County and 908 in the 3^d Dist, 1st Sec. of Forsyth County, Also the one undivided half of the mineral interest in the place known as the Shaw place & herein given to George W. Kellogg, I also give to my said son Henry C. Kellogg my large silver headed walking Cane, this I intend as a memento-

Item 4th.

I give to my daughter Adeline W. Grammitt, the one undivided fourth of the one undivided sixth of lot of land No 1113 in the 21st Dist and 2^d Section of Cherokee County. Also the one undivided fourth of Lots Nos 168 in the 9th Dist of now Fannin County and 908 in the 3^d Dist and 1st Section of Forsyth County.

Item 5th

I give to my daughter Cynthia C. Boyd the one undivided fourth of the one undivided sixth of Lot of Land No 1113 in the 21st Dist, and 2 Section of Cherokee County. Also the one undivided fourth of Lots Nos 168 in the 9th Dist, of now Fannin County and 908, in the 3^d Dist and 1st Section of Forsyth County.

Item 6th.

I give to my son George W. Kellogg the one undivided fourth of the one undivided sixth of Lot of Land No 1113 in the 21st Dist and 2^d Section of Cherokee County. Also the one undivided fourth of Lots Nos 168, 9th Dist of Fannin County and 908 in the 3^d Dist, of 1st Section of Forsyth County. Also Lots of Land Nos 644, 645, 646, 680 the undivided half of No 691, and one half of No 693 Except the one undivided half of the mineral interest given to Henry C. Kellogg in the 3^d Item of this Will lying and being in the 14th Dist and 1st Section of Forsyth County. Known as the Shaw Place, and estimated at One Thousand dollars. Also my small silver headed walking Cane which last I give as a memento- Also my gold watch.

Item 7th.

I give to my beloved wife Caroline Kellogg all the Household and Kitchen furniture of whatsoever kind. Also any part of which she may equally divide between my daughters Adeline and Cynthia and my George W. during her life, all undisposed of at her death to be equally divided between and among Adeline W. Grammitt Cynthia C. Boyd and George W. Kellogg. Except

apparel which is to be equally divided, Adeline M. Groommett and Cynthia
C. Boyd,
Item 8th,

All the ballance of my property real and personal and of all kinds
whatever is to be sold by my Executors in such quantities and upon
such terms as to them may seem best, And to all the proceeds arising
from said sale, One thousand dollars (the estimated value of the Shaw
Place) is to be added and I give to my said wife one fourth of the
amount, My son George W. is to have One fourth less One Thousand dollars
which he gets in the Shaw Place, and my daughter Addie W. and Cynthia
C. are each to have one fourth,

If the proceeds of said sale added to the thousand dollars (estimated
value of the Shaw Place) does not amount to four thousand dollars
my wife Caroline Kellogg is to have one fourth of the amount made
by adding the proceeds of said sale, and the thousand dollars
together; and my son George W. is still to have the Shaw Place
and the ballance of proceeds of said sale is to be equally divided
between my said daughter Addie W. and Cynthia C. Whatever of the
legacy herein given to my wife remains at her death is to be equally
divided between Adeline M. Cynthia and George W. Lots of land
Nos 487, 488, 489, 528, 529, & 530, in the 14th Dist & 1st Sec. are not to
be sold until the lease to Jones T. Douglass on the Mill and Machine
property expires,
Item 9th,

The advancements heretofore made to my children are not to be ac-
counted for by them as I have made this will upon the basis of
Equality allowing each one to keep unaccounted for whatever they
may have heretofore received—and this accounts for no bequest
being herein made to the little son of my deceased daughter Jane
Sanford,
Item 10th

I hereby nominate Constitute and appoint my sons Henry
C. Kellogg and George W. Kellogg executors of this my last will
and testament, signed Sealed and published
in the presence of the undersigned who signed in
the presence of each other and in the presence and
at the request of the Testator Jan'y 27th 1891

(Signed) E. C. McAffee

(Signed) R. A. Eakes

(Signed) T. L. Jones

(Signed) W. R. Rice

(Signed) George Kellogg Esq

Whereas on the 27th day of January 1871, I made and published my last Will and Testament And Now being of sound and disposing mind and memory I hereby ordain, make and publish this my Codicil to said last Will and Testament

Item 1st of Codicil. I give to my beloved wife Caroline and my daughter Adda W. Grimmitt my Buggy and either my horse Tom or Mule Clint, whichever they may prefer, or if they should prefer said horse and mule may be sold And a kind gentle horse purchased for them and paid for out of my estate, said horse and Buggy to be the property of my daughter Adda W. Grimmitt upon the death of my wife,

Item 2d I give to my grand son Henry E. Sanford One hundred dollars to be paid when he arrives the age of Twenty one years,

Item 3d. I give to my grand son Edwin S. Grimmitt one hundred dollars or a horse of the value of one hundred dollars, to be purchased by my Executors for him when he attains the age of nineteen or twenty years,

Item 4th In addition to former bequests I give to my beloved wife Caroline my red or yellow Cow and Calf;

Item 5th I will and give the land and mineral interest bequeathed to my son Henry C. Kellogg in the 3d Item of my Will to my four grand children, Children of my son Henry C. Kellogg, to wit Jane A. Kellogg, Adda F. Kellogg, Truman W. Kellogg, and Harrie A. Kellogg - share equally. If any one or more of them shall die children the survivors are to have the share of the deceased child or children. The said property herein given to said grand children to be held by Henry C. Kellogg, their father in trust for them with power to manage rent lease or sell the same as said Trustee shall deem best for them. Said Trustee shall make no returns to the Court of Ordinary of his doings and doings in the premises but he shall receive a reasonable and just compensation for his services rendered. The discharge of the duty herein imposed upon him. In testimony whereof the said George has hereunto published and signed this Codicil in the presence of

of the undersigned Witnesses who signed at the request and
in the presence of the testator & each other, This April 27th 1876;

(Signed) E. C. McAfee (Seal)
(Signed) R. A. Eakes (Seal) } (Signed) George Kellogg (Seal)
(Signed) H. P. Bell (Seal)
(Signed) Thos. L. Sims (Seal)

Georgia } Court of Ordinary June Term 1876;
Forsyth County }

Personally appeared in open Court George Kellogg,
one of the Executors nominated in this Will who pro-
duces in said Court said Will and Codicil and states on oath that the
same is the last Will and testament Codicil included of George Kellogg
of said County deceased; Sworn to before me 5th

June 1876; Signed W^m D. Bently, Ord. (Signed) G. M. Kellogg

Georgia } Court of Ordinary June Term 1876;
Forsyth County }

Personally appeared in Open Court E. C. McAfee R. A.
Eakes Thos. L. Sims & H. P. Bell who being duly sworn say on oath that
the within Will and Codicil produced in open Court by George M. Kellogg
one of the Executors nominated therein is the last Will and Testament
and Codicil of George Kellogg of said County deceased, That depo-
nents saw said George Kellogg sign seal and declare said Will
and Codicil as his last Will and testament, That deponents each
signed said Will and Codicil as witnesses thereto in the pres-
ence of the testator at his request and in the presence of each
other, and that said Testator executed said Will and Codicil
freely and voluntarily of his own accord without any compul-
sion whatever, and that said Testator was of disposing mind
and memory; Sworn to in open Court 5th June 1876;

(Signed) W^m D. Bently
Ordinary

(Signed) E. C. McAfee
(Signed) Robert A. Eakes
(Signed) H. P. Bell
(Signed) Thos. L. Sims