

Last Will of Andrew J. Lummus.

State of Georgia } I, Andrew J. Lummus, of said  
Forsyth County } State and County, being of sound  
and disposing mind and memory  
do make this my last Will and  
Testament.

Item, 1<sup>st</sup>: I give, bequeath and devise to my wife  
Charity K. Lummus, during her natural life  
or widowhood, the following property, to wit:  
All that tract, or parcel of land situated, lying  
and being in the third district and first  
section of said State and County known and  
distinguished as lots and parts of lots numbers  
as follows: Twenty acres of lot One thousand  
and Seven (1007) Thirty acres of lot one thou-  
-and and Eight (1008) All of lots numbers Nine  
Hundred and thirty-six (936) Nine Hundred and  
Thirty Seven (937) Nine Hundred and thirty-eight  
(938) Known as Andrew J. Lummus' home place  
Containing One Hundred and seventy acres,  
more or less. To have and to hold said lands  
with all the appurtenances thereunto belonging  
free from all charges or limitations whatever  
to her own proper use, benefit and behoof.

This bequest is made to my wife Charity  
K. Lummus, in lieu of her whole dower.

I further give, bequeath and devise to my  
wife Charity K. Lummus, all my house  
hold and kitchen furniture. I further  
give, bequeath and devise to my wife Charity  
K. Lummus, all my farming utensils of  
every description whatever. I also give and  
bequeath to my wife my bay horse, named  
Morgan and my bay mare Nellie; One two  
wheeled wagon and harness, One buggy and  
harness, two Cows and Calves, to be selected by her

from my stock of cattle and, also, fifteen head of  
hogs, to be selected by her from my stock of hogs.

Item 2<sup>nd</sup>: I give, bequeath and devise to my Son  
children, heirs of William R. Lummus viz: Mitchell  
G. Lummus, William A. Lummus and Oscar E.  
Lummus, for and during their natural lives,  
the following property, to wit: All that tract or  
parcel of land situated, lying and being in  
the third district and first Section of said State  
and County known and distinguished by lots and  
parts of lots numbers Eleven hundred fifty  
one, (1151) Eleven hundred and fifty (1152)  
One thousand and Eighty-two (1082) One thousand  
and Eighty-three (1083) Containing one hundred  
and sixty acres, more or less, valued at Sixteen  
Hundred Dollars, by Andrew J. Lummus, to  
have and to hold the same, free from all  
charges or limitations whatever, to their own  
proper use, benefit and behoof, with all the  
appurtenances thereto belonging in fee simple.

Item 3<sup>rd</sup>: I give, bequeath and devise to  
my Son James M. Lummus, the following prop-  
erty, to wit: All that tract or parcel of land  
situated, lying and being in the third district  
and Second Section of Cherokee County, Georgia  
known and distinguished as lots numbers,  
Eight Hundred and Ninety-nine (899) Eight  
Hundred and Twenty-nine (829) Eight Hundred  
and Thirty (830) Nine Hundred (900) Containing  
One hundred and sixty acres, valued by  
Andrew J. Lummus, at One Thousand  
Hundred Dollars; to have and to hold the  
same, free from all charges or limitations, and  
all the appurtenances thereto belonging, in  
fee simple, to his own proper use, benefit  
and behoof during his natural life,  
to his bodily heirs.

Item 4<sup>th</sup>: I give, bequeath and devise to my son John W. Lummus, during his natural life, and then to his bodily heirs, the following property to wit: All that tract or parcel of land situated, lying and being in the third district and first Section of Forsyth County, Georgia, known and distinguished by numbers Twelve hundred twenty-three (1223) Twelve hundred and twenty-four (1224) Eleven hundred fifty-three (1153) Eleven hundred and fifty-four (1154) and twenty-six acres of Eleven hundred fifty-two (1152) Eleven hundred and seventeen (1117) thirty acres of Eleven hundred and eighteen (1118) all of Eleven hundred Eighty-seven (1187) twenty acres of Eleven hundred and Eighty-eight (1188) the three last named lot and parts of lots situated, lying and being in the Third District and Second Section of Cherokee County, Georgia, valued at Two Thousand Dollars, by Andrew J. Lummus, containing three hundred and sixteen acres, more or less. The whole of the above lands, being valued at Three Thousand, One hundred Dollars - Eleven hundred dollars of the value (of) the above lands belonging to M. E. Lummus, wife of John W. Lummus, given to her by her father E. M. Lewis, to have and to hold the same, with all the appurtenances thereto belonging forever in fee simple, free from all charges or limitations, to his and their own proper use, benefit and behoof.

Item 5<sup>th</sup>: I give, bequeath and devise to my grand children, heirs of Dr. M. W. Pool and my Daughter Mary R. Pool, viz: Wesley B. Pool, Ida E. Pool, Andrew M. Pool, the following property, to wit: Eight hundred dollars worth of land, to be valued and set apart to them by a disinterested party and parties selected by the

Exempts of this my Will and Dr. M. V. Pool, said land to be selected from any of the lands of Andrew J. Lummus not herein willed and set apart to my wife and other children. The above named Eight Hundred Dollars worth of land making the above named grand children equal in land to the balance of my children and grand children named in this will, it being added to Eight Hundred Dollars of money given to M. V. Pool prior to the making and signing of this will, by Andrew J. Lummus, making Sixteen Hundred Dollars, to have and to hold said lands when set apart to (them) by the parties selected as above named, with all the appurtenances thereunto belonging free from all charges or limitations whatever, to their own proper use, benefit and behoof forever in fee.

Item 6<sup>th</sup>: I give, bequeath and devise to my Son Jesse R. Lummus, during his natural life and then to his bodily heirs, the following property, to wit: All that tract or parcel of land situated, lying and being (in the) Second District and Second Section of Milton County, Georgia - Known and distinguished as lots and parts of lots of land, on Little River, in said County, known as the land bought by Andrew J. Lummus from Robert Hood, valued at Twenty-six Hundred and fifty Dollars, sixteen hundred Dollars only of the above land being given, bequeathed and devised to my son, Jesse R. Lummus, the remainder of the value to be equally divided between the heirs named in this Will to have and to hold the above named sixteen hundred dollars worth of land, free from all charges or limitations whatever, to his use, benefit and behoof.

Item 7<sup>th</sup>: I give, bequeath and devise to my minor son, Andrew J. Lummus, Jr. Sixteen Hundred Dollars in money or land, at his choice. said money to be due him from my estate at my death if taken in money, and if taken in land, to be equal to the land given to my other children in this will. I further give, bequeath and devise to my minor son, Andrew J. Lummus, Jr. the following property, to wit: One horse worth One hundred dollars, bridle and saddle, One cow and calf, worth fifteen dollars, One sow and pigs, One two horse wagon and harness, One bed and bed clothing, worth twenty-five dollars, and one bedstead and trunk, To have and to hold the same, free from all charges or limitations whatever, to his own proper use benefit and behoof.

Item 8<sup>th</sup>: The residue of my property both real and personal, wherever and whatever it may be, I desire to be sold at my death and the money equally divided between the heirs named in this Will and testament, including that given to my wife, Charity H. Lummus in the first article of this will, for and during her natural life or widowhood after her estate therein is over, or at her death or marriage, to be sold and the money equally divided between the other heirs named in this will.

Item 9<sup>th</sup>: I hereby constitute and appoint my Son, John H. Lummus, Executor of this my last Will and testament. This the first day of February 1886.

(Signed) A. J. Lummus (S.S.)

Signed, declared and published by Andrew

I, Lummus as his last Will and Testament  
in the presence of us, the subscribers, who sub-  
scribe our names hereto in the presence of said  
Testator, at his instance and request, and of  
each other, he signing in our presence and  
we signing in his presence. This February  
1st 1886. (Signed) C. C. Christian  
W. T. Satterfield  
Larkin Thacker

Georgia }  
Forsyth County } Whereas, I, A. J. Lummus,  
did on the first day of February  
in the year of our Lord, Eight-  
teen hundred and Eighty-six  
sign, seal, declare and publish my last Will  
and Testament in the presence of C. C. Christian  
W. T. Satterfield and Larkin Thacker, who  
signed the said will, as <sup>Testament</sup> witnesses, and whereas,  
I am desirous of altering a devise in said  
Will and Testament, I therefore make and  
publish this Codicil to said Will. First, that  
should any of the heirs of my estate attempt  
or try to break my will, that they only receive  
the sum of five dollars as their distributive  
share of my estate, both real and personal.  
This April 13<sup>th</sup> 1886. (Signed) A. J. Lummus (L.S.)

Signed, sealed, declared and published by A. J.  
Lummus, as a Codicil to his will and testament  
of the first of February Eighteen hundred and  
Eighty-six, in the presence of us, the subscribers,  
who subscribed our names hereto in presence of  
said Testator and of each other. This April 13<sup>th</sup>  
1886. (Signed) J. M. Westberry  
R. M. Sney  
C. C. Christian

Filed in my Office for probate in solemn  
form, May 24<sup>th</sup> 1886. (Signed) H. L. Koorvies  
Ordinary

*Gorsyth Court of Ordinary  
June Term 1886.*

This paper being produced in open Court as the will of Andrew J. Lummins, by the nominated Executor, who has filed his petition to prove the same in solemn form, The witnesses to said Will, Chas. C. Christian, W. D. Satterfield and Leamin Thacker, in open Court being duly sworn according to law, say that they saw Andrew J. Lummins sign and publish the said within paper as his last Will and testament, while of sound and disposing mind, and that they each subscribed their names thereto in the presence of said Andrew J. Lummins, and at his special instance and request, and in the presence of each other and that the same was freely and voluntarily executed by him, the said Andrew J. Lummins, as his last Will and Testament on the day it purports to have been executed.

Sworn to & subscribed before me  
in open Court June 1<sup>st</sup> 1886. { (Signed) C. C. Christian  
(Signed) H. L. Hawkins, {  
Ordinary, { " W. T. Satterfield  
{ " Larkin Thacker

And in open Court at the same time came Thomas M. Westbrook and Charles C. Christian who being duly sworn according to law, say that they saw Andrew J. Lummus sign and publish the Codicil attached to said Will as a part of his said last Will and testament, That said Andrew J. Lummus was then of sound and disposing mind and memory and that he freely and voluntarily

published the same as a part of his said will,  
that they, together with R. M. Kelly, signed said paper  
as witnesses in the presence of said Andrew J.  
Lummins, and at his special instance and request  
and in the presence of each other.

Sworn to & subscribed before me (Signed) C. C. Christian  
in open Court, June 7<sup>th</sup> 1886. } T. M. Westbrook  
(Signed) H. L. Hawkins }  
Ordinary }

I do solemnly swear that this writing  
contains the true last Will of the within  
named Andrew J. Lummins, deceased, so far  
as I know or believe, and that I will well  
and truly execute the same in accordance  
with the laws of this State; So help me God.

Sworn to & subscribed before me /  
in open Court, June 7<sup>th</sup> 1886. } (Signed) J. W. Lummins  
(Signed) H. L. Hawkins }  
Ordinary }

Recorded June 15<sup>th</sup> 1886.

H. L. Hawkins, Ordinary