

Georgia
Fulton County } I Thomas Kennedy of the County
and State aforesaid being of advanced age and knowing that
I shall shortly depart this life, I do hereby make and publish to the

as respects my family and myself that I should make a disposition of the property with which a kind providence has blessed me do therefore make this my last Will and Testament hereby revoking all others heretofore made by me.

Item 1st I desire and direct that my body be buried in a decent and Christian like manner suitable to my circumstances in life. My soul I trust shall return to rest with God who gave it.

Item the 2nd I desire and direct that all of my just debts be paid without delay by my Executors hereinafter appointed.

Item 3rd I give and bequeath unto my beloved wife Margaret Kennedy the following named Negroes: To wit: Cynthia a woman about thirty four years of age. Green a boy about eighteen years of age and Jane a girl about eight years of age. Together with a sufficient of my land including the place where I now reside with woodland included that may be necessary for her and the negroes above named to cultivate. The quantity to be fixed by my Executors hereinafter named. I also give to my beloved wife the ready money that may be on hand at the time of my decease to be kept by my said Executors and used if necessary for the support and maintenance of my said wife also provision sufficient for one years support and a sufficient of Household and Kitchen furniture necessary for comfort. Also a sufficient amount of stock and farming utensils &c. All the property herein given to my beloved wife I give and bequeath the same to her during her natural life or so long as she may be capable of managing the same and at her death the above named property together with its increase to be sold by my Executors and the proceeds together with any ready money on hand to be equally divided between all of my children then living and the children of those that may be dead. The children of my deceased sons or Daughters to take the share or part that their father or mother would have taken had they still lived.

Item the 4th It is my Will and desire that my children receive an equal portion of my estate and having already given to my son James Kennedy property estimated by me to be worth two hundred dollars. To Thomas A Kennedy Three hundred and twenty dollars worth. To Richard wife of John G Holbrook One hundred and seventy dollars worth. To Patsy wife of John Warts now deceased One hundred dollars worth. To Nancy wife of Wm Holbrook One hundred dollars worth. To Elizabeth wife of Abraham

Lavinia Cynthia and Amanda have not given anything. I desire that no one share or part of my estate be made equal to the amount given Thomas A Kennedy before he receive any more.

Item 5th I divide and direct that my negroes not hereafter disposed of be lotted off into as many shares as there are distributives save one (to wit the share which Polly Harts would have been entitled to if she have lived) and be drawn for by the distributives of this my estate. Except the children of my deceased daughter Polly Harts whose share is to be in ready money and to be equally divided between her children and the representations of children. The children of such child taking the share of deceased father or mother. In allotting the negroes the shares of each to be equal to any other the difference to be made up in ready money. The negroes which shall fall to my said daughters Rachael Holbrook Nancy Holbrook and Elizabeth Baker I give to them for their sole and separate use free from the control or disposition of their present or future husbands to go to and be equally divided between their children share and share alike. Should any of the children die before my said daughters then the share which would fall to them shall go to and be divided amongst their children share and share alike. The negroes falling to my said daughters Lavinia Cynthia and Amanda I give and bequeath to them for their sole and separate use free from the control of any person they or either of them may marry hereafter with the power to dispose of the same at any time they may see proper.

Item the 6th it is my desire and I hereby devise to James Kennedy fifty acres of land off of the West side of lot of land now in in the fourteenth District of originally Fayette now Fulton County the same to be valued to him by three disinterested persons and to be taken by him as a part of his share of said estate.

Item 7th I direct that all and every part of my property not herein disposed of shall be sold by my executors and the proceeds arising therefrom to be so divided amongst my children and the representatives of children or children of my said sons and daughters as to make the shares of my said sons and daughters equal the children of my deceased daughter to receive her part.

Item 8th I hereby constitute nominate and appoint my son Thomas A Kennedy and John Leath my executors to this my last will and testament this 27th day of May 1860

Thomas Kennedy (Seal)

Signed sealed declared and published by Thomas Kennedy as his last Will and Testament in the presence of us the subscribers who subscribed our names hereto in the presence of said Testator at his special instance and request and of each other this 27th day of May 1860

William Eggard
Lythor & Glover
John E. Eggard

Fuller County, Georgia, I, Thomas Kennedy, do hereby certify that I have signed on the twenty
sign seal publish and declare my last Will and Testament in the presence
of William Lizzard Luther J. Chorn and John E. Lizzard who signed
the said Will and Testament as witnesses and whereas I am desirous
of altering and changing some of the bequests and devises in said Will
I therefore make and publish this Codicil to said Will.
Item 1st I desire that the fifth item of my will be so changed that

the part or share that Polly Watts children is entitled to under said
Will be equally divided between the husband of the said Polly
Watts and her children share and share alike.

Item 2nd That when James Kennedy comes to get a lot to the fifty
acres of land divided to him in the sixth item of said Will
there shall be reserved sixty four square acres of said fifty
acres at the grave yard for a family burying ground.

Item 3rd I wish and desire and so devise that Thomas A. Kennedy
have a certain portion of land beginning at his and Jack Wilson
corner in the road at my spring branch running West along
the road sixty feet thence South West to a large Poplar above the
corner of the old Orchard which has a cross cut on it. Thence in
a straight line more South to a Red Oak on Julius Bakers line
near the road on the left hand side with a six quarter Anger
hole in it thence East along Bakers line to Andrew McCombs
line thence along said line to his own line to his own land. There
being parts of original land lots No nine and ten in the first
civil district of originally Fayette now Fuller County. The value
of which is to be ascertained by three disinterested persons and to
be a part of his share of my estate upon a division thereof as pro-
vided for in said will.

Item 4th It is my desire and I hereby devise to my three single
daughters to wit Lavina Cynthia and Amanda the follow-
ing piece of land beginning at the spring it being the corner
thence to the Poplar with a cross on it thence West to the
mouth of the Little Spring Branch. thence up said Spring
Branch to said James Kennedy's fifty acres mentioned in
said will. thence South to the line of lot of land no
nine. thence West along said line two Rods outside of
the fence as it now stands. thence South West to a Black
Oak corner. thence along Julius Bakers line to the Red
Oak with the mark of an anger. thence along Thomas A. Kennedy
line to the beginning corner containing sixty acres more or less
and to have the liberty of using water of the spring mentioned
in the first part. The land in this item is intended as
home for said daughters or long as they or any of them shall
be unmarried or if any or more of them shall

produced at the last Will of Thomas Kennedy deceased
William County, I, Nathaniel May, Eighteen hundred and sixty
sign seal publish and declare my last Will and Testament in the presence
of William Eggard Luther J. Chorn and John E. Eggard who signed
said Will and Testament as witnesses and whom I am now
altering and changing some of the Bequests and devise in said Will
therefore make and publish this Codicil to said Will.
Item 1st I desire that the fifth Item of my will be so changed that
the part or share that Polly Watts children is intitled to under said
will be equally divided between the husband of the said Polly
Watts and her children share and share alike.
Item 2nd That when James Kennedy comes to get a Dittie to the fifty
acres of land divided to him in the sixth Item of said Will
there shall be reserved sixty four square acres of said fifty
acres at the grave yard for a family burying ground.
Item 3rd I wish and desire and so devise that Thomas A. Kennedy
have a certain portion of land beginning at his and Buck Wilson
corner in the road at my spring branch running West along
the road sixty feet thence South West to a large Poplar above the
corner of the old Orchard which has a cross cut on it. Thence in
a straight line more South to a Red Oak on Julius Bakers line
near the road on the left hand side with a six quarter Auger
hole in it thence East along Bakers line to Andrew McCombs line
thence along said line to his own line to his own land. Thence
to the beginning corner containing thirty acres more or less and
being parts of original land lots No nine and ten in the first
town district of originally Fayette now Fulton County. The value
of which is to be ascertained by three disinterested persons and to
be a part of his share of my estate upon a division thereof as pro-
vided for in said will.
Item 4th It is my desire and I hereby devise to my three single
daughters to wit Lavina Eggard and Amanda the follow-
ing piece of land beginning at the spring it being the corner
thence to the Poplar with a cross on it. Thence West to the
mouth of the Potts spring Branch. Thence up said spring
Branch to said James Kennedys fifty acres mentioned in
said will. Thence South to the line of lot of land No
nine. Thence West along said line two Rods outside of
the fence as it now stands. Thence South West to a Black
Curn corner where Thomas Shearling and Julius Bakers
land corner. Thence along Julius Bakers line to the Red
Oak with the mark of an Auger. Thence along Thomas A. Kennedys
line to the beginning corner containing sixty acres more or less
and to have the liberty of using water of the spring mentioned
in the first part. The land in this Item is intended as
home for said daughters so long as they or any of them shall
be married or married if any one or more of them shall

James Kennedy did on the twenty
fifth day of May Eighteen hundred and sixty
sign seal publish and deliver my last will and Testament in the presence
of William Eggard Luther J. Chorn and John E. Eggard who signed
the said Will and Testament as witnesses and whom I am aware
of altering and changing some of the bequests and devises in said Will
I therefore make and publish this Codicil to said Will.

Item 1st I desire that the fifth item of my will be so changed that
the part or share that Polly Harts children is intitled to under said
will be equally divided between the husband of the said Polly
Harts and her children share and share alike.

Item 2nd That when James Kennedy comes to get a ditto to the fifty
acres of land devised to him in the sixth item of said Will
there shall be reserved sixty four square acres Rods of said fifty
acres at the grave yard for a family burying ground.

Item 3rd I wish and desire and so devise that Thomas A. Kennedy
have a certain portion of land beginning at his and John Nelson
corner in the road at my spring branch running West along
the road sixty feet thence South West to a large Poplar above the
corner of the old Orchard which has a cross cut on it. Thence in
a straight line more South to a Red Oak on Julius Bakers line
near the road on the left hand side with a six quarter angle
hole in it thence East along Bakers line to Andrews Meacoms
line Thence along said line to his own line to his own land. Thence
to the beginning corner containing thirty acres more or less and
being parts of original land lots No nine and ten in the first
town district of originally Bayette now Fulton county. The value
of which is to be ascertained by three disinterested persons and to
be a part of his share of my estate upon a division thereof as pro-
vided for in said will.

Item 4th It is my desire and I hereby devise to my three single
daughters to wit Lavina Cynthia and Amanda the follow-
ing piece of land beginning at the spring it being the corner
thence to the Poplar with a cross on it thence West to the
mouth of the Little Spring Branch. Thence up said Spring
Branch to said James Kennedys fifty acres mentioned in
said will. Thence South to the line of Lot of land no
nine. Thence West along said line two Rods outside of
the fence as it now stands. Thence South West to a Black
Oak corner where Thomas Shearling and Julius Bakers
land corner. Thence along Julius Bakers line to the Red
Oak with the mark of an angle. Thence along Thomas A. Kennedy
line to the beginning corner containing sixty acres more or less
and to have the liberty of using water of the spring mentioned
in the first part. The land in this item is intended as
home for said daughters so long as they or any of them shall
be unmarried or if any one or more of them shall

many them were
and after they shall have ^{Fulton County Wills} ^{www.georgiapioneers.com} ^{and the proceeds thereof divided among my children and the Represen-}
and the proceeds thereof divided among my children and the Represen-
ives of children as to make the shares of my sons and daughters equal this
19th day of September 1861

Thomas Kennedy (decd)
signed sealed declared and published by James Kennedy as the Executor
to his will and Testament of Twenty ninth day of May Eighteen
hundred and sixty in the presence of us the subscribers who subscribed our
names hereto in the presence of said Testator at his special instance
and request and in the presence of each other this 19th of September 1861
John W Duncan
J P Come
Wm P Harden

Georgia
Fulton County Chambers for the purpose of proving the last will and
Testament of Thomas Kennedy deceased one of the witnesses to said will
viz William Ezzard and the will having been before that time brought before
me for probate by one of the named Executors Thomas A Kennedy who has
filed his petition for the probate of the same he the said witness deposes that
he saw Thomas Kennedy sign and publish the same as his last will and
on the day and year therein stated as executed by him that he with John
P Come and John E Ezzard witnessed the same at his special request
in his presence and in the presence of each other that the same was vol-
untarily executed by him while he was of sound mind and disposing
memory
William Ezzard
sworn to and subscribed before me this 2nd day of June 1863
H C Mangum Clerk

Georgia
Fulton County Chambers for the purpose of proving a codicil to the
last will and testament of Thomas Kennedy deceased one of the witness
as to said Codicil viz J P Come and the will and the Codicil had
before that time been brought before me for probate by the named
Executor Thomas A Kennedy who has filed his petition for a probate
of the same he the said witness deposes that he saw said Kennedy sign
and publish the same as a Codicil to his last will on the day and
year therein stated as executed by him that he witnessed the
same with John W Duncan and Wm P Harden whose names
appear thereto as witnesses to the said Codicil as witness thereto
his request in his presence and in the presence of each other
the same was voluntarily done by him while he was of sound
mind and disposing memory
J P Come
sworn to and subscribed before me this 2nd day of June 1863
H C Mangum Clerk

Recorded this the 3rd day of July 1863
H C Mangum Clerk

marry them then remaining single to have the same as when married
and after they shall have married or died then said five of lands to be
and the proceeds thing divided amongst my children and the representatives
of children as to make the share of my sons and daughters equal this

19th day of September 1861

Thomas Kennedy (decd)

signed sealed declared and published by James Kennedy as the Codicil
to his will and Testament of Twenty ninth day of May Eighteen
hundred and sixty in the presence of us the subscribers who subscribed our
names hereto in the presence of said Testator at his special instance
and request and in the presence of each other this 19th of September 1861

John W. Duncan

J. P. Orme

Wm B. Harden

Georgia

Fulton County Before me came on the second day of June 1863 at
Chambers for the purpose of proving the last will and
Testament of Thomas Kennedy deceased one of the witnesses to said will
viz William Ezzard and the will having been before that time brought before
me for probate by one of the named Executors Thomas A. Kennedy who has
filed his petition for the probate of the same he the said witness deposes that
he saw Thomas Kennedy sign and publish the same as his last will and
on the day and year therein stated as executed by him that he with John
P. Orme and John E. Ezzard witnessed the same at his special request
in his presence and in the presence of each other. That the same was vol-
untarily executed by him while he was of sound mind and disposing
memory

William Ezzard

Sworn to and subscribed before me this 2nd day of June 1863

R. C. Mangum Clerk

Georgia Before me came on the second day of June 1863 at
Fulton County Chambers for the purpose of proving a codicil to the
last will and testament of Thomas Kennedy deceased one of the wit-
nesses to said Codicil viz J. P. Orme and the will and the Codicil having
before that time been brought before me for probate by the named
Executor Thomas A. Kennedy who has filed his petition for a probate
of the same he the said witness deposes that he saw said Kennedy sign
and publish the same as a Codicil to his last will on the day and
year therein stated as executed by him that he witnessed the
same with John W. Duncan and Wm B. Harden whose names
appear thereto as witnesses to the said Codicil as witness thereto
his request in his presence and in the presence of each other
the same was voluntarily done by him while he was of sound
mind and disposing memory

J. P. Orme

Sworn to and subscribed before me this 2nd day of June 1863

R. C. Mangum Clerk

Recorded this the 7th day of July 1863

R. C. Mangum