

Cherry Bethune's Will

Muscogee County, Georgia Wills
1862-1875
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State of Alabama Barbour County

I Cherry Bethune being feeble in body but sound of mind, do make this my last will and testament,

Item 1st I give and bequeath to my daughter Cornelia C. Jones my Negro Woman Evelyn

Item 2nd It is my will and desire that my Executors proceed as soon as they may deem proper to sell at public or private sale at their discretion all my property real and personal, and that the proceeds of said sales shall be divided into seven equal parts, one of which shall be paid to my daughter Rosanna Wellborn, one to my son James A. Bethune, one to my daughter Minnetta W. Tompkins, one to my daughter Cornelia C. Jones, one to my daughter in law Elizabeth Bethune for the use and benefit of the children of my deceased son William W. Bethune one to Dr. Francis E. Manson for the use and benefit of the children of my deceased daughter Mary B. Mansons and one to Robert W. Gentry for the use of the children of my deceased son Benjamin T. Bethune. This sale may be made for the currency of the Country and the payments made in the same

Item 3rd I hereby appoint my Sons in law Henry W. Tompkins, and Joseph Jones and my Grand Sons John G. & Joseph D. Bethune Executors of my will

In Testimony whereof I have hereunto set my hand and seal this sixth day of October Eighteen Hundred & sixty four

Cherry Bethune (S)

We do Certify that Mrs. Cherry Bethune has this day in our presence signed sealed and published and declared the two foregoing pages of writing as her last will and testament, and that we at her request in her presence, and in the presence of each other do sign the same as subscribing witnesses thereto this sixth day of October Eighteen Hundred and Sixty four

J. W. Buford

C. C. Tompkins

Henry B. Tompkins

Muscogee Court of Ordinary

June Term 1875-

In the matter of the Probate of the last will and testament of Cherry Bethune late of said County deceased, Joseph Jones one of the Executors named in said Will, having filed his petition for the Probate of said Will in Common form of law, and the said Executor to wit Joseph Jones being present and submits to the Court the Interrogatories of Henry B. Tompkins one of the subscribing witnesses to said Will, who depose as follows

Answer 1st I knew Mrs. Cherry Bethune in her life time she was my Grand Mother I knew her all my life until the time of her death which occurred I think in the year 1864 or the early part of 1865 she died in Alabama

Answer 2nd I have looked at the annexed copy of the will of Cherry Bethune, I was present when it was executed, which was done in Cufaula Alabama, at the time it bears date I do not distinctly remember who was present when the will was executed except the witnesses to it, and, I think Mrs. Rosanna Wellborn my Aunt, the will was properly & formally made

Answer 3rd I do not recollect any thing else except what I have stated in Answer 2nd

Cherry Bethune's Will Continued

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Answer 5 J. W. Buford & C. C. Tompkins were present when the will was read and did sign it as witnesses with me in the presence of each other in the presence of the testatrix, and at her request, the testatrix did sign the will in the presence of the witnesses, Buford, Tompkins and myself.

Answer 6 Mrs. Cherry Bethune was in every respect of sound and disposing mind when she made the will. She was of an exceptionally strong and clear intellect, and knew perfectly well what she was doing. The will was her own free act, without the slightest undue influence or compulsion on the part of any person -

Sworn to & Subscribed before us
this 28th May 1875
B. A. Drummond Clerk
T. C. DuBois Clerk

Henry B. Tompkins

Georgia Muscogee County

I Joseph Gours do solemnly swear that this writing contains the true last will of the within named Cherry Bethune deceased so far as I know or believe that I will well and truly execute the same according to the Constitution and laws of this State. So help me God

Sworn to & Subscribed before me

this 18th June 1875

A. W. Proctor

Ordinary

Joseph Gours

Muscogee Court of Ordinary

June Term 1875

The foregoing instrument of writing admitted to Probate and Record in Common form upon the testimony of Henry B. Tompkins one of the subscribing witnesses thereto, as the last will and testament of Cherry Bethune deceased

June 7th 1875

A. W. Proctor
Ordinary