

Ira Peck's Will

Muscogee County, Georgia Wills

1862-1875

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I Ira Peck of the City and County of Hartford and State of Connecticut being of sound and disposing mind and memory, do make and ordain the following as my last will and testament

- 1st I direct that all debts and charges against my Estate, be paid by my Executor
- 2^d Having already given to my sons Henry, H. Peck, Ira H. Peck and William H. Peck, and also to my daughter Caroline P. Redfield, on her marriage, the sum of ten thousand Dollars each, I hereby give and bequeath to my two remaining daughters, Cornelia C. Peck and Mary J. Peck ten thousand Dollars each with interest from my death, free of United States Legacy duty, to be theirs absolutely in their own right for ever; provided, however, that if I shall in my lifetime give to my said daughters Cornelia and Mary, or in respect for them in their own names, the sum of ten thousand Dollars each, for the purpose of putting them on an equal footing with their Brothers and Sister, then this bequest to be void
- 3^d Having advanced further sums of Money at different times to several of my children, I wish such sums deducted from their respective shares of my Estate herein after given to them, with interest, unless it shall clearly appear from their notes, or from written memoranda, that no interest is to be charged upon any particular advancement. But the ten (10) thousand Dollars given each child, as specified in the preceding section is not in any case to be charged to them, nor deducted from their share; nor do I wish charged to any of my children, any thing for their board, Education, or ordinary allowance for current expenses
- 4th I give, devise, and bequeath, to each of my said sons, Henry, H. Peck, Ira, H. Peck and William, H. Peck one sixth part of all the rest and residue of my Estate, of every kind and description, wherever situate, to be theirs absolutely in their own right forever
- 5th The remaining three sixths of all the rest and residue of my Estate, I give, devise, and bequeath to Edmund G. Howe of Wethersfield and Henry A. Perkins and Olcott Allen of Hartford, and to the Survivor and Survivors of them, and their successors in the trusteeship of this will, to be held and managed by them upon the trusts and for the purposes following to wit:
 - 1st To pay all legal taxes and expenses upon the property so held by them and to retain for themselves a reasonable compensation for their trouble and responsibility as Trustees -
 - 2^d To pay over to my daughters, Caroline P. Redfield, Cornelia C. Peck and Mary J. Peck, sum, annually or oftener at their discretion, the net interest and income of said three sixths (3-6) of my Estate, to each daughter one third of said income, during their respective lives, for the sole and separate use and enjoyment of each, free from the control of her parent, or any future husband; and the receipt of each daughter, whether married or single under her hand, shall be the only proper voucher for any payment of said income
 - 3^d Upon the death of either of my said daughters having issue, said Trustees, are to pay the interest or income, that would have been

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payable to such daughter to such issue, until he, she, or they, severally arrive at the age of Twenty Eight (28) years, when said Trustees will pay to said issue the whole, or a ratable proportion, as the case may be, of the sixth or share of my Estate held by them for the benefit of said deceased daughter, Should either of my daughters die without issue, or should either daughter die leaving issue surviving her, and that issue die before arriving at the age of Twenty One and without issue, said Trustees will divide and distribute that portion of my Estate, held by them for the benefit of said deceased daughter equally to and among my surviving children and their representatives

6th In case of the death of any of my children without issue before my own death, or before the distribution of my Estate, my will is that the share of that child in my property shall not be considered in testate Estate, but shall form a portion of the rest and residuum of my Estate and be divided and distributed accordingly; that is to say, if one daughter should so die without issue, my Estate would be divided into Fifths of which I give my said sons one fifth each, and to said Trustees for the use and benefit of my two then surviving daughters two fifths, and so upon the death before me, or before distribution, of one of my said sons without issue, I give to my two then surviving sons each one fifth of my Estate, and to said Trustees for the benefit of my said daughters three fifths, and in like manner a corresponding division upon the death of two or more of my children before my death or the said distribution

7th I authorize my Trustees to invest any funds received by them in such Stocks, bonds, notes or other securities as they may deem safe; and to change the investment at their discretion. I also leave it to the judgement of my Executor and Trustees to hold or sell such Bank and other stocks as I may own at my decease, as they may deem most for the interest of my children. I express, however, my desire that the Trustees have reference rather to the security of the investment, than to the rate of Interest, and remind them that loans of trust funds on Mortgage are usually more safe and desirable than Stocks

8th I desire that such person or persons may be appointed to succeed or fill the vacancy caused by the death or resignation from time to time or at any time, of any Trustee, as the surviving or remaining Trustees may nominate. And my wish and direction is that no bond be required of the Trustees named by me, nor of any Trustee who may become such by appointment under this section of my Will. And I request my Trustees not to file accounts annually at the Probate Court, unless requested to do so by the parties in interest or some of them

9th I nominate and appoint Edmund, G. Moore of Wethersfield Connecticut Executor of this Will, and I direct that he be not required to give a bond exceeding ten (10) thousand Dollars, as I have entire confidence in his integrity and fidelity. And I authorize my

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Executor, or whoever may administer on my Estate, to sell and convey away and all of my Real Estate at his discretion, and I advise that it, and also all my personal effects and moveable property in and about my house, be sold as soon as practicable—

In Witness whereof I have hereunto set my hand and seal at Hartford this Sixteenth day of February Anno Domini One Thousand and Eight Hundred and Seventy (1870) and publish the same as my last will and testament, hereby revoking all former wills by me made—

Ira Peck (S)

On the 16th day of February A.D. 1870 the above named Ira Peck signed and sealed the foregoing instrument in our presence, and then and then published and declared the same as, and for his last Will; and we, at his request, and in his presence, and in presence of each other, have hereunto subscribed our names as witnesses—

Gustavus F. Davis
P. E. Riley
John C. Parsons

Estate of Ira Peck of Hartford deceased

At a Probate Court held at Hartford within and for the District of Hartford on the 8th day of July A.D. 1870

Present John H. White Judge

Estate of Ira Peck late of Hartford in said District deceased

The last will and testament of said deceased was presented in Court this day for Probate, and the Executor thereof according to law to pass Real and Personal Estate, and that the Testator at the time of executing the same, was of sound and disposing mind and memory having been fully proved, this Court finds the same to be true. It is therefore considered by this Court, that the said Will is proved and approved, Ordered to be recorded and kept on file, Recorded Vol 85 Page 16— and the Estate being declared not to exceed in Value the sum of \$1,200,000— United States Revenue Stamps to the Value of Six Hundred Dollars are affixed to the Will, and Edmund G. Howe the Executor named in said Will appeared in Court accepted said trust, and gave bond jointly with Roland Mather of Hartford in the sum of Ten Thousand Dollars which is accepted and approved by this Court

Attest. P. F. Butler Clerk

State of Connecticut }
District of Hartford } S S = Probate Office—

I P. F. Butler Clerk of the Court of Probate for the District of Hartford in said State, and Keeper of the seal thereof, do Certify that the above and foregoing printed Copy of the last will and testament of Ira Peck late of Hartford in said District deceased is, a true and correct Copy thereof, and of the within Probate, according to the laws of the State of Connecticut to pass real and personal Estate

In testimony whereof I have hereunto affixed the seal of

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said Court and subscribed my name at Hartford this 7th day of November 1873

(Seal)
min

P. P. Butler Clerk

State of Connecticut & ss.

I, J. Sturtevant White, sole Judge of the Court of Probate for the District of Hartford in said State do certify that P. P. Butler whose name is subscribed to the above attestation, was at the time of signing the same, and still is, Clerk of said Court, and that said attestation is in due form of Law.

In witness whereof I have hereunto subscribed my name at Hartford this 7th day of November A. D. 1873-

J. Sturtevant White
Judge

State of Georgia }
Muscogee County } By the Court of Ordinary of said County
December Term 1873-

By special order entered on the Minutes of said Court of Ordinary, the above and foregoing certified copy is admitted to Record as the last will and testament of the within named Ira Peck deceased This 1st day of December 1873

J. W. Proctor
Ordinary

Mrs. Elizabeth A. Porter's Will

State of Georgia County of Muscogee

In the name of God Amen

I, Elizabeth A. Porter, wife of David S. Porter of said County, being in good health, and of perfect disposing mind and memory execute this instrument for the purposes announced in it

I hold in my own right, separate and apart from my husband the said David S., a certain parcel of land, with the appurtenances to said premises belonging, situated on the South West corner of Oglethorpe and First Streets in the City of Columbus in said County and known as part of the East half of lot Number One Hundred and thirty three (133) what I claim and hold exempts sixty four (64) feet of said Original East half, which was sold by me to my Son in Law Cyrus Northrop this year

I desire and direct in the event of my death that the Homestead of which I may die possessed shall continue as a home for my beloved husband, the said David, during his life, as well as for my children Edward, R. Peabody, Lila Hudson, Sarah Jane Dillard Ruth S. Northrop, John W. Peabody and Callie B. Noble, and their issue, should any of them be in need of a home, until George Clifford Dillard my Son and Child and the son of Sarah Jane