

Anna Flavellen's Will, continued.

as a subscribing witness in the presence of said testatrix, and of each other.

Deponent further says that ^{Muscogee County, Georgia Wills, Book C, 1875-1891} ~~www.georgiapioneers.com~~ saw Anna F. Russell & A. P. Peterson sign the said will as subscribing witnesses at the request of the said testatrix & in her presence, and all in the presence of each other. Deponent further says that at the time of publishing and declaring said will, said testatrix was of sound and disposing mind and memory, and so far as witness knows or believes, she did it freely and voluntarily, and without any undue influence or compulsion.

Sworn to and subscribed before me

this 6th day of February 1882

Wm Brooks Ordinary. }

Charles P. Russell.

+
Georgia Muscogee County.

I do solemnly swear, that this writing contains the true last will and testament of the herein named so far as I know or believe, and that I will faithfully execute the same in accordance with the laws of Georgia. So help me God.

Sworn to and subscribed before me

this day of

Peterson Thweatt's Will.

Georgia Muscogee County.

Know all men by these presents, that I Peterson Thweatt of the County and State aforesaid, being in sound state body and mind, do make and declare this my last will and testament.

Item 1st After the payment of my debts, it is my will that my Executor shall sell my house and lot of about three acres in Linwood Muscogee County whenever he thinks it wise to do so, in the mean time to rent it out, and to loan out the money for the same, temporarily, or otherwise, and if he should think it to the interest of the Estate, or my children to do so, to collect up all that is due me and invest it otherwise, as he may think best for the interest of my children.

As I have a Fi Fa in Fulton Superior Court vs J. B. Campbell my brother in law for \$600.⁰⁰ with interest from December 1871, and also another fi fa vs J. B. Campbell for about \$1400.⁰⁰ obtained five or six years ago in Houston County it is my desire that my Executor may be kind and indulgent to him as the interest of the children will authorize, but in no case to jeopard the interest of my children to oblige him or any one else.

Item 2^d I wish my children to be supported and educated out of my estate if necessary until twenty one years of age, Elizabeth St. Thweatt and Susan B. Thweatt especially. The same to be supported out of the income, and if not sufficient out of so much of the principal, as may be necessary. Alexander H. Phear Thweatt (my son) I hope hereafter will be able to make his own living until he is 21 years of age. If however he be not able to do so I wish my Executor

Peterson Thweatt's Will Continued.

to give him such help as he may desire. When Alexander becomes of age, and he is a steady, worthy young man, careful &c., and he should then desire a division of the property, the same may be made in three equal shares to be apportioned to each child. The property going to the girls to be settled upon them free from the contracts or debts of any husband they may have. If Alexander can be a drunken or worthless young man, I wish my Executor to see for the matter that he Alexander, cannot squander the principal, but only use the interest or income from his portion, but if he marries, and has children, I wish the property settled on his wife and children. If he dies without leaving any children, at his death, I want the principal to go to his two sisters, Elizabeth H. and Susan B. Thweatt, or if either of the girls should marry I leave it discretionary with the Executor, whether or not to give off the married daughter her portion. If the property be not then divided, she can receive one third of the increase until it is divided.

And to carry out this last Will and testament of mine I hereby constitute and appoint Bennett H. Crawford of Muscogee County my Executor.

As I have not consulted him, I know not whether or not he will act, but I hope he will accept, and try to be a father and friend to my children until they become of age, at least, and afterwards be their adviser and friend for I have a very high appreciation of him every way. If he will not accept, I hope the Judge of our Superior Court will appoint some suitable person. Having hitherto asked J. B. Campbell to become my administrator, I have since changed my mind, and do not care for him to attempt to manage business for my children, he does not manage his own affairs to suit me.

Earnestly hoping and trusting that I have made a good selection of a friend for my children, and that our Heavenly Father will guard and protect all parties and craving from him for them all Heavens choicest blessings, I here sign this paper as my last Will and testament. This 29th day of May 1877.

Witnessed by

Peterson Thweatt.

at S. Rutherford

F. L. Rutherford

at L. Howard

Filed in Office this January 6, 1882

J. M. Brooks Ordinary

State of Georgia Muscogee County.

at Chambers.

Before me Francis M. Brooks Ordinary in and for said County personally came Mrs. L. Howard, who upon being duly sworn, deposeth and saith that she saw Peterson Thweatt then in life sign, seal, publish and declare the within instrument of writing to be his last will and testament on the day and year the same bears date. That at the special instance and request of the said testator she affirmed her name thereto as a subscribing witness in the presence of said testator and of each other. Deponent further says that she likewise saw A. S. Rutherford and F. L. Rutherford sign the said will as subscribing witnesses at the request of the said testator, and in his presence, and all in the presence of each other. Deponent further says that at the time of publishing and declaring said will said testator was of sound and disposing mind and memory, and so far as witness knows or believes he did it freely & voluntarily & without any undue influence or compulsion.

Witnessed before me this 6th day of January 1882 J. M. Brooks
Ordinary

L. L. Howard