

Thomas. P. P. Thruwite Will

Muscogee County, Georgia Wills, Book C, 1875-1891
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State of Georgia Muscogee County

I, Thomas. P. P. Thruwite, a citizen of said County and State, now being in ordinary good health, and of sound and disposing mind and memory, and knowing the uncertainty of life, do make, publish and declare, the following as my last will and testament, hereby revoking all other wills heretofore made, published and declared by me.

Item 1st I do hereby instruct and direct my Executors to pay out of my Estate all my just debts as soon as it can be done.

Item 2^d It is my will and I hereby direct that my wife shall have a liberal support out of my Estate, during her natural life. It is also my will and I so direct, that my wife keep my youngest daughter Susan Thruwite with her, to board, clothe and dress her, and to pay all her necessary expenses, as I have heretofore done, out of the proceeds or income of my Estate, until she is married, and after her marriage to give a Trunk, (if she does not receive one from me, or from my estate before then) And also to give her the same quantity of furniture as I have given to my other two daughters, at or after marriage. And I also will and direct, that if it should be agreeable to my wife, my said daughter Susan Th. after marriage shall with her husband, live and board two or three years with my wife, none of these things to be charged to my said daughter Susan Th. at the division of my estate. My other two daughters having with their husbands lived with me that length of time, free of expense to them.

Item 3^d It is my will, and I so direct, that after my death, and my just debts are paid, that so much of my estate as can be spared, leaving a sufficiency for the liberal support of my wife, shall be equally divided between my two youngest, Sarah Caroline and Susan Thruwite. I give this alone to them as I have already given to my oldest daughter Mary P. Chambers full nine thousand dollars worth of property heretofore.

Item 4th It is my will, and I hereby direct, that at the death of my wife, the balance of my estate shall be equally divided between my three daughters to share and share alike, each one in the division to be charged with the amount she has already received, at and before the division, (I mean out of my estate, either before, or after my death. In a word I do not wish a dollars difference in what they each receive out of my estate. In this last division of my estate, it is my will and I so direct, that Sarah Caroline and Susan Thruwite, my two youngest daughters, shall each receive Nine thousand dollars, either in money or property, before my oldest daughter Mary P. Chambers receives any thing as the last, Mary P. C. has already received from me that amount, say Nine thousand dollars. After the two youngest receive the same amount, then the balance of my Estate, I will and hereby direct, shall be equally divided between my said three daughters viz Mary P. Chambers, Sarah Caroline Moffett and Susan Thruwite Thruwite to share and share alike.

Item 5th It is my will, and I so direct, that any and all property of whatever kind, which my daughters shall receive after my death, from my Estate

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shall be held to, and for their sole and separate estate, use and benefit, as their sole and separate Estate, independent and free from liability for the debts or contracts of any husband any of them may now have, or may hereafter have, and at the death of my said daughters, or any one of them the said sole and separate Estate, shall go to and be equally divided among her children, share and share alike, to have and to hold to them their heirs and assigns forever. Provided however that the husbands of my said daughters may use and manage the property belonging to the wife of each of them, for the use benefit and support of the family, and as circumstances may make necessary to sell said estate, or some part thereof for the benefit of said Estate, and the parties interested therein. It is my wish and I hereby direct, that an order or decree authorizing the sale of the same, shall first be made by a Court having legal jurisdiction over trust Estates, and that the title to all property which may be acquired by a reinvestment of the funds arising from the sale of the same, shall be taken with the trusts and conditions herein expressed, so to make the same a sole and separate estate as aforesaid.

Item 6th I do hereby constitute and appoint my wife Ann W. Threewits Executrix of this my last will and testament, who is authorized to take the full control and management of my estate as herein provided, without giving bond and security in any jurisdiction whatever, and my said wife is at liberty to give any small presents to either of my children or grand children as she may wish out of my estate. Should my wife at any time desire the advice of my son in law or Sons in law in the management of my estate, I hope and trust they will give it to her.

In testimony whereof I have hereunto set my hand and affixed my seal this 18th day of March 1871

Thos. P. F. Threewits

(Seal)

We the undersigned do hereby certify that Thomas P. F. Threewits signed, sealed, published and declared the within and foregoing instrument as his last will and testament, in our presence, that we subscribed the same as witnesses in the presence, and at the request of the testator, in his presence and in the presence of each other, on the 18th day of March 1871

W. A. Redd
J. P. Mauley
W. Redd

Georgia Muscogee County

Before me F. M. Prakes Ordinary in and for said County personally came John P. Mauley, who upon being duly sworn depose that he saw Thomas P. F. Threewits sign, seal and publish the within instrument of writing, as his last will and testament on the day and year the same bears date; That at the request of the said testator, depose that he signed the same as a subscribing witness in his presence, and depose further says that he saw Charles A. Redd and William Redd, at the like request of the said

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testator, signs the same as subscribing witnesses, in his presence, and all in the presence of each other. And deponent further says that at the time of publishing said will, said testator was of sound and disposing mind and memory, and so far as witness knows or believes, he did it freely and voluntarily and without any undue influence or compulsion.

Shorn to & Subscribed before me }
this August 6th 1878. }
F. M. Brooks, Ordinary }

Jas. P. Mauley

Codicil to Thomas P. F. Threewits Will

This Codicil is a supplement to my last will and testament as made and executed the 18th day of March 1871.

Item 1st It is my will and desire, and I do so direct, that all references made in my said will in Item 2^d and 3^d giving to my wife Ann, T. Threewits a liberal support during her natural life out of my estate, be and the same is hereby abrogated and annulled, and instead of this support, it is my wish and desire, and I do hereby direct, that after my just debts are paid out of my estate, that the balance of my property, both real and personal, I do hereby will and direct, that my wife shall have and use for her sole benefit and support, during her natural life, and after her death the same shall be divided as directed in Item 4th of my said will, of which this is a Codicil with this difference that the said Sarah Caroline and Susan Henrietta my two youngest daughters, whose names are mentioned in this execution in said Item the 4th of my said will and testament, of which this is a Codicil, shall each receive Five thous and dollars instead of Nine thous and dollars, as directed in my said will, in Item the 4th of my said will to which this is a Codicil, then the balance of my estate be divided between my three daughters viz Mary Fournier, Sarah Caroline and Susan Henrietta, to share and share alike.

Now I make this change in the amount I wish my two youngest daughters to draw, in consequence of the great depreciation in the value of all property both real and personal, which has taken place since I made and executed the said will, to which this is a Codicil, as I do not wish to make any difference in the amount of property I give to either of my children.

In making the change from a liberal support, to the giving my wife my whole estate during her life time, I do this as I fear that there may be some trouble or misunderstanding in it, so that in reality my wife might be deprived of as liberal a support as I wish her to have out of my estate. My wife and myself have labored and toiled together to try to gather up something for our support in our old age, and I will not, if I know myself, deprive her of that support, which we have toiled together to make, which justice says she shall have and which she shall receive if my estate will turn out

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enough to make it

In testimony whereof I have hereunto set my hand and affixed my seal this the 14th day of February 1877

Thos. P. F. Thumwite (Seal)

We the undersigned do hereby certify that Thomas P. F. Thumwite signed published and declared the within and foregoing instrument as the last Codicil to his last will and testament, as made the 18th day of March 1871 - in our presence, that we then subscribed the same as witnesses in the presence and at the request of the testator, in his presence and in the presence of each other on the 14th day of February 1877

Frank. C. Johnson (L)

Lloyd. G. Bowers. (L)

Grigby. E. Thomas Jr. (L)

Georgia Muscogee County

Before me F. W. Brooks Ordinary in and for said County personally came Grigsby E. Thomas Jr. who upon being duly sworn depose and saith, that he saw Thomas P. F. Thumwite sign, seal and publish the foregoing as a Codicil to his last will & testament; that at the request of the said Thos. P. F. Thumwite he signed the same as a subscribing witness, and in his presence, Depoent further saith that he saw Frank. C. Johnson and Lloyd. G. Bowers at the like request of the said testator sign the same as subscribing witnesses in his presence, and all in the presence of each other, and Depoent further says that at the time of publishing said Codicil the said testator was of sound and disposing mind and memory, and so far as witness knows or believes, he did it fully and voluntarily and without any undue influence or compulsion -

Sworn to & Subscribed before me this August 5th 1878

F. W. Brooks. Ordinary

Grigby E. Thomas Jr

Georgia Muscogee County

I Ann W. Thumwite do solemnly swear that the within writing contains the true last will and testament together with Codicil, of Thomas P. F. Thumwite, deceased, so far as I know or believe, and that I will well and truly execute the same in accordance with the laws of Georgia. So help me God

Sworn to & Subscribed before me this August 7th 1878

F. W. Brooks Ordinary

Ann W. Thumwite

Court of Ordinary

August Term 1878

The foregoing instrument of writing admitted to Probate & the record in Common form as the last will & testament of Thomas P. F. Thumwite deceased

F. W. Brooks

Ordinary