

WILL OF T. H. BROWN

State of Georgia County of Peach.

In The Name of God - Amen:

Know All Men By These Presents That I, T. H. Brown, of said County and State, being of sound and disposing mind and memory do make this my Last Will and Testament, hereby revoking and annulling any and all other will or wills by me heretofore made.

ITEM I. I desire and direct that my body be given a decent and Christian-like burial, in keeping with my condition and circumstances in life.

ITEM II. I desire and direct that all of my just debts, if any there be, be paid as promptly as possible by my Executor hereinafter named.

ITEM III. I desire and direct that should I fail to mark the grave of my beloved wife, Willie Lee Brown, and the place where I am to be buried with suitable stone or marker, my Executor hereinafter named shall provide for the erection of suitable and appropriate markers for our graves.

ITEM IV. I give, devise and bequeath unto our faithful servant, Anna Strother, in recognition of her kindness and faithfulness, a ten acres tract of land on the ^{East} ~~South~~ side of my old home place in the Sixth District of Peach County, Georgia. The said ten acre tract shall be determined by a straight lines parallel with the ^{East} ~~South~~ line of said home place tract and the ^{South} ~~East~~ line of the lands known as the J. H. M. Oliett lands. This bequest to the said Anna Strother is without restriction or limitation, and promptly following my death the said tract of land shall be laid off and delivered to the said Anna Strother.

Item V. I give, devise and bequeath unto Virginia Doles (also called Virginia Brown) and Christine Doles (also called Christine Brown), equally, share and share alike, all of the rents, income, profits and increase of the remainder of my estate, after the bequest made in Item IV of this my will, to be theirs to have, use and enjoy until the youngest of said children, Christine, shall have reached the age of twenty-one years. In the event Christine should die before attaining the age of twenty-one years then the whole increase, income and profit of my estate shall go to Virginia alone: and, should Virginia die prior to Christine attaining her twenty-first birthday, then the whole increase, income and profit of my estate shall go to Christine until she is twenty-one years of age.

The said named children are the daughters of John Doles, but they have made their home with me and my wife since shortly after their Mother's death, the said John Doles having relinquished to me all parental control and authority over said children and my wife and I having reared the said children as our own and we desiring to do for them just as if they were our own children.

ITEM VI. As soon as the said Christine Brown shall have reached the age of twenty-one years, or upon the occurrence of the condition or contingency hereinafter set out, the following bequests shall become operative, I giving, devising and bequeathing as follows:

(a) To my beloved niece, Rilla Avera, the wife of Virgil Avera, All that certain tract, lot or parcel of land situate, lying and being in the State of Georgia, County of Peach and in the

Sixth District therein, containing one hundred thirty-five (135) acres, more or less, being made up of the A. M. Rigby old Home Place, and all of my old Home Place, not otherwise disposed of, which lies West and South of the Public Road leading from Powersville to Lakeview. (b). To my beloved niece, Mrs. Pearl Cliett, All that certain tract, lot or parcel of land situate, lying and being in the State of Georgia, County of Peach and in the Sixth District of said County, containing two hundred ten (210) acres, more or less, and being all of my old Home Place in said District, not otherwise disposed of, which lies East and North of the Public Road leading from Powersville to Lakeview.

These are absolute, unconditional bequests to my said nieces, subject only to the right of the said Virginia Brown and Christine Brown to enjoy the income, rents and profits from said lands as provided in Item V of this my will.

In the event Christine Brown dies before she reaches the age of twenty-one years, then the bequests are to go to my said nieces, Mrs. Rilla Avera and Mrs. Pearl Cliett, as long as Virginia Brown is twenty-one years of age; and, in the event both Virginia and Christine Brown die before both of them become twenty-one years of age, then the bequests in this line provided shall be delivered to the said Mrs. Rilla Avera and Mrs. Pearl Cliett.

ITEM VII. Upon the arrival of the said Christine Brown at twenty-one years of age, after making distribution of the bequests to Mrs. Rilla Avera and Mrs. Pearl Cliett, all the residue of my estate, real, personal and mixed is to be divided equally, share and share alike, between the said Virginia Brown and Christine Brown.

And in the event of the death of either, the whole residue of my estate is to go to the other; that is to say, should Christine die before she is twenty-one years of age, then as soon as Virginia is twenty-one, distribution shall be made to Mrs. Rilla Avera and Mrs. Pearl Cliett as is herein above provided, and then all the residue of my estate shall go to and become the property of Virginia Brown, to be hers absolutely and without restriction or limitation; and, like-wise, should Virginia die prior to the time when Christine becomes twenty-one years of age, then when Christine is twenty-one years old, distribution shall be made as provided in this my will provided to Mrs. Rilla Avera and Mrs. Pearl Cliett, and the entire residue shall go to and become the property of Christine Brown, to be hers absolutely and without restriction or limitation.

ITEM VIII. In the event of the death of both Virginia Brown and Christine Brown prior to the time when Christine becomes twenty-one years of age, then and at such time as the second of said children dies, distribution shall be made as hereinabove provided to Mrs. Rilla Avera and Mrs. Pearl Cliett, and thereupon the residue of my estate, real, personal and mixed, shall be divided equally, share and share alike, among the nephews and nieces of my said wife, Willie Lee Brown, and my nephews and nieces, exclusive of the said Mrs. Rilla Avera and Mrs. Pearl Cliett, who may be living at the time of the death of the second of said children.

ITEM IX. I hereby nominate, constitute and appoint Citizens and Southern Bank of Macon, Georgia, as sole Executor of this my will, stipulating that the said Executor shall not be required to give any bond and shall not be required to make any inventory, appraisement or return of my estate to any court or courts, and shall have and receive for its services only the commissions provided by law.

ITEM X. I hereby nominate, constitute and appoint said Citizens and Southern Bank of Macon, Georgia, its successors and assigns, as Guardian of the persons and property of the said minor children, Virginia Brown and Christine Brown; and as such Guardian no bond is required, and no inventory, appraisement or return is to be made to any court or courts; it is again stipulated that said Guardian shall have and receive only the commissions provided by law for its services as such Guardian.

The said Guardian shall be fully, and is hereby fully, empowered to make such provision for the maintenance, education and support of the said named minor children, Virginia Brown and Christine Brown, within the limits of the estate bequeathed them, as to the said Guardian may seem right, prudent and proper and for the best interest of the said children. The said Guardian shall be authorized, and is hereby authorized, to employ such governess, house-keeper, caretaker, or nurse for said children as to the said Guardian may be deemed best; and shall have, and is hereby given, the right to place either or both of said children in such home, institution or family as shall be for the good of said child or children in the discretion and judgment of the said Guardian. And likewise as to the education of the said children: The said Guardian shall select the educational institution or institutions best fitted, in its judgment, to qualify and equip the said children for lives of usefulness and happiness; and no restrictions in regard thereto within the limits of the estate bequeathed to said children are imposed upon the said Guardian.

T. H. Brown

Signed, sealed, declared and published by T. H. Brown as his Last Will and Testament in the presence of the undersigned witnesses, who subscribe our names hereto in the presence of the said testator, after he had signed in our presence, we then signing, at his special instance and request, in his presence and in the presence of each other.

At Fort Valley, Peach County, Georgia, this seventh (7th) day of October, A. D., 1928.

R. L. Marchman

D. F. Carter

D. W. Wells

Georgia, Peach County.

Witness Oath.

Before me came D. W. Wells named as a witness in the within writing, purporting to be the last will and testament of T. H. Brown, and, being duly sworn says, that he with R. L. Marchman and D. F. Carter at the request of T. H. Brown and in his presence and in the presence of each other, did attest as witnesses the within writing as the last will and testament of T. H. Brown. Deponent further says that the within writing was signed and published by T. H. Brown in the presence of the three named witnesses as his last will; and that he was at the time of said attestation and signing by him of sound and disposing mind and memory; and that he executed the within paper freely and voluntarily.

D. W. Wells

Sworn to and subscribed before me,
this 14th day of February, 1928.

M. C. Mosley, Ordinary.

Georgia, Peach County,

Personally appeared E. C. Scott, who upon being first duly sworn deposes and says that he is Vice-President of Citizens & Southern National Bank of Macon, Georgia, and as such is authorized to make this affidavit. Deponent further says that the within writing contains the true last will of the within named T. H. Brown so far as he knows and believes; and that Citizens & Southern National Bank will well and truly execute the same in accordance with the laws of the laws of the State.

E. C. Scott

Sworn to and subscribed before me, this
14th day of February, 1928.

M. C. Mosley, Ordinary.