4th It is My Will and desire, that My Sons Nathaniel Reed, Isaac Reed, and Hiram Reed remain here and at My death.

5th It is My Will and desire that my Son Benjamin Reed, and his wife Betsy Reed remain at my Plantation during her life time, and then to my Daughter Mary Reed, and her heirs forever, and likewise for the same time or her sole.

6th It is My Will and desire that my Son Nathaniel Reed, Nancy and her Brother Hiram Reed, have my two girls, Sally, Mary Reed at My death.

7th It is My Will and desire that My Executors sell all of Thomas and Diana Mahoney Negroes now belonging to said Estate, when ever it becomes My Estate.

8th It is My Will and desire that my Executors sell my Grandchildren heirs of Jonathan Reed, by the Name of Reed, beyond sixty hundred dollars each or less, from My Estate.

9th It is My Will and desire that my Executors Children, heirs of Robert Thornton, and Sol Erwin be paid their respected portions as collected of the proceeds of My Estate.

10th I do Lastly nominate My Son Robert Reed and William Nancy Executors of this My last Will and Testament, hereby revoking and declaring Void and null all other Wills by me before made, and Lastly in testimony whereof I have hereunto set My hand and Seal this twenty first day of May one thousand eight hundred and fifty four.

Signed Sealed and acknowledged in the presence of the Words last & May interlined before signed

James B. Reed
Edmund Reed
Robert Reed.

William X Reed
mark

The State of Alabama }
Jefferson County } Be it known Wesley Ridge of Jefferson aforesaid County, Hereby Certify that the Within Sheet of paper, was on the 25th day of August duly proved and admitted to Probate as the last will and testament of William Reed late of said County deceased and that the same has been recorded in the Book upon which it was admitted to Probate, in the Marriage Bills & Wills Entered [illegible] on Page [illegible]

Will, Of William Reed. (Colored)

State of Alabama

Jefferson County } In the name of God Amen

I William Reed a Farmer of the State and County aforesaid, being weak in body, of perfect mind, and deposing the mortality of my body and knowing that it is appointed for all men once to die do make and ordain this my last Will and Testament, that is to say, principally and first of all I give and recommend my soul into the hands of Almighty God that gave it, and my body I recommend to the earth to be buried in a decent Christian like manner at the discretion of my Executors, nothing doubting but at the general resurrection I shall receive the same again by the mighty power of God, and as touching such worldly estate wherewith it has pleased God to bless me with in this life I give, demise and dispose of the same in the following manner and form, that is to say,

1st It is my Will and desire that Dutch Reed my dearly beloved Wife have Possession and Use of my Dwelling House and Furniture and Kitchen Furniture together with the following described Land and Negroes as East half North East quarter Section three Township Seventeen Range one West. The West half of the West quarter Section twenty nine Range one West. Two head of horses or any two horses at my death, three head of cattle her choice of my stock, and twenty five head of Hogs to have or Slaughter at her discretion. The above named property I give and bequeath to my beloved wife Dutch Reed during her natural life or widowhood and then to be equally divided between my children Robert Reed and the heirs of Sarah Reed deceased. Share and share alike. I give and bequeath to my Son Robert Reed at his Mothers death,

2nd It is my Will and desire that Robert Reed my son have the following described Land at my death to wit. Three Quarter Sections South West quarter Section 20. Township 16. Range 1 West and West half of the South West fourth Section 20. Township 16. Range 1 West the East Section twenty Township 16. Range 1 West. East quarter of the North West quarter Section 29. Township 16. Range 1 West. the Land mentioned for my Wife & heirs as named at my death the Land mentioned in this Section, Robert Reed his Heirs forever to have and at her death all the Land mentioned in the above I do give to Robert Reed.

3rd It is My Will and desire that Lobon Reed, My Son have the following described Land, to wit the North East quarter of North East quarter Section 36 Township 16, Range 2 West and the West half of the North quarter Section one Township one West North West quarter of the South West quarter, Section 31, Township 16, Range 1 West, to have [illegible] forever from this date to Andrew and Joseph Reed

[illegible]

Will of William Reed (Colored)

[illegible]

Jefferson County } I [illegible] Clerk of the Probate Court in and for said County do hereby certify that the foregoing Will and Testament was duly presented in said Court on the 26th day of February 1866 duly proved and admitted to record as the last Will and Testament of Dutch Northington Colored late of said County deceased and that the same is recorded in the Book of Wills No 4 page 3 and that the Letters Testamentary were granted to Robert Reed the Executor named in said Will.

[illegible]

State of Alabama } Court of Probate
Jefferson County } I hereby certify that the foregoing is a true and correct copy of the Will of Dutch Northington Colored late of said County deceased as the same appears of record in my office.

Witness my hand as Judge of Probate this 26th day of February 1866.

[illegible]

The State of Alabama }
Jefferson County } Court of Probate August 25th 1856.

Personally appeared in open Court Robert Baird, Edmund Wood and James R. Wood, the subscribing Witnesses to the foregoing paper purporting to be the last Will and testament of William Rock deceased who being duly Sworn on their oaths say That they Saw William Rock Signed and publish and declare the same as his last Will and testament on the day the bears date. That they subscribed their names thereto as Witnesses at the request of the said Testator and in his presence and in the presence of each other. They further Swear that they believe the said William Rock at the time he Signed published and declared the said Will to have been of Sound mind.

Sworn to and Subscribed in open Court.

M Kelly Judge.

Robert Baird
Edmund Wood
James R Wood

Will of George L. Bayles, Deceased

In the name of God. Amen.

I George Le Bayles of Jefferson County and State of Alabama being old and weake of Body but of sound mind. Thanks be to almighty God for the same do make this my last will and testament in manner and forme following Viz my first desire is that all my just debts be paid. Secondly the balance of my property together with my Land I give and bequeath to my well beloved wife Martha Bayles during her natural life or widowhood to dispose of for the benefit her children in in the best manner she may or can devise also giving a part of our childrens more Lands an equal portion with those that are married as they marry or became of age. Thirdly my desire is provided that my wife Martha Bayles should marry again that my property together with my Land be sold and the money arising from the Sale thereof be Equally devided between my wife Martha Bayles her children by her first husband my children by my first wife and our children Equally. And Fourthly and Lastly if my wife Martha Bayles should never marry at her decease my property to be Equally devided by Sale or otherwise between our Several children as before mentioned. For the better management of my Estate I do appoint my Son in law Andrew Bass Executor together with my wife Martha Bayles executrix to this my Last Will and Testament Signed with my hands Sealed with my Seal this 9th day of March in the year of our Lord 1853.

Test. Sands S. Toole
William H. Ellard
William Ellard
John Ellard

George Le Bayles [Seal]

The State of Alabama } M. Kelly Judge of Probate for said County
Jefferson County } Hereby certify that the Will on the Back of this was on the 30th day of May 1857 duly proved and admitted to Probate as the last Will & Testament of George Le Bayles deceased late of said County and that the same has been recorded with the proof upon which it was admitted to Probate, on a book marked Wills Kept expressly for that purpose on page 5.

M. Kelly Judge

The State of Alabama } Probate Court. May 30th 1857.
Jefferson County } Personally appeared in open Court William Ellard William H Ellard and John Ellard subscribing witnesses to the foregoing paper purporting to be the last Will and testament of George Le Bayles deceased who being duly Sworn, on their oaths say that they subscribed their names at the request of the said George Le Bayles as witnesses and in his presence, and they further swear that the said George Le Bayles at the time he requested them to Sign their names to said Will was of Sound mind.

Sworn to and Subscribed before me.
M. Kelly Judge.

William Ellard Sen
W. H. Ellard
John Ellard

Will of Andrew Dodd

In the Name of God Amen I Andrew Dodd of the County of Jefferson and State of Alabama being of sound mind and memory and considering the uncertainty of this Life and knowing life to be therefore mate to make publish and declare this to be my last will & Testament that is to say First I give bequeath and dispose of my real estate as follows that is to say beloved wife the Land and appurtenances thereto belonging and possessed by me lying on the west side of Village Creek adjoining a small tract belonging to Mrs Dodd & the heirs of Jno Dodd dec'd also one Negro Girl named Mary to her & her heirs forever

Item Fourth I bequeath to my beloved wife Mary Dodd all the residue of my personal property consisting of Negroes Stock of all kinds Household & Kitchen furniture Plantation tools & implements of every description

Item Fifth I bequeath to my beloved wife Mary Dodd all the debts due me by Note Book account or otherwise

Item Sixth I appoint my beloved wife Executrix of this my last will & testament hereby revoking all former wills by me made

In Testimony whereof I have hereunto subscribed my name and affixed my seal this twenty fifth day of August in the year of our Lord one thousand eight hundred and fifty six

Andrew Dodd (Seal)

Signed Sealed published and declared by the said Andrew Dodd as and for his last will & Testament in the presence of us who at his request and in his presence and in the presence of each other have hereunto subscribed our names as witnesses

Thomas Carr
E. S. Hagerdon

State of Alabama } In Probate Court 30th May 1857
Jefferson County } Personally appeared in open Court Thomas Carr and E. S. Hagerdon subscribing witnesses to the foregoing instrument purporting to be the last will & testament of Andrew Dodd deceased who being duly sworn on their oath say that they saw Andrew Dodd sign seal publish and declare the same as his last will & testament on the day the same bears date that they subscribed their names thereto as witnesses at the request of the said Testator and in his presence and in the presence of each other They further swear that they believe the said Andrew Dodd at the time he signed published and declared the said will to be of sound mind

Sworn & subscribed
in open Court M. Kelly Judge

Thomas Carr
E. S. Hagerdon

The State of Alabama } M. Kelly Judge of Probate for said County
Jefferson County } Hereby certify that the will within written was on the 30th day of May 1857 duly proved and admitted to Probate on the 30th day of June 1857 as the last will & testament of Andrew Dodd deceased late of said County and that the same has been recorded with the proof upon which it was admitted to Probate in a record book marked Wills Liber A page 66 for that purpose on Page 66.

M. Kelly Judge

Will of Geo. W. Morgan Proved

In the Name of God Amen I George W. Morgan of the County of Jefferson and State of Alabama being of sound mind and memory and considering the uncertainty of this Life and knowing life to be therefore mate to make publish and declare this to be my last will & Testament that is to say First I give bequeath and dispose of my real estate as follows that is to say beloved wife the Land and appurtenances thereto belonging and possessed by me lying on the west side of Village Creek adjoining a small tract belonging to Mrs Dodd & the heirs of Jno Dodd dec'd also one Negro Girl named Mary to her & her heirs forever

Item Second I give bequeath and dispose of my real estate as follows that is to say beloved wife the Land and appurtenances thereto belonging and possessed by me lying on the west side of Village Creek adjoining a small tract belonging to Mrs Dodd & the heirs of Jno Dodd dec'd also one Negro Girl named Mary to her & her heirs forever

Item Third I give bequeath and dispose of my real estate as follows that is to say beloved wife the Land and appurtenances thereto belonging and possessed by me lying on the west side of Village Creek adjoining a small tract belonging to Mrs Dodd & the heirs of Jno Dodd dec'd also one Negro Girl named Mary to her & her heirs forever

Item Fourth I bequeath to my beloved wife Mary Dodd all the residue of my personal property consisting of Negroes Stock of all kinds Household & Kitchen furniture Plantation tools & implements of every description

Item Fifth I bequeath to my beloved wife Mary Dodd all the debts due me by Note Book account or otherwise

Item Sixth I appoint my beloved wife Executrix of this my last will & testament hereby revoking all former wills by me made

In Testimony whereof I have hereunto subscribed my name and affixed my seal this twenty fifth day of August in the year of our Lord one thousand eight hundred and fifty six

Andrew Dodd (Seal)

Signed Sealed published and declared by the said Andrew Dodd as and for his last will & Testament in the presence of us who at his request and in his presence and in the presence of each other have hereunto subscribed our names as witnesses

Thomas Carr
E. S. Hagerdon

State of Alabama } In Probate Court 30th May 1857
Jefferson County } Personally appeared in open Court Thomas Carr and E. S. Hagerdon subscribing witnesses to the foregoing instrument purporting to be the last will & testament of Andrew Dodd deceased who being duly sworn on their oath say that they saw Andrew Dodd sign seal publish and declare the same as his last will & testament on the day the same bears date that they subscribed their names thereto as witnesses at the request of the said Testator and in his presence and in the presence of each other They further swear that they believe the said Andrew Dodd at the time he signed published and declared the said will to be of sound mind

Sworn & subscribed
in open Court M. Kelly Judge

Thomas Carr
E. S. Hagerdon

The State of Alabama } M. Kelly Judge of Probate for said County
Jefferson County } Hereby certify that the will within written was on the 30th day of May 1857 duly proved and admitted to Probate on the 30th day of June 1857 as the last will & testament of Andrew Dodd deceased late of said County and that the same has been recorded with the proof upon which it was admitted to Probate in a record book marked Wills Liber A page 66 for that purpose on Page 66.

M. Kelly Judge

Will of Geo. W. Morgan Proved

In the Name of God Amen I George W. Morgan of the County of Jefferson and State of Alabama being of sound mind and memory and considering the uncertainty of this Life and knowing life to be therefore mate to make publish and declare this to be my last will & Testament that is to say First I give bequeath and dispose of my real estate as follows that is to say beloved wife the Land and appurtenances thereto belonging and possessed by me lying on the west side of Village Creek adjoining a small tract belonging to Mrs Dodd & the heirs of Jno Dodd dec'd also one Negro Girl named Mary to her & her heirs forever

To my dear Friend W. Morgan the land and appurtenances situated thereon described as follows Beginning at the point where Little Cahaba enters into the Land running east along the half mile line to the East side State of one section then South along the section line one mile to the half mile State line then west along said line to the West side State line then North along said line one mile to the beginning point containing one hundred & sixty acres more or less

To my daughter Sarah E. Morgan the land and appurtenances situated thereon described as follows and to wit South of East one fourth also the South East quarter of the South West quarter of Section four Township seven also the South half of the South East quarter of Section thirty four Township Eight one all in Range one east and thirty seven acres more or less of the west end

To my daughter Sarah E. Morgan one and Dollar & one dollar per Slave named Harriet

The residue and remainder of my personal property after my lawful debts and funeral expenses are paid and discharged I give bequeath and devise to my children namely Mahala Jane Morgan James M. Morgan Emily Frost wife of Wesley Frost Sarah Ruth wife of John Ruth Mary Ann wife of Marion Coats Frances M. Morgan George W. Morgan Andrew Jackson Morgan and Martha Morgan to be divided equally between them Share and Share alike Lastly I make and ordain my said son Francis M. Morgan and my son in law Wesley Frost to be executors of this my last will and Testament hereby revoking all former wills by me made In testimony thereof I have hereunto subscribed my name and affixed my seal this twenty fifth day of August in the year of our Lord one thousand eight hundred and fifty six

[illegible]

The above written instrument was subscribed by the said George Morgan in our presence and he at the same time published and declared the above instrument to be subscribed to be his last will and Testament and we at the Testators request and in his presence have

Richerson Frazier Deceased, Continued
Signed our names as witnesses hereto
E. Clopton
George Robinson
Marcus A Worthington

The State of Alabama } Court of Probate
Jefferson County } July 31st 1857
Personally appeared in open Court E. Clopton George Robinson &
Marcus A Worthington Subscribing witnesses to the foregoing paper
writing purporting to be the last Will & Testament of Richerson Frazier
dec'd who being duly sworn on their oaths say that they saw Richerson
Frazier sign seal publish and declare the same as his last Will &
Testament on the day the same bears date that they subscribed their
names thereto as witnesses at the request of the said Testator in his
presence and in the presence of each other they further swear that
they believe the said Richerson Frazier at the time he signed published
& declared the said will to have been of sound mind
Sworn to & subscribed
in open Court
M Kelly Judge
E. Clopton
Marcus A Worthington
George Robinson

State of Alabama } I M Kelly Judge of Probate for said
Jefferson County } County Hereby Certify that the Will on this
sheet of paper was on the 31st day of July 1857 duly proved and
admitted to Probate as the last Will and Testament of Richerson
Frazier late of said County dec'd and that the same has been recorded
with the proof upon which it was admitted to Probate in a
book marked Wills kept expressly for that purpose on pages
7 & 8.

M. Kelly, Judge

Will of James Mapey Deceased
State of Alabama } Probate Court
Jefferson County } Oct 7th 1857
This day came David Mapey by [illegible] Atty and
propounded for probate a paper writing purporting to be the last
Will & testament of James Mapey late of said County deceased
Petitioner represents that the said James Mapey dec'd left a widow
whose name is Mary Mapey and the following named children
and descendants of children [illegible] Rutherford formerly Malinda
Mapey David Mapey your petitioner [illegible] Mapey James [illegible]
Mapey Mary Smithson wife of Benjamin Smithson formerly Mary
Mapey Harriet Shackelford wife of Joseph H Shackelford formerly
Harriet Mapey Joshua Mapey Laura Byars wife of [illegible]
Byars all of whom are residents of said County [illegible]
[illegible] Robert Mapey infant son of [illegible] Mapey dec'd under
fourteen years of age residing in said County with Ezekiel Shackelford
[illegible] children of [illegible] Saunders formerly [illegible] Mapey [illegible]
[illegible] residing with their Father Samuel O Saunders in
the State of Texas
It is therefore hereby ordered by the Court that Saturday the 24th
day of Oct inst be appointed for the hearing of said petition
It is further ordered that notice be [illegible] to the parties
7 [illegible] thereof of the day set for the hearing of said
petition
It is also ordered that [illegible] to the witnesses whose
names are signed to the said paper writing purporting to be the last
will and testament of James Mapey dec'd to appear in this Court
on the said 24th day of Oct inst [illegible]
[illegible] Judge
It is further ordered that [illegible] Shackelford be and he is hereby
appointed Guardian ad litem for Robert Mapey who is a minor
during the pendency of this petition 7th Oct 1857
M Kelly Judge

The State of Alabama } To the Honorable the Probate Judge of
Jefferson County } said County
The undersigned a [illegible] of the
estate of James Mapey late of said County on the [illegible] day of Septem
ber 1857 respectfully represents unto your Honor that said decedent at
his death left a last will & testament which he herewith presents for
Probate He further represents unto your Honor that Mary Mapey
widow of said decedent Malinda Rutherford formerly Malinda
Mapey David Mapey your petitioner [illegible] Mapey James H
Mapey Mary Smithson wife of Benjamin Smithson formerly
Mary Mapey, Harriet Shackelford wife of Joseph H Shackelford
formerly Harriet Mapey, Joshua Mapey Laura Byars wife [illegible]

Will of James Mabry Dec'd Continued

Mary Mabry et al Residents of said County & State over the age of 21 years & Robert Mabry infant son of Allen Mabry dec'd under fourteen years of age residing in said County & State & Matilda Rutherford & the children of Rebecca Saunders formerly Rebecca Mabry over 14 years of age residing with their Father Samuel C Saunders at or near Tribune Polk Co Texas are heirs at law & only heirs at law of said decedent.

You & each of you will please issue & make an order appointing a day for the Probate of said will & for notice thereof & the said interested parties & make any other orders or issue any process that may be necessary in the premises & make due return hereof as the law directs.

Given under my hand this 2nd day of Oct A.D. 1857

Chas. Mabry
Sam'l C. Saunders
Allen A. Mabry

State of Alabama } To any Sheriff of the State of
Jefferson County } Alabama

Whereas Chas. Mabry has propounded to the Court of Probate a paper writing purporting to be the last will and testament of James Mabry late of said County deceased of which he has been appointed the executor by said will and it appearing to the Court that Mary Mabry widow of the said James Mabry dec'd is amongst the next of kin to the said James Mabry dec'd You are therefore hereby commanded to summon the said Mary Mabry to appear in the Court at my office in the town of Elyton on Saturday the 24th day of October inst and show cause if any she can why said paper writing should not be admitted to Probate and recorded as the last will and testament of the said James Mabry dec'd

Witness M. Kelly Judge of said Court at office in the town of Elyton this 1st day of Oct A.D. 1857

Acknowledge legal service of the within notice October 1st 1857

Mary Mabry

State of Alabama } To any Sheriff of the State of Alabama
Jefferson County } Whereas Chas. Mabry has propounded to the Court for Probate a paper writing purporting to be the last will and testament of James Mabry late of said County dec'd one of which he has been appointed the executor by said will and it appearing to the Court that Matilda Rutherford formerly Matilda Mabry is amongst the next of kin to the said James Mabry dec'd You are therefore hereby commanded to Summon the said Matilda Rutherford formerly Matilda Mabry to appear before this Court on Saturday the 24th day

Will of James Mabry Dec'd Continued

of Oct inst and show cause if any she can why said paper writing should not be admitted to Probate and recorded as the last will and testament of the said James Mabry dec'd

Witness M. Kelly Judge of said Court at office in the town of Elyton this 1st day of Oct A.D. 1857

Acknowledge legal service of the within notice Oct 1st 1857

Matilda Rutherford

State of Alabama } To any Sheriff of the State of Alabama
Jefferson County } Whereas Chas. Mabry has propounded to the Court of Probate a paper writing purporting to be the last will and testament of James Mabry late of said County dec'd one of which he has been appointed the executor by said will and it appearing to the Court that Mary Mabry is amongst the next of kin to the said James Mabry dec'd You are therefore hereby commanded to summon the said Mary Mabry to appear in the Court at my office in the town of Elyton on Saturday the 24th day of Oct inst and show cause if any she can why said paper writing proponed should not be admitted to Probate and recorded as the last will and testament of the said James Mabry dec'd

Witness M. Kelly Judge of said Court at office in the town of Elyton this 1st day of Oct A.D. 1857

Acknowledge legal service of the notice this 1st day of Oct 1857

Mary Mabry

State of Alabama } To any Sheriff of the State of Alabama
Jefferson County } Whereas Chas. Mabry has propounded to the Court of Probate a paper writing purporting to be the last will and testament of James Mabry late of said County dec'd one of which he has been appointed the executor by said will and it appearing to the Court that James C. Mabry is amongst the next of kin to the said James Mabry dec'd You are therefore hereby commanded to summon the said James C. Mabry to appear in my office in the town of Elyton on Saturday the 24th day of Oct inst and show cause if any he can why said paper writing proponed should not be admitted to Probate and recorded as the last will and testament of the said James Mabry dec'd

Witness M. Kelly Judge of said Court this 1st day of Oct A.D. 1857 & of American Independence the 82nd

Acknowledge legal service of the within notice Oct 1st 1857

M. Kelly Judge of Probate

J. C. Mabry

Will of James Mabry Dec'd Cont'd

State of Alabama } To any Sheriff of the State of Alabama
Jefferson County } Whereas Daniel Mabry has proponded to the Court for Probate a paper writing purporting to be the last will and testament of James Mabry late of said County dec'd of which he has been appointed Sole executor by said will and it appearing to the Court that Joshua Mabry is amongst the next of kin to said James Mabry dec'd

You are therefore hereby commanded to Summon the said Joshua Mabry to appear in the Court at my office in the Town of Elyton on Saturday the 28th day of Oct next to show cause if any he can why said paper writing so proponded as aforesaid Should not be admitted to Probate and recorded as the last will and testament of the said James Mabry dec'd

Witness M Kelly Judge of said Court at office in the Town of Elyton this 7th day of Oct A.D. 1837

We do hereby acknowledge legal service of this notice Oct 8th 1837

Joshua Mabry

M Kelly Judge of Probate

State of Alabama } To any Sheriff of the State of Alabama
Jefferson County } Whereas Daniel Mabry has proponded to this Court for Probate a paper writing purporting to be the last will and testament of James Mabry late of said County deceased all of which he has been appointed Sole executor by said will

You are therefore hereby commanded to Summon Laura Byars & her husband H H Byars she being amongst the next of kin to the said James Mabry dec'd to appear in the Court at my office in the Town of Elyton on Saturday the 28th day of Oct next to show cause if any they can why said paper writing so proponded as aforesaid Should not be admitted to Probate & recorded as the last will and testament of the said James Mabry dec'd

Witness M Kelly Judge of said Court at office in the Town of Elyton this 7th day of Oct A.D. 1837

We do hereby acknowledge legal service of the within notice this 13th day Oct 1837

H H Byars
Laura Byars

State of Alabama } To any Sheriff of the State of Alabama
Jefferson County } Whereas Daniel Mabry has proponded to the Court for Probate a paper writing purporting to be the last will and testament of James Mabry late of said County deceased all of which he has been appointed Sole executor by said will and it appearing to the Court that Harriet Shackelford formerly Harriet Mabry now the wife of S H Shackelford is amongst the next of kin to the said James Mabry dec'd

You are therefore hereby commanded to Summon the said Harriet Shackelford and her husband S H Shackelford to appear in the Court on Saturday the 28th day of Oct next to show cause if any they can why said paper writing so proponded as aforesaid Should not be admitted to Probate and recorded as the last will and testament of the said James Mabry dec'd

Witness M Kelly Judge of said Court at office in the Town of Elyton this 7th day of Oct A.D. 1837

We do hereby acknowledge legal service of this notice 13th Oct 1837

S H Shackelford
Harriet Shackelford

M Kelly Judge of Probate

State of Alabama } To any Sheriff of the State of Alabama
Jefferson County } Whereas Daniel Mabry has proponded to this Court for Probate a paper writing purporting to be the last will and testament of James Mabry late of said County deceased all of which he has been appointed Sole executor by said will and it appearing to the Court that Mary Lindsay formerly Mary Mabry wife of Benjamin Lindsay is amongst the next of kin to the said James Mabry dec'd

You are therefore hereby commanded to Summon the said Mary Lindsay & her husband Benjamin Lindsay to appear in the Court on Saturday the 28th day of Oct next and show cause if any they can why said paper writing so proponded as aforesaid Should not be admitted to Probate as the last will and testament of the said James Mabry dec'd

Witness M Kelly Judge of said Court at office in the Town of Elyton this 7th day of Oct A.D. 1837

We do hereby acknowledge legal service of the within notice this 13th day Oct 1837

Benjamin Lindsay
Mary Lindsay

M Kelly Judge of Probate

State of Alabama } To any Sheriff of the State of Alabama
Jefferson County } Whereas Daniel Mabry has proponded to the Court for Probate a paper writing purporting to be the last will and testament of James Mabry late of said County deceased all of which he has been appointed Sole executor by said will and it appearing to the Court that Elbert Mabry who is a minor is amongst the

Will of James Mabry Dec'd

State of Alabama } To any Sheriff of the State of Alabama
Jefferson County } Whereas Enoch Mabry has propounded to the Court of Probate for said County a paper writing purporting to be the last will and testament of James Mabry late of said County deceased. You are therefore hereby commanded to summon Daniel Pilcher who is a subscribing witness to the said will to appear before the Probate Court for said County at the Court House on the 24th day of Oct inst to testify as to said paper writing purporting to be the last will and testament of the said James Mabry dec'd. Given under my hand at office in Elyton this 9th day of Oct 1857

M. Kelly Judge of Probate

I acknowledge legal service of the within notice this 9th day of Oct 1857

Daniel Pilcher

State of Alabama } To any Sheriff of the State of Alabama
Jefferson County } Whereas Enoch Mabry has propounded to the Probate Court of said County a paper writing purporting to be the last will & testament of James Mabry late of said County dec'd. You are hereby commanded to summon Elijah Brown who is a subscribing witness to said will to appear before a Court of Probate to be held for said County on the 24th day of October 1857 to testify in relation to said paper writing purporting to be the last will & testament of the said James Mabry dec'd. Given under my hand this 9th day of Oct 1857

M. Kelly Judge

I acknowledge legal service of the within subpoena this 9th day of Oct 1857

Elijah Brown

State of Alabama } To any Sheriff of the State of Alabama
Jefferson County } Whereas Enoch Mabry has propounded to the Probate Court of said County a paper writing purporting to be the last will and testament of James Mabry dec'd late of said County. You are therefore hereby commanded to Summon E. Worthington who is a subscribing witness to said will to appear before the Probate Court for said County at the Court house on the 24th day of Oct instant, to testify as to said paper writing purporting to be the last will and testament of James Mabry late of said County deceased

Given under my hand at office in Elyton this 9th Oct 1857

M. Kelly Judge

9th Oct 1857

I acknowledge legal service of the within notice

E. P. Worthington

Will of James Mabry Dec'd

State of Alabama } To any Sheriff of the State of Alabama
Jefferson County } Whereas Enoch Mabry has propounded to the Court of Probate for said County a paper writing purporting to be the last will and testament of James Mabry late of said County deceased. You are therefore hereby commanded to summon Daniel Pilcher who is a subscribing witness to the said will to appear before the Probate Court for said County at the Court house on the 24th day of Oct inst to testify as to said paper writing purporting to be the last will and testament of the said James Mabry dec'd. Given under my hand at office in the County of aforesaid this 9th day of Oct A.D. 1857

M. Kelly Judge of Probate

I acknowledge legal service of the within notice this 9th day of Oct 1857

Daniel Pilcher

State of Alabama } In Probate Court
Jefferson County } October Term 1857

This being the day appointed by a former order of the Court to hear the proofs taken for the probate of a paper writing propounded as the last will and testament of James Mabry late of said County deceased and the notice of the pendency of the application having been given to the resident heirs of said estate & appear in this Court on this day and contest the Probate of said paper writing if they should see cause and no one appearing to do so and the same having been duly proved by the oaths of Daniel Pilcher & Elijah Brown the upon their oaths it is ordered that they find the said James Mabry departed this life in the County aforesaid leaving the same as his last will and testament on the day the same bears date and that they subscribed their names as witnesses thereto at the request of the said Testator and in the presence and in the presence of each other. It further appears that the said James Mabry at the time he signed published and declared the same as his last will and Testament was of sound mind and memory. It is therefore ordered by the Court that the said paper writing be admitted to probate as the last will and testament of the said James Mabry dec'd and that the same be recorded in a book provided for wills together with the proofs & papers upon which it was admitted to Probate.

Given under my hand

M. Kelly Judge

The Will of James Mabry Dec'd

State of Alabama } In the name of God
Jefferson County } Amen

I James Mabry being of sound and disposing memory but of feeble health do make publish and declare this my last will and Testament in manner and form following towit, hereby revoking all other wills by me

Item 1st It is my desire that all my just debts be paid with as little delay as possible

Item 2nd I will and bequeath to my wife Mary Mabry all my property both real and personal during her natural life & it is my order that such property as she may not want to keep shall be sold by my Executor at twelve months credit & given to the purchasers with good security she my wife herself meeting the election of the property to be sold & the property sold kept at her discretion

Item 3rd It is the desire of my wife Mary Mabry & it is my will that all my personal property be sold to the highest bidder at the end of twelve months and the money when collected distributed as follows towit, To my daughter Melinda Cathcart or her heirs To my son David Mabry To my son Peter F Mabry To my son James P Mabry To the children of Rebecca Sanders dec'd To Mary Cawthon or her heirs To Hannah Shackelford or her heirs To Joshua Mabry To Laura Byars or her heirs & will and bequeath equal shares & take and take alike except the children of my deceased daughter Rebecca Sanders they taking the share that their mother would take were she living the sharing equal with the others.

Item 4th I will and bequeath to my grand son Robert Mabry son of Allen Mabry deceased an equal share with my sons and daughters after deducting from his share the sum of one hundred and fifty dollars.

Item 5th I will and bequeath to my son Joshua Mabry the farm that I now live on after the death of my wife Mary Mabry or his executing his note with good security to my Executor for the sum of five hundred dollars.

It is my will that my son Joshua Mabry shall have the use of said land during the life of my wife four of said or means. Item 6th I hereby make constitute and appoint my son David Mabry executor of this my last will and testament. In witness whereof I have hereunto set my hand and affixed my seal on this 31st day of July 1857

Signed and Sealed in the presence
of us whose names are hereunto

The Will of James Mabry Dec'd Cont'd

Subscribed by the said James
and by each of us in his
presence and in the presence
of each other on this 31st July 57

James Wilcox
Benjamin F Worthington
Elijah Brown

James Mabry Seal

State of Alabama } Probate Court
Jefferson County } Oct 1st 57

Personally appeared in open Court James Wilcox Benjamin F Worthington & Elijah Brown subscribing witnesses to the foregoing paper writing purporting to be the last will & Testament of James Mabry deceased who being duly sworn on their oaths say that they saw James Mabry Sign seal publish and declare the same as his last will and Testament on the day the same bears date that they subscribed their names thereto as witnesses at the request of the said Testator & in his presence and in the presence of each other. They further swear that they believe the said James Mabry at the time he signed published & declared the said will to have been of sound mind.

Sworn to & subscribed
in open Court
Moses Kelly
Judge

James Wilcox
B F Worthington
Elijah Brown

State of Alabama } I Moses Kelly Judge of the Court of Probate
Jefferson County } for said County and State do hereby certify that the within instrument of writing has this day in said Court and before me as the Judge thereof been duly proven by the proper testimony to be the genuine last will and testament of James Mabry deceased and that said will together with said proof thereof has been recorded in my office in Book of Wills No 1 on pages 16 & 17 In witness of all which I have hereunto set my hand and the seal of the said Court this 1st day of Oct. A.D. 1857

Moses Kelly Judge

Wm B. Moore Petition for Probate of Will

State of Alabama } Nov 20th 1837
Jefferson County } To the Hon M. Kelly Judge of the Court of Probate of said County

The Petition of William B. Moore respectfully represents unto your honor that the late John B. Moore who was an inhabitant of this County at the time of his death departed this life on the 8th day of November 1837 having a last will and testament duly signed and published by him and attested by John B. Thomas and Asbury H. Turner who reside in this County as doth more fully appear unto your Petitioner as by a certificate thereof whereto your petitioner is referred to be produced to your honor and propounded for Probate and record in this honor. Your Petitioner further states that said Testator left surviving him as his only heirs at law the following named children and descendants of children your petitioner Wm B. Moore and Samuel B. Moore sons of said decedent who reside in this County. Mesalinda Young who resides in Shelby County as Mathilda Williams who resides in Perry County. As daughters of said decedent and the following named children of Mariona McInnis who was the daughter of said decedent viz Mary A. McAdory wife of Wm A. McAdory. Martha A. Williams wife of Thos L. Williams who resides in Jefferson County. Wm Williams. McInnis Martha A. McInnis L. D. McInnis and D. Marion McInnis who resides with their father in Perry County. All which the consideration of all which your petitioner prays that a day may be set for the hearing of the matter of this petition that subpoenas may be issued to bring in said subscribing witnesses to testify on such appointed day that due notice of this application may be given to the said next of kin of said deceased and that such other proceedings orders and decrees may be had and made in the premises as may be requisite and proper to effect the due probate and record of said will according to law and as in duty bound &c.

Subscribed & Sworn to &c
M. Kelly Judge of Probate } Wm B. Moore

Probate Court

Wm B. Moore Pet } Probate Court
as to Probate of will } 20th Nov 1837

This day came William B. Moore and filed his petition in writing and under oath therewith producing and filing in this Court an instrument in writing purporting to be the last will and testament of said John B. Moore deceased, and praying for such orders decrees and proceedings as may be proper and requisite for the due Probate and record of said will in this Court which said instrument appears to be attested by John B. Thomas and Asbury H. Turner of this County and who are alledged to have signed the same as subscribing witnesses thereto and it appearing to the Court from said petition that said petitioner is one of the next of kin of said deceased, and that petitioner and Thomas B. Moore are sons of said deceased and reside in the County Mathilda Williams who resides in Perry County Alabama and Shelby County daughters of said deceased and the following Children of Marion McInnis viz. she was a daughter of said Mary A. McAdory wife of William A. McAdory & Martha A. Williams residents of said County of Jefferson William McInnis L. D. McInnis and Marion D. McInnis who reside in Perry County Alabama It is therefore ordered by the Court that the 27th of Dec 1837 be and is a day for hearing testimony in proof of said instrument as to will that Subpoenas issue to John B. Thomas and Asbury H. Turner to be and appear on said 27th day of Dec 1837 in and before this Court & testify their evidence of and concerning all and every facts touching the validity of said instrument as said will and that notice thereof be given to all persons interested in said will of the pendency of this application

State of Alabama } Probate Court of said County
Jefferson County } To any Sheriff of the State of Alabama Greeting You are hereby commanded to summon John B. Thomas to appear before the Probate Court to be held in and for said County at the Court house in the Town of Elyton on the 27th day of Dec 1837 to give evidence in a certain matter now pending in said Court wherein Wm B. Moore has propounded for Probate a paper writing purporting to be the last will & testament of John B. Moore deceased which said paper writing it appears from which it appears that the said John B. Thomas is a subscribing witness and this you shall in no wise omit under the penalty prescribed by law. Herein fail not and have you then this writ at the office of the Judge of said Court Witness M. Kelly Judge of said Court at office this 20th day of Nov A.D. 1837 Issued on the 20th day of the 20th day of Nov in the year of our Lord 1837. Attest

M. A. Acknowledge legal service of the within notice this 20th day of Nov 1837

State of Alabama } To any Sheriff of the State of Alabama Greeting
Jefferson County } You are hereby commanded to summon Asbury H. Turner to appear in and before the Probate Court to be held in and for said County at the Court house in the Town of Elyton on the 27th day of Dec 1837 to give evidence in a certain matter now pending in said Court wherein Wm B. Moore has propounded for Probate a paper writing purporting to be the last will & Testament of John B. Thomas deceased which it appears that the said Asbury H. Turner is a subscribing witness and this you shall in no wise omit under the penalty prescribed by law. Herein fail not and have you then this writ at the office of the Judge of said Court Witness M. Kelly Judge of said Court at office this 20th day of Nov A.D. 1837 Issued on the 20th day of the 20th day of Nov in the year of our Lord 1837 Attest

M. A. Acknowledge legal service

[illegible] Petition to Probate Will

State of Alabama [illegible] To the Honorable Moses Kelly Judge of the Jefferson County Court of Probate of said County

The Petition of [illegible] B Smith respectfully represents unto your honor that the late Benjamin G. Tabers who was an inhabitant of this County at the time of his death departed this life on the [illegible] March 18[illegible] in this County leaving a last will and testament duly signed and published by him and attested by John [illegible] and [illegible] Nichols who reside in this County in which your petitioner is [illegible] named as Executor thereof which said Will is herewith produced to your Honor and propounded for Probate and record in this Court. Your Petitioner further states that the said Benjamin G. Tabers died leaving no widow nor Children and that the next of kin of said decedent are his brothers and sisters and their descendants [illegible] Tabers brother who is of full age and resides in Pickens County Alabama [illegible] Tabers brother who is of full age and resides in Pickens County Alabama. William Tabers brother who is of full age and resides in Holmes County Mississippi. Nancy [illegible] sister wife of [illegible] who resides in Holmes County Miss. Eliza wife of Elias Stewart who resides in Tennessee County unknown to your Petitioner. The Children of his brother Francis D. Tabers deceased (viz) William who is of full age and resides in this County. Malinda wife of O. L. Smith who resides in this County. Lavenda [illegible] wife of George W Smith who resides in this County. Sarah [illegible] wife of [illegible] Tabers who resides in Pickens County Alabama. Sam Smith a minor over the age of fourteen years who resides with his Mother in this County. Francis D. minor under the age of fourteen years who resides with his Mother in this County who is his Guardian. Matilda minor under the age of fourteen years who resides with her mother in this County who is also her Guardian. Loranda minor under the age of fourteen who resides with her mother in this County who is her guardian and Sarah Sister wife of your Petitioner who resides in this County.

In consideration of all which your petitioner prays that a day may be set for the hearing of the matter of this Petition that due notice of this application may be given to the said next of kin of deceased and that such other proceedings orders and decrees may be had and made in the premises as may be requisite and proper to effect the due Probate and record of said Will according to law. And as in duty bound &c.

Subscribed and sworn to this 8th March 1858
M Kelly Judge

S. B. Smith

[illegible] March [illegible] 18[illegible]

Matter of the Probate of [illegible] Will [illegible] B Smith [illegible] his petition in writing and under oath [illegible] producing and filing in this Court an instrument of writing purporting to be the last will and testament of B. G. Tabers deceased [illegible] orders decrees and proceedings as may be proper and requisite for the due Probate and record of said Will in this Court which said instrument appears to be attested by John [illegible] and [illegible] Nichols of this County and who are alleged to have signed the same as subscribing witnesses thereunto. And it appearing to the Court from said petition [illegible] of the next of kin of said deceased that said decedent left no widow nor Children him surviving but the following named brothers and sisters and the Children of his brother [illegible] Tabers deceased [illegible] Tabers [illegible] Tabers brother of full age who reside in Pickens County Ala. William Tabers a brother who is of full age and resides in Holmes County Mississippi. Nancy a sister and wife of [illegible] who resides in Holmes County Mississippi. Eliza a sister wife of Elias Stewart who resides in Tennessee County unknown to your Petitioner. Sarah Smith a sister and wife of your Petitioner who resides in this County and the Children of his brother Francis D. Tabers deceased (viz) William who is of full age and resides in this County. Malinda wife of O. L. Smith who resides in this County. Lavenda [illegible] wife of Geo W Smith who resides in this County. Sarah [illegible] wife of [illegible] Tabers who resides in Pickens County Alabama. Sam Smith a minor over the age of fourteen years who resides with his mother in this County. Francis D. a minor under the age of fourteen years who resides with his mother in this County who is his Guardian. Matilda a minor under the age of fourteen years who resides with her mother in this County who is also her Guardian. Loranda a minor under the age of fourteen who resides with her mother in this County who is her Guardian.

It is therefore ordered by the Court that the [illegible] day of April next 1858 be set for the hearing testimony in proof of said instrument as such Will. That said John [illegible] and [illegible] Nichols be subpoenaed to be and appear on said [illegible] day of April 1858 in and before this Court to testify and give evidence of and concerning all and any facts touching the question of the validity of said instrument as such Will. It is further ordered that the said non resident heirs be notified of this application and of the day set for the hearing of the same by publication in the Central Alabamian a news paper published in said County of Jefferson Alabama, notifying them to be and appear before a Court to be held on said [illegible] day of April 1858 and show cause if any they can why said paper writing so propounded as aforesaid should not be admitted to Probate and record as the last Will & testament of the said B. G. Tabers deceased

[illegible] Court [illegible] the [illegible] hours of
[illegible] be another of the preceding and of the above
[illegible] for hearing the matter to be served upon them at least 10 days
[illegible] said 3rd day of April 1838. That said Sarah Frances
[illegible] Nichols & Brenda be notified of the preceding and of the
day above set for hearing the matter by relation to be served upon
them said Mother for them at least ten days before said 3rd day
of April 1838 that the appointment of a suitable person to act as
Guardian ad Litem for said minors be postponed until said
minors shall have been duly served & said minors appear &
the foregoing terms of this present order for such a length
of time as shall be deemed reasonable & proper by the Court & be
made the said Sheriff for his services as aforesaid
over the age of fourteen years and for the Parents and
Guardians of others who are interested and who should be
represented by guardian to come in and nominate to the Court
a proper person to act as such guardian

State of Alabama Probate Court 10th March 1838
Jefferson County To any Sheriff of the State of Alabama
Greeting Whereas Wm B Smith has propounded to the
Probate Court of said County a paper writing purporting to be the
last will & testament of E.B. Nabers late of said County deceased
You are hereby commanded to summon Robert West
who is a subscribing witness to said will to appear before
Court of Probate to be held for said County on the 3rd day of
April next 1838 to test by examination & said paper writing
purporting to be the last will and testament of the said E.B.
Nabers &c Given under my hand this 10th Day of March
A.D. 1838 M Kelly Judge
Issued 10 March A.D. 1838
Executed 13th March 1838
W.W. Cunbank Shff by his Dep
J.B. Smith

State of Alabama Probate Court 10 March 1838
Jefferson County To any Sheriff of the State of Alabama (Greeting)
Whereas W.B. Smith has propounded to the Probate Court of said County
a paper writing purporting to be the last will & testament of E.B.
Nabers late of said County deceased. You are hereby commanded
to summon S. Nichols who is a subscribing witness to the said will
to appear before a Court of Probate to be held for said County on the 3 day
of April next 1838 to test by examination & said paper writing purporting to
be the last will & testament of the said E.B. Nabers &c.
Given under my hand this 10 day of March A.D. 1838
Issued 10 March A.D. 1838 The same day Issued &c M Kelly Judge of Pro
Executed March 15 1838. W.W. Cunbank Shff. Per J.B. Wilks. Probate

State of Alabama Probate Court March 10 1838
Jefferson County To any Sheriff of the State of Alabama Greeting
Whereas W.B. Smith has propounded to the Court for Probate a paper
writing purporting to be the last will & testament of E.B. Nabers late of
said County deceased and of which he has been appointed Executor
to the Court that Steve B. Nabers is amongst the next of Kin to said deceased

You are therefore hereby commanded to summon the said Steve B. Nabers
to appear in this Court on the 3rd day of April next 1838 and show cause if any he can why said paper writing
propounded as aforesaid should not be admitted to Probate as the
last will & testament of the said E.B. Nabers deceased
Witness M Kelly Judge of said Court at office in the
Town of Clyton this 10 day of March A.D. 1838
Issued 10 March A.D. 1838 M Kelly Judge of
Return office March 17 1838 Probate
Executed by serving & leaving a
copy of this notice on S.B. Nabers
March 28 38
Berry Wood Shff

State of Alabama Probate Court March 10 1838
Jefferson County To any Sheriff of the State of Alabama
Greeting Whereas W.B. Smith has propounded to this
Court for Probate a paper writing purporting to be the last
Will and testament of E.B. Nabers late of said County dec'd and

of which he has been appointed Executor by said will
and it appearing to the Court that Mathilda Smith formerly
Mathilda Nabers now the wife of O.S Smith is amongst the
next of Kin to said testator

You are therefore hereby commanded to
Summon the said Mathilda Smith and her husband
O.S Smith to appear in this Court on the 5th day of April next
1858 and Show cause if any they can why said paper
writing so propounded as aforesaid Should not be admitted
to Probate as the last Will & Testament of the said B.B.
Nabers dec'd

Witness J. McKelly Judge of said Court at office
in the Town of Elyton This 10 day of March A.D 1858
Issued 10 March A.D 1858
Test Same day Issued executed
Mar 12 1858 Wm Cabaniss Shff
By S.C Mills

State of Alabama } Probate Court March 10 1858
Jefferson County } To any Sheriff of the State of Alabama
Greeting Whereas S.B. Smith has propounded to this
Court for Probate a paper writing purporting to be the last
Will & testament of B.B. Nabers late of said County dec'd
and of which he has been appointed Exr by said
Will and it appearing to the Court that Sarah E. Nabers
wife of B.B. Nabers is amongst the next of Kin to said Dec'd
You are therefore hereby commanded to Summon
the said Sarah E. Nabers and her husband B.B. Nabers
to appear in this Court on the 5th day of April next 1858
and Show cause if any they can why said paper writing so
propounded as aforesaid Should not be admitted to Probate
as the last Will and Testament of the said B.B. Nabers dec'd
Witness J. McKelly Judge of said Court at office
in the Town of Elyton this 10th day of March A.D
1858
J. McKelly Judge of
Probate
Issued 10 March A.D 1858
Executed by serving a copy of this
notice on B.B. Nabers & Sarah E.
Nabers his wife March 17, 1858
Berry West Shff

State of Alabama } Probate Court March 10 1858
Jefferson County } To any Sheriff of the State of Alabama
Greeting Whereas S.B. Smith did on this day
propound by petition in due form and under oath a paper
writing purporting to be the last Will and Testament of B.B.

Nabers late of said County & ask for Probate and Record in said
Court and whereas it appearing that he has been appointed Exr
by said Will and it appearing to the Court that Wm E. Nabers is amongst
the next of Kin to said decedent.

You are therefore hereby commanded to
Summon the said Wm E. Nabers to appear in this Court on the 5th day
of April next 1858 and Show cause if any he can why said paper
writing so propounded as aforesaid Should not be admitted to Probate
as the last Will and Testament of the said B.B. Nabers dec'd
Witness J. McKelly Judge of said Court at office in the
Town of Elyton this 10th day of March A.D 1858
Issued 10 March A.D 1858
Test Same day Issued
Mar 12 1858 Wm Cabaniss Shff
By S.C Mills

State of Alabama } Probate Court March 10 1858
Jefferson County } To any Sheriff of the State of Alabama
Greeting Whereas S.B. Smith has propounded to this
Court for Probate a paper writing purporting to be the last
Will and Testament of B.B. Nabers late of said County dec'd
and of which he has been appointed Exr by said Will
and it appearing to the Court that Amanda Smith formerly
Amanda Nabers now wife of O.S Smith is amongst the next
of Kin to said decedent

You are therefore hereby commanded to
Summon the said Amanda Smith and her husband O.S
Smith to appear in this Court on the 5th day of April next 1858
and Show cause if any they can why said paper writing
so propounded as aforesaid Should not be admitted to Probate
as the last Will & Testament of the said B.B. Nabers deceased
Witness J. McKelly Judge of said Court at office in
the Town of Elyton This 10 day of March A.D 1858
Issued 10 March 1858
Test Same day Issued
Executed March 12 1858
Wm Cabaniss Shff By S.C Mills

State of Alabama } Probate Court March 10 1858
Jefferson County } To any Sheriff of the State of Alabama
Greeting Whereas S.B. Smith has propounded to this
Court for Probate a paper writing purporting to be the last
Will and Testament of B.B. Nabers late of said County
dec'd and of which he has been appointed Exr by said
Will, and it appearing to the Court that said E. Amanda Mathilda
Perinda Nabers minors & for whom Mathilda Nabers the

other & guardian ... amongst the next of kin to said
decedent ... You are therefore hereby commanded to
summon the said Matilda Sabers Guardian as aforesaid & to
appear in this Court on the 3rd day of April inst 1838 to
show cause if any there can why said paper writing so
propounded as aforesaid should not be admitted to Probate
and record as the last will & testament of the said B.B.
Sabers dec'd. Witness M. Kelly Judge of said
Court at office in the Town of Oxford This 10th day of March
A.D. 1838
M. Kelly Judge of
Probate
Issued 29 March A.D. 1838
Returned day Issued Executed
March 30 1838 W.C. Calvert Sheff
by J. Nolen

B.B. Sabers Dec'd } March 29 1838.
In the matter of Probate } And it being this day full proven
to the Court that the publication has been made and notice
given to the next of kin of said deceased of this County as
required by and in strict accordance with the former order
of this Court made and entered on this proceeding on the 10
day of March 1838 and none of said minors nor any other
person for any of them having appeared or in any way
signified to this Court a choice of any fit & proper person
to represent them and attend to their interest on this
proceeding It is now therefore ordered by the Court that
Jno T Porter esqr be and he is hereby appointed Guardian
Ad litem in this proceeding for said minors the said
Porter being considered by the Court as in every respect a
fit and proper person to attend to and to protect the interest
of said minors in the matter of the Probate of said Will
It is further ordered that said Porter be forthwith notified
of his said appointment and of the day set for hearing the
testimony and proof as to the validity of said Will that he
may attend and be prepared properly to contest the same in
behalf of said minors.

The State of Alabama } Probate Court March 29 1838
Jefferson County } Whereas John B Smith did on the 10
B.B. Sabers Dec'd on the day of March 1838 propound for
Probate a paper writing purporting to
be the last Will of said Dec'd and on said day this Court
did appoint the 3rd day of April 1838 for the hearing of said
application. And the said John B Smith did give the following
named persons as the minor heirs of said decedent viz
Said J. T. Matilda & Dominda Sabers. And on this day
this Court has appointed Mr J Porter Esqr Guardian Ad litem to
attend and protect the interest of said minors during the pendency
of this proceeding. The Sheriff of said County will execute this
Notice & make due return thereof. Attest Moses Kelly Judge
Issued 29 March 1838
Appointment accepted

B.B. Sabers Dec'd } In the matter of the } April 3 1838
Probate of his last Will } Testament This day being regularly
appointed for hearing the application of John B Smith who has heretofore
filed in this Court for the probate of an instrument of writing purporting
to be the last Will and Testament of said deceased now comes the said
applicant and also comes Mr J Porter who was heretofore duly appointed
by order of this Court and who now consents to act as the Guardian
Ad litem, for said J Frances L Matilda & Dominda Sabers minor
minors and heirs of said deceased and it appearing to the satisfac-
on of the Court that the notice of the said application and of the
time appointed for hearing the same has been given in pursuance
of Law and in strict accordance with the former order of this
Court made and entered in the premises on the 10 day of March 1838
by publication continued for three successive weeks in the Central
Alabamian a News paper published in said County and by citations
personally served as directed in said former order. Now on motion
of said J B Smith the Court proceeds to hear said application and
it appearing to the satisfaction of the Court from the testimony of
John Nase and Jno L Echols that they respectively signed said instrument
of writing purporting to be the last Will and testament of the said
deceased and which writing is now shown to them on the day of the date
thereof, in the presence of said Testator and at his request as subscribing
witnesses to the same, the said Testator then declaring that said instrument
constituted his last Will, and it being also shown by proof which is
satisfactory to the Court that said Testator was of the full age twenty
one years and upwards at the time of making said Will and that he was of
sound mind and fully capable of making his said Will. It seems to the
Court that said application should be granted.
It is therefore ordered adjudged and decreed by the Court
that said Will of said B.B. Sabers deceased be received and the
same is hereby declared to be duly proven as the last Will and
Testament of said decedent and as such admitted to Probate
and ordered to be recorded together with the proof thereof
and all other papers on file relating to this proceeding
It is further ordered that said applicant
pay the costs of this proceeding.

B. B. Sabers Dec'd Will

In the name of God Amen,

I B B Sabers of the County of Jefferson and State of Alabama being of sound mind and memory and considering the uncertainty of this frail and transitory life do therefore make ordain publish and decree this to be my last will and Testament that is to say First after all my lawful debts are paid and discharged residue of my estate both real and personal I give devise and dispose of as follows viz I my beloved Sister Sarah wife of John B Smith, all my real estate and personal property viz. the W½ of S.W. the S.E. ¼ of S.W. ¼ Section 17 Township 15 Range 3 W. the N.E. ¼ of N.W. ¼ Section 20 Township 15 Range 3 W. the S.W. ¼ of the N.W. ¼ the N.E. ¼ of S.W. ¼ of Section 21 T. 15 R. 3 W. also my lands lying near Dora Depot in the County of Jefferson and State of Alabama known as the Squire Sabers land lying in Township 15 Range 3 W. One four horse wagon One yoke of Oxen two cows three Mules one horse. then One brown horse. bays by Hark. all of the above property I give to my Sister Sarah wife of John B Smith to have and hold during her natural life and at her death to be devided equally among her Children then living I give and bequeath unto my said Sister Sarah all my hogs and Cows and calves also my Reversable Threasher to hold in the same manner as the above and at her death to be devised as aforementioned It is my will that my Sister Sarah shall have all my property both real and personal to hold as above mentioned I likewise make ordain and appoint John B Smith executor of this my last Will and testament hereby revoking all former wills by me made. In witness whereof I have hereunto subscribed my name and affixed my seal this 27 day of Feb 1858

B B Sabers (L)

The above written instrument was subscribed by the said B B Sabers in our presence and acknowledged by him to be his last Will and he at the same time published and declared the above instrument so subscribed to be his last Will and testament, and we at the Testators request and in his presence have signed our names as witnesses hereto.

John Nase
L. F. Echols

State of Alabama } Probate Court of said County
Jefferson County } April the 5th 1858.
In the matter of the Probate of the last Will and Testament of B B Sabers dec'd Before me Moses Kelly Judge

B. B. Sabers Dec'd Will Cont

of the said Court personally appeared in open Court John Nase & L F Echols who having been by me first respectively duly sworn & examined on oath and do depose and say on oath that they are each subscribing witnesses to the instrument of writing now shown to them and purports to be the last Will and Testament of B B Sabers late an inhabitant of this County that said Sabers signed sealed and executed said instrument on the day the same bears date and declared the same to be his last Will and Testament and that at the time of their Signatures thereto on the day the same bears date it Sabers was of the age of twenty one years and upwards and that the said Testator was of sound mind and disposing memory and in the opinion of deponents fully capable to make his Will & that the same was done without restraint &c. deponents further state that said Testator was on the day of the date of said Will of the full age of Twenty one years and upwards

Subscribed & Sworn to before me
Moses Kelly Judge

John Nase
L. F. Echols

State of Alabama } I Moses Kelly Judge of the Court of Probate in Jefferson County and for said County and State do hereby certify that the within instrument of writing has this day in said Court and the proof thereof duly proven by the proper testimony to be the genuine last Will and Testament of B B Sabers dec'd and that said Will together with said proof thereof have been recorded in my office in book of Wills Pages 30 & 31

In witness of all which I have hereunto set my hand This 5th day of April 1858

Moses Kelly Judge of Probate

ament You are therefore hereby commanded to Sum
mon the said David Smith to appear in and before
the Probate Court on the 3d day of May next 1838
to testify and give evidence as to the validity of said
instrument Herein fail not
Given under my hand this 28th day of March
A.D. 1838
M. Kelly, Judge
I hereby acknowledge legal service of the within
notice this 28th day of March 1838. David Smith.

State of Alabama } In the Probate Court
Jefferson County } To any Sheriff of the State of
Alabama Greeting Whereas Duncan S. McLaughlin
has propounded for Probate a paper writing purporting
to be the last Will and testament of Andrew McLaughlin
late of said County decd. And it appearing to the Court
that Arthur McClure is a subscribing witness to said
instrument You are therefore hereby commanded to
Summon the said Arthur McClure to appear in and before
the Probate Court on the 3d day of May next 1838 to
testify and give evidence as to the validity of said
instrument Herein fail not
Given under my hand this 28th day of March
A.D. 1838
M. Kelly, Judge
I hereby acknowledge legal service of the within
notice this 28th day of March 1838. Arthur McClure

Notices,

State of Alabama } In the Probate Court
Jefferson County } To any Sheriff of the State of
Alabama Greeting Whereas Duncan S. McLaughlin
has propounded for Probate a paper writing purporting
to be the last will and testament of Andrew McLaug
hlin late of said County decd and it appearing to the
Court that the widow of said deceased is Mrs Nancy
McLaughlin You are therefore hereby commanded to
Summon the said Nancy McLaughlin to appear in and
before the Probate Court on the 3d day of May next
1838 to show cause if any she can why said papers
writing so propounded should not be admitted to
Probate and recorded as the last will and testament
of the said Andrew McLaughlin decd
Witness M. Kelly Judge This 28th day of March
1838.
M. Kelly Judge
I hereby acknowledge legal
service of the within notice
This 1st day of April 1838. Nancy McLaughlin

State of Alabama } In the Probate Court
Jefferson County } To any Sheriff of the State of Alabama
Greeting Whereas Duncan S. McLaughlin has this day propound
ed for Probate a paper writing purporting to be the last Will
and testament of Andrew McLaughlin late of said County
deceased and it appearing to the Court that Sarah Lovelop
of Lewson Lovelop is amongst the next of Kin of said decd
You are therefore hereby commanded to Summon the said
Sarah Lovelop and her husband Lewson Lovelop to appear
in and before the Probate Court on the 3d day of May next
1838 to Show cause if any they can why said paper writing
so propounded as aforesaid should not be admitted to Probate
and Record as the last Will & testament of the said Andrew
McLaughlin decd Witness M. Kelly Judge This 28th day of
March A.D. 1838
M. Kelly Judge
We hereby acknowledge legal service of the within notice this
31st day of April 1838 L. Lovelop, Sarah Lovelop.

State of Alabama } In the Probate Court
Jefferson County } To any Sheriff of the State of
Alabama Greeting Whereas Duncan S. McLaughlin
has this day propounded for Probate a paper writing purporting
to be the last Will and testament of Andrew McLaughlin
late of said County decd and it appearing to the Court that
A.L. McLaughlin is amongst the next of Kin of said decd
You are therefore hereby commanded to Summon the said
A.L. McLaughlin to appear in and before the Probate Court
on the 3d day of May 1838 to Show cause if any he can
why said paper writing so propounded as aforesaid Should
not be admitted to Probate and record as the last Will and
Testament of the said Andrew McLaughlin deceased
Witness M. Kelly Judge of Probate This 28th day of
March A.D. 1838.
M. Kelly, Judge
I hereby acknowledge legal service of the within notice
This 28th day of March 1838. A.L. McLaughlin

State of Alabama } In the Probate Court
Jefferson County } To any Sheriff of the State of
Alabama Greeting Whereas Duncan S. McLaughlin
has this day propounded for Probate a paper writing purport
ing to be the last Will and testament of Andrew
McLaughling late of said County decd and it appearing
to the Court that A.C. McLaughlin is amongst the next
of Kin of said decd You are therefore hereby comman
ded to Summon the said A.C. McLaughlin to appear in and
before the Probate Court on the 3d day of May next 1838.

to show cause if any he can why said paper writing so propounded as aforesaid should not be admitted to Probate and record as the last Will and testament of the said Andrew McLaughlin dec'd

Metcalf McKelly Judge This 26th day of March A.D. 1858

McKelly, Judge

I hereby acknowledge legal Service of the within notice this 27th day of March 1858. A.C. McLaughlin

Andrew McLaughlin dec'd — May 3rd 1858
In the matter of the Probate — This day being seen
of his last Will & Testament — regularly appointed for
hearing the application of Duncan S. McLaughlin
which was heretofore filed in this Court for the Probate
of an instrument of writing purporting to be the last
Will and testament of said deceased. Now comes
the said applicant & Sarah Ann Lovelop wife of Benson
Lovelop & her husband and Benson Lovelop and
Nancy Purdy wife of John L. Purdy and it appearing
to the satisfaction of the Court that the notice of the
said application & of the time appointed for hearing the
same has been given in pursuance of law and in
strict accordance with the former order of this Court
made and entered on the premises on the 26th day of
March 1858 by publication continued for three
successive weeks in the Central Alabamian a news
paper published in said County and by citations
personally served as directed in said former orders
and on motion of said Duncan S. McLaughlin
the Court was proceeding to hear said application
when the said Nancy Purdy asked for time to
consult an Attorney which being granted the Court
took a recess of an hour and on convening it appeared
to the satisfaction of the Court that during said recess
the said Nancy Purdy having obtained possession of said
paper produced as aforesaid as the last Will and testament
of the said deceased had mutilated, torn and distorted
the same so as to render it illegible & unintelligible.
The Court on the application of the said Duncan S.
McLaughlin postponed the said hearing until the
succeeding day (May 4th) in order to enable the said
Duncan S. McLaughlin to procure a copy of the same
It is therefore ordered by the Court that said appli
cation be postponed until Tuesday the 4th day of May
1858.

And the Court Adjourned

Andrew McLaughlin dec'd — May the 4th 1858
In the matter of the Probate — This day came Duncan
of his last Will & Testament — S. McLaughlin and prayed further
postponement of the hearing of his application for Probate of
the paper purporting to be the last Will and Testament of
said deceased It is therefore ordered that said application
be postponed until Monday the 10th day of May 1858.

Andrew McLaughlin dec'd — Monday May the 10th 1858
In the matter of the Probate — This being the day to which was
of his Will — continued the application of
Duncan S. McLaughlin for the Probate of an instrument
of writing purporting to be the last will and testament of
the said deceased came the said Duncan S. McLaughlin
and filed his Supplementary petition in writing and under
oath therewith producing and filing in this Court an
instrument of writing purporting to be a copy of the last
Will and testament of said Andrew McLaughlin dec'd
alleging that since the filing of the former petition of said
applicant in this behalf the original last Will & Testament
of said deceased has been altered mutilated and torn so
that it has been rendered wholly illegible & illegable and
consequently could not be submitted to Probate and praying
that said Supplimentary petition be received as Supplementary
to the petition heretofore filed in this behalf and praying
for such orders &c It is therefore ordered by the Court
that the 14th day of June next 1858 be set as a day for
hearing Testimony in proof of said instrument as
a copy of said original will and that Daniel Smith
and Archer McClure be subpoenaed to be and appear
on said 14th day of June next 1858 in and before this
Court to testify and give evidence of and concerning
all and any facts touching the question of the validity
of said instrument as a copy of said will and that
subpoenas may be issued to any other persons requiring
them to be and appear on said day that the parties
may think proper to name It is further ordered
that the resident and non resident heirs of said
deceased & notice of the filing of said Supplimentary
petition & copy of said original will thereof and
in all respects according to the terms & requirements
of the former order of this Court made and entered
in the premises on the 26th day of March 1858.

Supplementary Petition,

To the Honorable Moses Kelly Judge of Probate in
and for the County of Jefferson, & State of Alabama

The Supplementary petition of Duncan S. McLaughlin respectfully represents unto your Honor that on the 5th day of May 1858 it being the day set by a former order of this Court for the Probate of the last Will and Testament of Andrew. McLaughlin deceased. Nancy Purdy wife of John S Purdy one of the legatees in said last Will and testament, having obtained a copy of the paper which had been produced to your Honor as the last Will and Testament of said deceased abused mutilated & so the same in such a manner that it was rendered unintelligible & illegible and consequently could not be admitted to Probate. Your petitioner therefore prays your honor that he be permitted to substitute a copy for said original & that the copy herewith produced & which your petitioner alleges is a true and verbatim copy of said original be received and established as the last will & testament of said Andrew. McLaughlin decd & Letters testamentary issued accordingly. And your petitioner further prays your Honor that this petition be received as supplementary to the petition heretofore filed in this behalf & that a day be set for the hearing of the matter of this petition. That Subpoenas may be issued to bring in the subscribing witnesses whose names appear attached to said copy to testify on such appointed day. that due notice be given of this application to the widow and next of Kin of said deceased all of whose names are stated in said original petition heretofore filed by your petitioner And that such other proceeding orders and decrees be had & made in the premises as may be requisite & proper to effect the due Probate & record of said will according to law. And as in duty bound &c

Subscribed & Sworn to
this 16th day of May 1858
M Kelly Judge

D. S. McLaughlin

Subpoenas

State of Alabama } In the Probate Court
Jefferson County } To any Sheriff of the State of Alabama Greeting. You are hereby commanded to Summon David Smith to appear in and before the Probate Court of said County to be held at the Court house in the Town of Elyton on the 14th day of June 1858 to testify in relation to a paper writing propounded by D. S. McLaughlin & purporting to be a copy of the last will & testament of Andrew. McLaughlin this you shall in no wise omit Herein fail not & have you then this writ Given under my hand. this 16th day of May A.D. 1858. M. Kelly Judge
I acknowledge the Service of the within May 17th 1858. D. Smith

State of Alabama } In the Probate Court
Jefferson County } To any Sheriff of the State of Alabama Greeting. You are hereby commanded to Summon Arthur McClure to appear in and before the Probate Court of said County to be held at the Court house in the Town of Elyton on the 14th day of June next 1858. to testify in relation to a paper writing propounded by D.S. McLaughlin purporting to be a copy of the last will and Testament of Andrew. McLaughlin decd and this you shall in no wise omit. Herein fail not and have you then this writ. Given under my hand this 16th May A.D. 1858
M. Kelly Judge
I acknowledge legal service of the within notice
this 15th May 1858
Arthur McClure

State of Alabama } Probate Court of said County
Jefferson County } To any Sheriff of the State of Alabama Greeting. You are hereby commanded to Summon Wm. Thurston to appear in and before the Probate Court to be held for Jefferson County at the Court house in the Town of Elyton on the 14th day of June next 1858 to give evidence in a certain matter now pending in said Court wherein D.S. McLaughlin has filed a paper writing purporting to be a copy of the last will of Andrew. McLaughlin decd and this you shall in no wise omit under the penalty prescribed by law. Herein fail not and have you then this writ at the office of the Judge of said Court Witness Moses Kelly Judge at office, this 5th day of June A.D. 1858
Attest Moses Kelly Judge
Rec'd same day & paid
Executed 7 June 1858 by delivering a copy
W. G. Eubank Shff By his Dep
W. P. Eichman

State of Alabama } Probate Court of said County
Jefferson County } To any Sheriff of the State of Alabama Greeting. You are hereby commanded to Summon John Burgain to appear in and before the Probate Court to be held for Jefferson Coun

at the Court house in the Town of Elyton on the 4th day of June next 1838 to give evidence in a certain matter now pending in said Court Wherein D.S. McLaughlin has filed a paper writing purporting to be a copy of the last will of Andrew McLaughlin dec'd and this you shall in no wise omit under the penalty prescribed by law. Herein fail not and have you then this writ at the office of the Clerk of said Court Witness Hugh McKelly Judge of said Court at office this 8th day of May 1838

Endorsed 11th June 1838 by Alex. Moore Sheriff
Returned by Deputy N.C. Cabaniss Sheriff

State of Alabama Probate Court of said County
Jefferson County To any Sheriff of the State of Alabama Greeting You are hereby commanded to summon Richard Lovelace to appear in and before the Probate Court to be held for Jefferson County at the Court house in the Town of Elyton on the 14th day of June next 1838 to give evidence in a certain matter now pending in said Court Wherein D.S. McLaughlin has filed a paper writing purporting to be a copy of the last will of Andrew McLaughlin dec'd and this you shall in no wise omit under the penalty prescribed by law. Herein fail not and have you then this writ at the office of the Clerk of said Court Witness Hugh McKelly Judge of said Court at office this 8th day of June A.D. 1838
Returned by Deputy Alex. Moore Sheriff
Executed 8th June 1838
N.C. Cabaniss Sheriff

State of Alabama Probate Court of said County
Jefferson County To any Sheriff of the State of Alabama Greeting You are hereby commanded to summon Sarah Ann Lovelace to appear in and before the Probate Court to be held for Jefferson County at the Court house in the Town of Elyton on the 14 day of June 1838 to give evidence in a certain matter now pending in said Court Wherein D.S. McLaughlin has filed a paper writing purporting to be a copy of the last will and testament of Andrew McLaughlin dec'd and this you shall in no wise omit under the penalty prescribed by law. Herein fail not and have you then this writ at the office of the Judge of said Court Witness Hugh McKelly Judge of said Court at office this 8th day of June A.D. 1838
Returned by Deputy Alex. Moore Sheriff
Executed 8th June 1838
N.C. Cabaniss Sheriff

State of Alabama In the Probate Court
Jefferson County To any Sheriff of the State of Alabama Greeting Whereas Duncan McLaughlin has this day propounded for Probate a paper writing purporting to be a copy of the last will and testament of Andrew McLaughlin late of said County deceased and it appearing to the Court that Sarah Lovelace wife of Richard Lovelace is amongst the next of kin to said deceased You are therefore hereby commanded to Summon the said Sarah Lovelace and her husband Richard Lovelace to appear in and before the Probate Court on the 1st day of June next 1838 to Show cause if any they can why said paper writing so propounded as aforesaid should not be admitted and record as a copy of the last will & testament of the said Andrew McLaughlin deceased Witness Hugh McKelly Judge This 18th day of May A.D. 1838
Hugh McKelly Judge Probate

I acknowledge legal service of the within precept 17th May 1838 Richard Lovelace

State of Alabama In the Probate Court
Jefferson County To any Sheriff of the State of Alabama Greeting Whereas Duncan McLaughlin has this day propounded for Probate a paper writing purporting to be a copy of the last will & testament of Andrew McLaughlin late of said County dec'd and it appearing to the Court that N.C. McLaughlin is amongst the next of kin to said dec'd You are therefore hereby commanded to summon the said N.C. McLaughlin to appear in and before the Probate Court on the 1st day of June next to Show cause if any he can why said paper writing so propounded as aforesaid should not be admitted to Probate and record as a copy of the last will & testament of said Andrew McLaughlin dec'd
Witness Hugh McKelly Judge 18th May A.D. 1838
Hugh McKelly Judge

I acknowledge legal service of the within precept this 21st May 1838
N.C. McLaughlin

State of Alabama } In the Probate Court
Jefferson County } To any Sheriff of the State of
Alabama Greeting Whereas Duncan McLaughlin
has this day propounded for Probate a paper writing
purporting to be a copy of the last will & testament
of Andrew McLaughlin late of said County dec'd
& appearing to the Court that the widow of said
deceased & Nancy McLaughlin & others
interested therein reside out of this State and
therefore hereby commanded to summon the said
Nancy McLaughlin & others interested therein
to appear & show cause if any they can why said
writing purporting to be a copy of the last will
& testament of said Andrew McLaughlin dec'd
should not be admitted to Probate as a copy of
the last will & testament of said deceased
Given under my hand & seal of office this 3rd day
of May A.D. 1838
Jno. Kelly Judge

I acknowledge the legal service of the within
writing this the 3rd May 1838
D. McLaughlin

State of Alabama } In the Probate Court
Jefferson County } To any Sheriff of the State of
Alabama Greeting Whereas Duncan McLaughlin
has propounded for Probate a paper writing
purporting to be a copy of the last will & testament
of Andrew McLaughlin late of said County dec'd
& it appearing to the Court that the widow of said
deceased & Nancy McLaughlin & others
interested therein reside out of this State and
therefore hereby commanded to summon the said
Nancy McLaughlin & others interested therein
to appear & show cause if any they can why said
writing so propounded as aforesaid should not be
admitted to Probate & record as a copy of the last
will & Testament of the said Andrew McLaughlin
deceased Witness Jno. Kelly Judge this 10th May
A.D. 1838
Jno. Kelly Judge

I acknowledge legal service of the within
precept this 15th May 1838
Nancy McLaughlin

The State of Alabama } Probate Court of said
Jefferson County } County To the Hon. Moses
Kelly Judge of said Court. Your Petitioner Nancy
McLaughlin respectfully represents that she is the Daughter
of Andrew McLaughlin dec'd & Executrix named in his
last will & testament & that Duncan McLaughlin has
filed in this Court a writing purporting to be the last will
& testament of said deceased & prays that the same
may be admitted to Probate as a copy of the last will
& testament of said deceased & prays that an order
may be made by the Court directing the Register to
issue Citations to all persons interested in said writing
purporting to be the last will & testament of said deceased
to appear & show cause if any they can why said writing
purporting to be the last will & testament of said deceased
should not be admitted to Probate & record as a copy of
the last will & testament of said deceased & your Petitioner
will ever pray &c
Nancy McLaughlin

State of Alabama } In the Probate Court of Jefferson
Jefferson County } County
Nancy McLaughlin } To the Probate Court aforesaid
vs } Your petitioner
D. McLaughlin } Andrew McLaughlin late
of said County deceased departed this life on or about the
day of A.D. 1838 leaving a writing purporting to be his last will
& testament which writing has been filed in this Court by
Duncan McLaughlin & your petitioner states that said writing
purporting to be the last will & testament of said deceased was
made under & by undue influence upon said deceased and
that said deceased was prevented from
destroying revoking or altering the same by the undue
influence aforesaid & your petitioner says that by reason of the
premises that said writing is not the last
last will & testament of said deceased & prays that no
order may be made by the Court directing the Register to
issue Citations to all persons interested in said writing
purporting to be the last will & testament of said deceased
to appear & show cause if any they can why said writing
purporting to be the last will & testament of said deceased
should not be admitted to Probate & record as a copy of
the last will & testament of said deceased & your petitioner
will ever pray &c
Nancy McLaughlin
by her Attorneys
Clanton & Bowdon

D. McLaughlin } In the Probate Court of Jefferson
vs } County
Nancy McLaughlin } To the Probate Court aforesaid
} Your petitioner
} Nancy McLaughlin
} Executrix named in the last will
} & testament of Andrew McLaughlin
} late of said County deceased
} departed this life on or about the
} day of A.D. 1838 leaving a writing
} purporting to be his last will & testament
} which writing has been filed in this Court by Duncan
} McLaughlin & your petitioner states that said writing
} purporting to be the last will & testament of said deceased was
} made under & by undue influence upon said deceased and
} that said deceased was prevented from
} destroying revoking or altering the same by the undue
} influence aforesaid & your petitioner says that by reason of the
} premises that said writing is not the last
} last will & testament of said deceased & prays that no
} order may be made by the Court directing the Register to
} issue Citations to all persons interested in said writing
} purporting to be the last will & testament of said deceased
} to appear & show cause if any they can why said writing
} purporting to be the last will & testament of said deceased
} should not be admitted to Probate & record as a copy of
} the last will & testament of said deceased & your petitioner
} will ever pray &c
} Nancy McLaughlin
} by her Attorneys
} Clanton & Bowdon

D. McLaughlin } In the Probate Court of Jefferson
vs } County
Nancy McLaughlin } To the Probate Court aforesaid
} Your petitioner
} Nancy McLaughlin
} Executrix named in the last will
} & testament of Andrew McLaughlin
} late of said County deceased
} departed this life on or about the
} day of A.D. 1838 leaving a writing
} purporting to be his last will & testament
} which writing has been filed in this Court by Duncan
} McLaughlin & your petitioner states that said writing
} purporting to be the last will & testament of said deceased was
} made under & by undue influence upon said deceased and
} that said deceased was prevented from
} destroying revoking or altering the same by the undue
} influence aforesaid & your petitioner says that by reason of the
} premises that said writing is not the last
} last will & testament of said deceased & prays that no
} order may be made by the Court directing the Register to
} issue Citations to all persons interested in said writing
} purporting to be the last will & testament of said deceased
} to appear & show cause if any they can why said writing
} purporting to be the last will & testament of said deceased
} should not be admitted to Probate & record as a copy of
} the last will & testament of said deceased & your petitioner
} will ever pray &c
} Nancy McLaughlin
} by her Attorneys
} Clanton & Bowdon

D. McLaughlin } In the Probate Court of Jefferson
vs } County
Nancy McLaughlin } To the Probate Court aforesaid
} Your petitioner
} Nancy McLaughlin
} Executrix named in the last will
} & testament of Andrew McLaughlin
} late of said County deceased
} departed this life on or about the
} day of A.D. 1838 leaving a writing
} purporting to be his last will & testament
} which writing has been filed in this Court by Duncan
} McLaughlin & your petitioner states that said writing
} purporting to be the last will & testament of said deceased was
} made under & by undue influence upon said deceased and
} that said deceased was prevented from
} destroying revoking or altering the same by the undue
} influence aforesaid & your petitioner says that by reason of the
} premises that said writing is not the last
} last will & testament of said deceased & prays that no
} order may be made by the Court directing the Register to
} issue Citations to all persons interested in said writing
} purporting to be the last will & testament of said deceased
} to appear & show cause if any they can why said writing
} purporting to be the last will & testament of said deceased
} should not be admitted to Probate & record as a copy of
} the last will & testament of said deceased & your petitioner
} will ever pray &c
} Nancy McLaughlin
} by her Attorneys
} Clanton & Bowdon

D. McLaughlin } In the Probate Court of Jefferson
vs } County
Nancy McLaughlin } To the Probate Court aforesaid
} Your petitioner
} Nancy McLaughlin
} Executrix named in the last will
} & testament of Andrew McLaughlin
} late of said County deceased
} departed this life on or about the
} day of A.D. 1838 leaving a writing
} purporting to be his last will & testament
} which writing has been filed in this Court by Duncan
} McLaughlin & your petitioner states that said writing
} purporting to be the last will & testament of said deceased was
} made under & by undue influence upon said deceased and
} that said deceased was prevented from
} destroying revoking or altering the same by the undue
} influence aforesaid & your petitioner says that by reason of the
} premises that said writing is not the last
} last will & testament of said deceased & prays that no
} order may be made by the Court directing the Register to
} issue Citations to all persons interested in said writing
} purporting to be the last will & testament of said deceased
} to appear & show cause if any they can why said writing
} purporting to be the last will & testament of said deceased
} should not be admitted to Probate & record as a copy of
} the last will & testament of said deceased & your petitioner
} will ever pray &c
} Nancy McLaughlin
} by her Attorneys
} Clanton & Bowdon

D. McLaughlin } In the Probate Court of Jefferson
vs } County
Nancy McLaughlin } To the Probate Court aforesaid
} Your petitioner
} Nancy McLaughlin
} Executrix named in the last will
} & testament of Andrew McLaughlin
} late of said County deceased
} departed this life on or about the
} day of A.D. 1838 leaving a writing
} purporting to be his last will & testament
} which writing has been filed in this Court by Duncan
} McLaughlin & your petitioner states that said writing
} purporting to be the last will & testament of said deceased was
} made under & by undue influence upon said deceased and
} that said deceased was prevented from
} destroying revoking or altering the same by the undue
} influence aforesaid & your petitioner says that by reason of the
} premises that said writing is not the last
} last will & testament of said deceased & prays that no
} order may be made by the Court directing the Register to
} issue Citations to all persons interested in said writing
} purporting to be the last will & testament of said deceased
} to appear & show cause if any they can why said writing
} purporting to be the last will & testament of said deceased
} should not be admitted to Probate & record as a copy of
} the last will & testament of said deceased & your petitioner
} will ever pray &c
} Nancy McLaughlin
} by her Attorneys
} Clanton & Bowdon

D. McLaughlin } In the Probate Court of Jefferson
vs } County
Nancy McLaughlin } To the Probate Court aforesaid
} Your petitioner
} Nancy McLaughlin
} Executrix named in the last will
} & testament of Andrew McLaughlin
} late of said County deceased
} departed this life on or about the
} day of A.D. 1838 leaving a writing
} purporting to be his last will & testament
} which writing has been filed in this Court by Duncan
} McLaughlin & your petitioner states that said writing
} purporting to be the last will & testament of said deceased was
} made under & by undue influence upon said deceased and
} that said deceased was prevented from
} destroying revoking or altering the same by the undue
} influence aforesaid & your petitioner says that by reason of the
} premises that said writing is not the last
} last will & testament of said deceased & prays that no
} order may be made by the Court directing the Register to
} issue Citations to all persons interested in said writing
} purporting to be the last will & testament of said deceased
} to appear & show cause if any they can why said writing
} purporting to be the last will & testament of said deceased
} should not be admitted to Probate & record as a copy of
} the last will & testament of said deceased & your petitioner
} will ever pray &c
} Nancy McLaughlin
} by her Attorneys
} Clanton & Bowdon

D. McLaughlin } In the Probate Court of Jefferson
vs } County
Nancy McLaughlin } To the Probate Court aforesaid
} Your petitioner
} Nancy McLaughlin
} Executrix named in the last will
} & testament of Andrew McLaughlin
} late of said County deceased
} departed this life on or about the
} day of A.D. 1838 leaving a writing
} purporting to be his last will & testament
} which writing has been filed in this Court by Duncan
} McLaughlin & your petitioner states that said writing
} purporting to be the last will & testament of said deceased was
} made under & by undue influence upon said deceased and
} that said deceased was prevented from
} destroying revoking or altering the same by the undue
} influence aforesaid & your petitioner says that by reason of the
} premises that said writing is not the last
} last will & testament of said deceased & prays that no
} order may be made by the Court directing the Register to
} issue Citations to all persons interested in said writing
} purporting to be the last will & testament of said deceased
} to appear & show cause if any they can why said writing
} purporting to be the last will & testament of said deceased
} should not be admitted to Probate & record as a copy of
} the last will & testament of said deceased & your petitioner
} will ever pray &c
} Nancy McLaughlin
} by her Attorneys
} Clanton & Bowdon

D. McLaughlin } In the Probate Court of Jefferson
vs } County
Nancy McLaughlin } To the Probate Court aforesaid
} Your petitioner
} Nancy McLaughlin
} Executrix named in the last will
} & testament of Andrew McLaughlin
} late of said County deceased
} departed this life on or about the
} day of A.D. 1838 leaving a writing
} purporting to be his last will & testament
} which writing has been filed in this Court by Duncan
} McLaughlin & your petitioner states that said writing
} purporting to be the last will & testament of said deceased was
} made under & by undue influence upon said deceased and
} that said deceased was prevented from
} destroying revoking or altering the same by the undue
} influence aforesaid & your petitioner says that by reason of the
} premises that said writing is not the last
} last will & testament of said deceased & prays that no
} order may be made by the Court directing the Register to
} issue Citations to all persons interested in said writing
} purporting to be the last will & testament of said deceased
} to appear & show cause if any they can why said writing
} purporting to be the last will & testament of said deceased
} should not be admitted to Probate & record as a copy of
} the last will & testament of said deceased & your petitioner
} will ever pray &c
} Nancy McLaughlin
} by her Attorneys
} Clanton & Bowdon

said Deft is ready to verify. Wherefore the prays judgement of the said supplemental petition & the proceedings thereon and that the same may be quashed

Earnest Clark & Hewitt
Attys for Deft

Personally appeared in open Court Wm Earnest Atty for Deft who being sworn says that the facts of the above plea are true. Subscribed &
sworn to 14th June 1858 Wm Earnest
M Kelly Judge Probate.

Comes Duncan S McLaughlin and demurs to the foregoing plea. And assigns for cause of demurrer,
1st That said plea does not aver that the two petitions mentioned in said plea are seperate and distinct.
2nd That it does not aver that the two proceedings mentioned in said plea are seperate & distinct.
The Court sustained the demurrer.

D S McLaughlin } In Probate Court of Jefferson
vs } County. In the matter of the
Nancy Purdy } Probate of the will of Andrew
McLaughlin Dec'd. } And the said Nancy Purdy one of the heirs of said Andrew McLaughlin deceased comes & defends the wrong & injury & pleads in short by consent & prays judgement of the said last petition styled the Supplemental petition & the proceedings thereon because she says that heretofore Court on the 20th day of March 1858 the said D S McLaughlin filed his said petition in this Court in words & figures as follows (See as of record page 32) and that upon the filing of said petition such orders and decrees as were necessary to bring all the parties into Court were granted, (See as of record page 32) to Probate the will of the said Andrew McLaughlin on the 8th day of May 1858 which said cause is yet depending in said Court. And while said petition was pending in said Court & undetermined & undismissed Court, on the 10 day of May 1858 the said D S McLaughlin filed his said Supplemental petition in words and figures as follows (See as of record pages 37 & 38) & upon which said petition the following orders & decrees were made which is to bring into Court the same parties to reveal the Probate of said Copy of said Will, And the Deft avers that the two proceedings in said Court are between the identical same parties & not other & different parties & for the purpose of establishing the same identical will, and that the said former petition and proceedings thereon & the said Supplemental petition are seperate & distinct actions by the said D S McLaughlin against the Deft & both pending in this Court at the same time & this the said Deft is ready to verify by the record wherefore she prays judgement of the said Supplemental petition and the proceedings thereon & that the same may be quashed

Earnest Clark & Hewitt
Attys for Deft

Comes the said Duncan S McLaughlin by attorneys and demurs to said Nancy Purdy's plea in abatement filed in this proceeding upon the ground that the facts therein set forth are insufficient in law to abate said petition or proceedings

Porter & Morgan
Attys for D S McLaughlin

Comes in demurrer Earnest, Clark & Hewitt Attys for Deft

Demurrer sustained by the Court

Andrew McLaughlin dec'd } June 1st 1858
In the matter of the Probate } In the county Court
of his last Will & Testament } Upon the application of D S McLaughlin upon his original and supplemental petitions which was heretofore filed in this Court for the Probate of an instrument of writing, purporting to be a copy of the last Will & Testament of said deceased. Now comes the said applicant in person and by attorneys and also comes Wm Earnest Esq Attorney for Mrs Nancy Purdy daughter of said decedent and an heir of said Estate. And it appearing to the Satisfaction of the Court that the notice of said application and of the time appointed for hearing the same has been given in pursuance of law and in strict accordance with the former order of this Court made and entered on the premises on the 10th day of May 1858 by publication continued for three successive weeks in the contest Alabamian a news paper published in said County, and by citations personally served as directed in said former order. On motion of said McLaughlin the Court proceeded to hear said application as made on his supplemental petition filed on the 10 day of May 1858. Comes the Defendant Nancy Purdy and demurs to the Supplemental petition and for cause of demurrer sets down, First, the insufficiency of said petition. Second There is no law for said Supplemental petition. Third, because

Case is a non joinder of actors Smith for want of certainty in stating the action which demurrer was overruled the said Nancy Purdy by Attorney then and there pleas in abatement which were demurred to by said Dr. McLaughlin and the demurrer sustained by the Court and it appearing to the satisfaction of the Court that since the filing of the original petition in this Cause by the said Dr. McLaughlin together with the last Will of said deceased and last Will was destroyed by the said Nancy Purdy aforesaid and it appearing to the satisfaction of the Court from the testimony of David Smith and Archibald McCure that they respectively signed an instrument of writing purporting to be the last will and testament of the said deceased on the day of the date thereof in the presence of said testator and at his request and subscribing witnesses to the same the said Testator then declaring that said instrument constituted his last Will and that said Testator was of the full age of Twenty one years and upwards at the time of making his said Will and that he was of sound mind and fully capable of making his said Will and that the writing now shown to them is a true and correct Copy of said Will and it being also shown by proof which is satisfactory to the Court that the said original Will cannot be had as the Testimony of said witnesses David Smith and Archibald McCure is the same which was destroyed as aforesaid and seems to the Court that said application should be granted.

It is therefore ordered adjudged and decreed by the Court that said Copy of said Will of said Andrew McLaughlin dec'd. be received and the same is hereby declared to be duly proven as the Last Will and Testament of said deceased and as such admitted to Probate and ordered to be recorded, together with the proof thereof, and all other papers on file relating to this proceeding.

And the Court Adjourned

Andrew McLaughlin Dec'd. Copy of Will & Proof

In the name of God Amen.

I Andrew McLaughlin of the County of Jefferson and State of Alabama Knowing the great uncertainty of human life & being now of sound & disposing mind & memory do make publish & declare this to be my last Will and testament.

1st After the payment of my just debts I give devise & bequeath all the property real & personal of which I may be seized & possessed to my beloved wife during the term of her natural life

2nd After the death of my wife it is my will that all the real Estate of which I may be seized & possessed shall be divided into three equal parts & my personal property into seven equal parts. And to each of my sons Duncan L. McLaughlin & Archibald McLaughlin I give devise one third of my real estate to have and to hold the same to them their heirs and assigns forever and to each of my sons Duncan L. McLaughlin & Archibald McLaughlin and to each of my daughters Sarah A. Lovelace wife of Benson Lovelace Mary Johnson wife of George Johnson Nancy Purdy wife of John L. Purdy and Catharine L. King wife of Gilbert King I give & bequeath one seventh part of my personal property to have & to hold the same to them their heirs & assigns forever. The remaining one third part of my real estate & the remaining one seventh part of my personal property I give devise & bequeath to my son Alexander L. McLaughlin to have & to hold upon the trust and condition that he shall use employ & manage the same for the benefit & support maintenance & education of the four children of my said son Alexander L. who are now living viz. Mary E. Mary E. Thomas & Elizabeth D. McLaughlin & such other children as may hereafter be lawfully begotten by my said son Alexander L. McLaughlin but the said property real & personal or any part thereof is not to be in any way liable to any debts which the said Alexander L. now owes or may hereafter contract on his own account or for his own benefit. It being my wish intention & desire as the said Alexander L. is deeply involved in debt to secure the property hereby given to him in trust, to his children for their sole benefit maintenance & education. And after the death of my son Alexander L. it is my will that the property hereby given to him in trust shall be equally divided between his children that may then be living of either of the children of the said Alexander L. now living or any that may be hereafter lawfully begotten by him. Shall die before such division of the property and have lawful issue the said issue is to receive the parents share but if there be no lawful issue then the said share is to be divided equally among the survivors

3rd I do hereby nominate constitute and appoint D. L. McL

neighbor a matter of this my last will and testament
hereby revoking all former wills by me made.
In testimony whereof I have hereunto set my hand
and affixed my seal this 17th day of June A.D. 1858.

(Signed) Andrew X McLaughlin (Seal)
mark

The above written instrument was subscribed by the said
Andrew McLaughlin in our presence and acknowledged
by him to each of us at the same time published &
declared the said instrument to be his last will & testament
and we at the request of the said Andrew McLaughlin
the Testator sign in his presence & in the presence of
each other have signed our names as witnesses hereunto.

David Smith
Arthur McEuse
J.M. Williams

The State of Alabama
Jefferson County } Probate Court of said County.

In the matter of the Probate of the last will &
Testament of Andrew McLaughlin dec'd

Before me Moses Kelly Judge of the said Court personally
appeared in open Court David Smith & Arthur McEuse
who having been by me first respectfully duly sworn &
examined each for himself deposes & says on oath that they were
each subscribing witnesses to an instrument of writing
which purported to be the last will & testament of
Andrew McLaughlin late of said County deceased
& signed & executed said instrument on the day the same
bears date & declared the same to be his last will &
Testament, & that affiants did their signatures thereto
on the day the same bears date, as subscribing witnesses
to the same in the presence of said Testator. That said
Testator was of sound mind & disposing memory
and in the opinion of deponents fully capable of
making his will, at the time the same was so made.
Affiants further state that said Testator
was on the day of the date of said will of the full age
of twenty one years & upwards. Affiants further state
that they heard said paper read over & that they believe
& are satisfied that the paper now shown to them is a
true & correct copy of the same.

Sworn to & Subscribed before
me. This 14th day of June 1858.
Moses Kelly Judge.

David Smith
Arthur McEuse

State of Alabama } Probate Court 17th June 1858
Jefferson County } I Moses Kelly Judge of the Court of Probate
in and for said County and State do hereby certify that the
within instrument of writing has this day in said Court and
before me as the Judge thereof been duly proven by the proper
testimony to be a copy of the genuine last will & testament
of Andrew McLaughlin dec'd and that said Copy of said
will together with said proof thereof has been recorded
in my office in Book of Wills No 1 on pages 47 and 48.
In witness of all which I have hereunto set my hand
this June 17th 1858.

Moses Kelly Judge

Mrs. R. Howell &c as & Will.

R.A. Howell Pro'd. } June 15th 1858
In the matter of the Probate } Who for come Martha Howell
of last Will } and being her person duly sworn
and sworn saith she will produce and going in this Court
an instrument of writing purporting to be the last Will
and Testament of R.A. Howell deceased and praying
for such orders decrees and proceedings as may be proper
and requisite for the due Probate and record of said Will
in this Court which said instrument appears to be attested
by R.A. Howell Jno. Cook, Samuel Brooks & Mrs. R. Howell
there is also a codicil to said will, which appears to be attested
by R.A. Howell, Mrs. Howell & Thomas Malone of this
County, and who are alleged to have signed the same as subscribing witnesses thereto, and it appearing to the Court
from said petitioner that said petitioner is the widow of
said deceased that said deceased left surviving him
surviving Mary A. Howell minor over the age of fourteen
R.A. Howell minor under the age of fourteen both
of whom reside in this County with petitioner and Howell
of full age and who resides in Townsville Ala. R.A. Howell
R.A. Howell & R.A. Howell all of whom are of full age
& reside in this Jefferson County Ala. It is
therefore ordered by the Court that the 17th day of July 1858
be set as a day for hearing testimony in proof of said
instrument as such Will. That R.A. Howell R.A. Howell
& R.A. Howell be subpoenaed to be and appear on said 17th day
of July 1858 in and before this Court to testify and give
evidence of and concerning all facts touching the question
of the validity of said instrument as such will. That
said Mary A. & R.A. Howell be notified of this proceeding.

and of the day there set for hearing the matter by
Petition to be served upon the said Martha Hewett for three
full days at least before said 17 day of July. That said
T.H. Hewett & S. Hewett also have the same read & notice
and by such personal service thereof for the same length
of time before the said day of said hearing. That the
appointment of a suitable person to act as Guardian
Ad Litem for said minors to postpone until said
Petition shall have been duly served on said minors
agreeable to the foregoing terms of this present order
for such a length of time, it shall be deemed and adjudged by the Court to be reasonable and sufficient for
such. And said minors is the over the age of fourteen years
and for the defendants and custodians of other late or infants
and the shall be interested by Guardian & come
in and answer to the Court a proper person to act
as such Guardian.

Petition

State of Alabama } In the Probate Court of said County
Jefferson County } for the County of Probate of said County

The Petition of Martha Hewett respectfully represents unto your Honor that the late Samuel B. Hewett who was an inhabitant of this County at the time of his death departed this life on the 22 day of May last at his late residence in said County leaving a last will and testament duly signed and published by him and attested by O.S. Barnett, Thomas Nelson & Lee L. Hewett and T.H. Hewett, all of whom reside in this County in which your petitioner is the only living witness as a witness which said will is herewith produced to your Honor and propounded for Probate and record in this Court. Your petitioner further states that she is the widow of said deceased and that the said Mr. Hewett of said deceased are his children T.H. Hewett of full age and resides in this County S.S. Hewett of full age and resides in Townsville Ala S.F. Hewett of full age and resides in this County E.H. Hewett of full age and resides in this County Mary A. Hewett minor over the age of 14 and resides with your petitioner, and R.B. Hewett minor under the age of 14 and resides with your petitioner.

Your consideration of all which your petitioner prays that a day may be set for the hearing of the matter of this petition, that Subpoenas may be issued to bring in said Subscribing witnesses to testify on such appointed day, that due notice

of this application may be given to the said next of kin of said deceased and that such other & such proceedings and decrees may be had and made in the premises as may be requisite and proper to effect the due Probate and record of said will according to law and as in duty bound &c.

This the 17th day of June 1858.

Subscribed & Sworn to & Subscribed before me. Martha Hewett

M. Kelly Judge

The State of Alabama } Probate Court of said County
Jefferson County } In the County Court of said County

Guardian ad Litem of S.B. & T.H. Hewett and minors all and singular the Petitions of the applicant Martha Hewett and to establish the last will and testament of Samuel Hewett deceased & the same not being Contested unless proven by one or more of the subscribing witnesses

Guardian ad L

Citation

State of Alabama } Probate Court of said County
Jefferson County } To any Sheriff of the State of Alabama

Greeting. You are hereby commanded to Summon S.S. Hewett to appear in and before the Probate Court to be held in Jefferson County at the Court House in the Town of Elyton on the 17 day of July 1858 to give evidence in a certain matter now pending in said Court wherein Martha Hewett has propounded for Probate a paper writing purporting to be the last will & Testament of S.B. Hewett dec'd and this you shall in no wise omit under the penalty prescribed by law. Herein fail not and have you there this writ. At the office of the Judge of said Court Witness M. Kelly Judge of said Court at office the 15th day of June A.D. 1858. M. Kelly Judge

Acknowledge service of the within Subpoena this 16 day of June 1858. O.S. Barnett Att for Hewett

State of Alabama } Probate Court of said County
Jefferson County } To any Sheriff of the State of Alabama

Greeting. You are hereby commanded to Summon T.H. Hewett to appear in and before the Probate Court to be held for Jefferson County at the Court house in the Town of Elyton on the 17 day of July 1858 to give evidence in a certain matter now pending in said Court wherein Martha Hewett has propounded for Probate a paper writing purporting to be the last will and testament of S.B. Hewett dec'd and this you shall in no wise omit under the penalty prescribed by law. Herein fail not and have

you then this writ at the office of the Judge of said Court Witness M. Kelly Judge of said Court at office this 15th day of June A.D. 1858 M. Kelly Judge
I acknowledge Service of the within subpoena July 1st 1858 L.H. Hewitt Test G.H. Hewitt

State of Alabama } Probate Court of said County
Jefferson County } To any Sheriff of the State of Alabama Greeting You are hereby commanded to Summon L.H. Hewitt to appear in and before the Probate Court to be held for Jefferson County at the Court House in the Town of Elyton on the 17th day of July 1858 to produce in a certain matter now pending in said Court wherein Martha Hewitt has filed a petition writing purporting to be the last will & testament of L.H. Hewitt dec'd and this you shall in no wise omit under the penalty prescribed by law Herein fail not and have you then this writ at the office of the Judge of said Court Witness M. Kelly Judge of said Court at office this 15th day of June A.D. 1858 M. Kelly Judge
I acknowledge service of the within notice July 1st 1858 L.H. Hewitt Test G.H. Hewitt

State of Alabama } Probate Court 15th June 1858
Jefferson County } To any Sheriff of the State of Alabama Greeting Whereas Martha Hewitt has propounded to this Court for Probate a paper writing purporting to be the last Will and Testament of L.H. Hewitt dec'd and it appearing to the Court that L.H. Hewitt is amongst the next of kin to said deceased
You are therefore hereby commanded to Summon the said L.H. Hewitt to appear in this Court on the 17th day of July 1858 to Show cause if any he can why said paper writing so propounded as aforesaid Should not be admitted to Probate & recorded as the last Will & Testament of the said L.H. Hewitt dec'd Witness M. Kelly Judge of said Court at office in the Town of Elyton This 15th day of June A.D. 1858 M. Kelly Judge Probate
I acknowledge service of the within notice July 1st 1858 L.H. Hewitt Test G.H. Hewitt

State of Alabama } Probate Court 15th June 1858
Jefferson County } To the Sheriffs of said County Greeting Whereas Martha Hewitt has filed in this Office for Probate a paper writing purporting to be the last Will & testament of L.H. Hewitt deceased

and it appearing to the Court that said Court is amongst the next of kin to said dec'd You are therefore hereby commanded to Summon the said L.H. Hewitt to appear in this Court on the 17th day of July 1858 Show cause if any he can why said paper writing so propounded as aforesaid Should not be admitted to Probate and recorded as the last Will & Testament of the said L.H. Hewitt dec'd Given under my hand
M. Kelly Judge Probate

A copy of the within notice to the said L.H. Hewitt
Executed the 1st day of July 1858 L.H. Hewitt

State of Alabama } Probate Court 15th June 1858
Jefferson County } To any Sheriff of the State of Alabama Greeting Whereas Martha Hewitt has propounded to this Court for Probate a paper writing purporting to be the last Will & testament of L.H. Hewitt dec'd and it appearing to the Court that L.H. Hewitt is amongst the next of kin to said deceased You are therefore hereby commanded to Summon the said L.H. Hewitt to appear in this Court on the 17th day of July next 1858 to Show cause if any he can why said paper writing so propounded as aforesaid Should not be admitted to Probate & recorded as the last Will and Testament of the said L.H. Hewitt dec'd Witness M. Kelly Judge of said Court at office in the Town of Elyton This 15th day of June A.D. 1858
I acknowledge service of the within notice July 1st 1858 L.H. Hewitt Test G.H. Hewitt

State of Alabama } Probate Court 15th June 1858
Jefferson County } To any Sheriff of the State of Alabama Greeting Whereas Martha Hewitt has propounded to this Court for Probate a paper writing purporting to be the last Will & testament of L.H. Hewitt dec'd and it appearing to the Court that L.H. Hewitt is amongst the next of kin to said deceased You are therefore hereby commanded to Summon the said L.H. Hewitt to appear in this Court on the 17th day of July 1858 and Show cause if any he can why said paper writing so propounded as aforesaid Should not be admitted to Probate & recorded as the last Will and Testament of the said L.H. Hewitt dec'd Given under my hand
M. Kelly Judge Probate

I acknowledge Service of the within notice July 1st 1858 L.H. Hewitt
Test G.H. Kelly

State of Alabama } Probate Court 10th June 1848
Jefferson County } To the Sheriff of said County
Greeting Whereas Martha Hewitt has filed in this Court a paper writing purporting to be the last Will and Testament of S. B. Hewitt dec'd and it appearing to the Court that Mary A. Hewitt is amongst the next of Kin to said dec'd you are therefore hereby commanded to summon the said Mary A. Hewitt to appear in this Court on the 17th day of July 1848 then and there to shew cause if any she can why said paper writing so propounded as aforesaid should not be admitted to Probate as the last Will & Testament of the said S. B. Hewitt dec'd

Given under my hand
A. Bibb Judge

I accept service of the within notice and being a minor I choose John Coleman Esq for my Guardian Ad litem & he will attend to my interest in the matter
Mary A. Hewitt
S. B. Hewitt dec'd

[illegible] Hewitt deceased } [illegible] 1848
And the matter of his Will & And it being this day fully proven to the Court that the publication has been made and notice given to the widow and next of kin of said dec'd as required by and in strict accordance with the former order of this Court made and entered in this proceeding on the 10th day of June 1848 and the said Mary A. Hewitt being over 14 years of age & having nominated John C. Morrow Esqr to be her Guardian Ad litem in this proceeding and no one appearing for the said S. B. Hewitt to make choice of a Guardian Ad litem to represent him in this proceeding, It is therefore ordered by the Court that John C. Morrow Esqr be appointed Guardian Ad litem for said minors & the said John C. Morrow appearing in open Court and consenting to act as the said Morrow being considered by the Court as in every respect a fit and proper person to attend to and to protect the interest of said minors in the matter of the Probate of said Will

S. B. Hewitt dec'd } On the 17th July the 17th 1848.
matter of the Probate of the } This day having been regularly
Last Will & Testament } set for hearing the application
of Martha Hewitt which was heretofore filed in this Court
for the Probate of Some instrument of writing purporting
to be the last Will & Testament & Codicil thereto of said
deceased. And now comes the said applicant by attorney, and also
comes John C. Morrow Esqr who was heretofore duly appointed

by the order of this Court and who now consents to act as the Guardian Ad litem for Mary A. & S. B. Hewitt who are minors and children and heirs of said deceased And it appearing to the satisfaction of the Court that the notice of the said application and of the time appointed for hearing the same has been given in pursuance of law and in strict accordance with the former order of this Court made and entered in the premises on the 10th day of June 1848 by citations personally served & directed in said former order Now on motion of the Attorney of said Martha Hewitt the Court proceeds to hear the said application and it appearing to the satisfaction of the Court from the testimony of T. H. Hewitt & T. Hewitt & Thomas Malone that they heard duly signed the said instrument of writing purporting to be the last Will and Testament and Codicil thereto of the said deceased and which writing is now shown to them & the day of the date thereof in the presence of said Testator and at his request & subscribing witnesses to the same & that said Testator then declared that said instrument so shown was his last Will and Codicil and it being also shown by proof which is satisfactory to the Court that said Testator was of the full age of twenty one years and upwards at the time of executing said Will and that he was of sound mind and duly capable of making his said Will & it appearing to the Court that said application should be granted & it is therefore ordered adjudged and decreed by the Court that said Will & Codicil of said S. B. Hewitt dec'd be proved and the same is hereby declared to be duly proven as the last Will and Testament of said deceased and that such admitted to Probate and ordered to be recorded together with the proofs thereof and all other papers on file relating to this proceeding

It is further ordered that said applicant pay the costs of this proceeding from the effects of said Estate.

Test. A. Bibb Judge Mill Court

The State of Alabama }
Jefferson County } Ss. July the 5th 1848

I S. B. Hewitt being of sound mind and memory and considering the uncertainty of life and the certainty of death do hereby make this my last Will & Testament & do bequeath to my wife Martha to have and possess during her natural life all the land belonging to my home place and the upper or most northern Lot which I bought of the Estate of S. B. Ayres supposed to contain fifty or fifty two acres and that portion of Lot [illegible] and woodland

being west of said field the most Southern line of said woodland to commence at the western end of said field at the upper end of the ditch which runs parallel with and close to the western end of said field and runs from thence due west to the Middle section line thence North so as to include all the woodland and the said field north of said line commencing at the upper end of said ditch thence west to and the East half of the South part of the North East quarter of Section 15 Township 16 South Range 3 West in Alabama in which I have hereunto set my hand and seal signed sealed & delivered

In the presence of

J. F. Hewitt
Jno Baker
Emmet Yeates
W. J. Hewitt

Test

J. F. Hewitt Seal

I do further covenant to build that my corn for said Heirs shall be proposed on field of one half of a number of horses that I may be possessed of at the time of my death also one half of cattle & young hogs and young stock as the may choose & also the number of all her stock to be selected by herself also all the household & kitchen furniture also corn fodder & wheat sufficient for her use for twelve months also all tools of whatever kind. In Testimony whereof I have hereunto subscribed my name & affixed my seal this the 26th day of May A.D. one thousand eight hundred & fifty eight

Signed sealed & delivered in presence of

J. F. Hewitt
D. S. Burwell
Thomas. Nelson

J. F. Hewitt Seal

State of Alabama } In the Probate Court of said County
Jefferson County } In the matter of the Probate of the last Will and Testament of J. R. Hewitt deceased

Before me Moses Kelly Judge of the said Court personally appeared in open Court Wm J. F. Hewitt, and Francis J. Hewitt & Thomas Nelson the witnesses whose names are signed to the within will and the Codecil who being by me duly Sworn and examined deth on their do depose and say, on oath that they are each Subscribing witnesses to the instrument of writing now shown to them & which purports to be the last Will & Testament & the Codecil of James R. Hewitt deceased late an inhabitant of said County that on

J. R. Hewitt signed, sealed & acknowledged the within instrument of writing as his last Will & Testament and Codecil and that they heard the same to be by the said Testator subscribed in the presence of said Testator that said Testator was of sound mind and upwards of twenty one years of age to the best of their knowledge & belief at the time the same was so made subscribed & published further state that said testator was at the time of the execution of said will & Codecil in the County aforesaid

Subscribed & Sworn to
17th July 58
18th July 58

J. F. Hewitt
Thomas Nelson
Emmet Yeates

State of Alabama } In the Probate Court of the County of Jefferson County Alabama in and for said County and State do hereby certify that the within instrument of writing have this day been duly proven by the proper testimony to be the genuine last will & Testament and Codecil thereto of J. R. Hewitt deceased and that said will and said Codecil together with the said proof thereof have been recorded in my office in Book of Wills No. pages 2 & 3 & 4 & 5 In testimony whereof I have hereunto set my hand this 18th day of July 1858

Moses Kelly Judge of Probate

For Jefferson County

Benj F. Mapey Dec'd vs Will

Benj F. Mapey deceased on the 2nd day of July the A.D. 1838
Intitle of the Probate of his Will on the 3rd day came Thomas
M. Mapey and filed his petition in writing and under oath
therein praying and filing in this Court an instrument
of writing purporting to be the last Will and Testament of
Benjamin F. Mapey deceased and praying for such orders
decrees and proceedings as may be proper and requisite for the
due Probate and record of said Will in this Court which
said Will appears to be attested by O.S. Barnwell W.H. Green
W. Cowell & George Barton of this County and who are alleged
to have signed the same in Jefferson County witness thereto and
it appearing to the Court from said petition that said
petitioner is named as Executor therein that Martha Mapey
the Widow in this County is the widow of said deceased
that said deceased left four Children him surviving
to wit Thomas Milton Caroline Roberts John B. & Margaret
Elizabeth all of whom are under the age of fourteen years
and now in the care and custody of the said Martha
their mother It is therefore ordered by the Court that
the 9th day of July be set as a day for hearing testimony
in proof of said instrument as such Will. That said O.S.
Barnwell W.H. Green, W. Cowell, & George Barton be subpoenaed
to be and appear on said 9th day of July inst in and before
this Court to testify and give evidence of and concerning
all and every facts touching the question of the validity of
said instrument as such Will that said Thomas Milton
Caroline Roberts John B. & Margaret Elizabeth be notified
of this proceeding and of the day above set for hearing the
matter by citations to be issued upon their said mother for
them at least ten days before said 9th day of July 1838.
That said Martha also have the same kind of notice
and by such personal service thereof for the same length of
time before the said day of said hearing It is further
ordered that W.H. Cowell be and he is hereby appointed
Guardian Ad Litem for the said minors during the pend
ency of said petition. It is also ordered that he have
notice of his said appointment and of the day above set
for the hearing of said petition.

Petition

State of Alabama } July 2nd 1838
Jefferson County } To the Hon. M. Kelly Judge of the
Court of Probate of said County.
The petition of Thomas M. Mapey respectfully rep
resents your Honor that the late Benjamin F. Mapey late
an inhabitant of this County at the time of his death departed this
life on the 22nd day of June leaving a last Will and Testament
duly signed and published by him and attested by O.S. Barnwell
Wm H. Green & George Barton the same is now in the County
your petitioner as he verily believes is named in the said
said Will as Executor & your honor is prayed for
Probate and record in this Court your petitioner further states
that the widow of said deceased Mrs Martha Mapey who
resides in this County and that the next of kin of said deceased
are his Children to wit Thomas Milton Caroline Roberts John B.
& Margaret Elizabeth all of whom are under the age of fourteen
years and reside with and are in the custody of their mother
the said Martha Mapey In consideration of all which your
petitioner prays that a day may be set for the hearing of the mat
ter of this petition that subpoenas may be issued to bring in such
Subscribing witnesses to testify on such appointed day that due
notice of this application may be given to the said widow
and of kin of said deceased and that all other proceed
ings and decrees may be had and made in the premises
may be requisite & proper in effect to admit the Probate and record
of said Will according to law and as in duty bound &c
Subscribed & sworn to before me this 2nd July 1838 Thos. M. Mapey
M. Kelly Judge

(Seal of Office)

State of Alabama } Probate Court of said County
Jefferson County } To any Sheriff of the State of Alabama
Greeting You are hereby commanded to Summon O.S.
Barnwell W.H. Green, W. Cowell & George Barton to be and
to appear in and before the Probate Court to be held for said
County at the Court House in the Town of Elyton on the
2nd day of July 1838 to give evidence touching a matter
pending in said Court wherein Thos M. Mapey has filed a
paper writing purporting to be the last Will of Benj F. Mapey
dec'd and this you shall in no wise omit under the penal
prescribed by law. Herein fail not and have you there
and at the office of the Clerk of said Court
Witness Moses Kelly Judge of said Court at office in
Elyton this 2nd day of July A.D. 1838
Executed by delivering a copy of this writ to
W.H. Cabaniss Sheriff by his Dept Wm Craig

State of Alabama } Probate Court of said County
Jefferson County } To any Sheriff of the State of Alabama
Greeting You are hereby commanded to Summon O.S.
Barnwell to appear in and before the Probate Court to be held
for Jefferson County at the Court house in the Town of
Elyton

certain matter now pending in said Court wherein Thos M. Murphy has filed a paper writing purporting to be the last Will of Benj F. Murphy dec'd & this you shall in no wise omit under the penalty prescribed by Law. Witness Moses Kelly Judge of said Court at office this 6th day of July A.D. 1858. M. Kelly Judge

Executed by delivering a copy 7th July 1858. H. C. Cabaniss Shff.

State of Alabama } Probate Court of said County
Jefferson County } To any Sheriff of the State of Alabama
Greeting You are hereby commanded to Summon Robert C. Dunn to appear in and before the Probate Court to be held for Jefferson County at the Court house in the Town of Elyton on the 6th day of July 1858 to give order and direction in a certain matter now pending in said Court wherein Thomas M. Murphy has filed a paper writing purporting to be the last Will & Testament of Benj F. Murphy dec'd and this you shall in no wise omit under the penalty prescribed by Law. Herein fail not and have you then this writ at the office of the Judge of said Court at office in the Town of Elyton this 6th day of July A.D. 1858. M. Kelly Judge

Executed 7th July 1858 by
delivering a Copy H. C. Cabaniss Shff
By his Dept D. C. Tracy

Notices

State of Alabama } Probate Court of said County
Jefferson County } To any Sheriff of the State of Ala
Greeting You are hereby commanded to Summon George Barker to appear in and before the Probate Court to be held for Jefferson County at the Court house in the Town of Elyton on the 6th day of July 1858 to give order and direction in a certain matter now pending in said Court wherein Thos M. Murphy has filed a paper writing purporting to be the last will & Testament of Benj F. Murphy dec'd and this you shall in no wise omit under the penalty prescribed by Law. Herein fail not and have you then this writ at the office of the Judge of said Court. Witness Moses Kelly Judge of said Court at office in the Town of Elyton this 6th day of July A.D. 1858. M. Kelly Judge

Executed 7th July 1858
By delivering a Copy H. C. Cabaniss Shff
By his Dept D. C. Tracy.

State of Alabama } Probate Court of said County
Jefferson County } To any Sheriff of the State of Alabama
Greeting Whereas Thos M. Murphy has on this day filed in the office of the Judge of said Court an instrument of writing purporting to be the last Will & Testament of Benj F. Murphy late of said County dec'd and it appearing to the Court that Thos M. Murphy is the executor of said decedent You are therefore hereby commanded to summon the said Martha Murphy to appear in and before the Probate Court of said County on the 26th day of July 1858 and show cause if any she can why the said paper writing should not be admitted to Probate as the last Will & Testament of said decedent Witness M. Kelly Judge of said Court this 6th day of July 1858. M. Kelly Judge

Executed 7th July 1858 by delivering a Copy
H. C. Cabaniss Shff By his Dept D. C. Tracy

State of Alabama } Probate Court of said County
Jefferson County } To any Sheriff of the State of Alabama
Greeting Whereas Thomas M. Murphy has on this 6th day of July 1858 filed in the office of the Judge of said Court an instrument of writing purporting to be the last Will & Testament of Benj F. Murphy late of said County dec'd And it appearing to the Court that Thomas Milton Murphy and others minors under the age of 14 years and among the next of kin to said decedent You are therefore hereby commanded to notify Elbert Howell that he has been duly appointed Guardian ad litem to represent said minors in the foregoing stated cause or proceeding herein under my hand this 6th day of July 1858. M. Kelly Judge

Executed 7th July 1858
delivering a Copy H. C. Cabaniss Shff

State of Alabama } Probate Court of said County
Jefferson County } To any Sheriff of the State of Alabama Greeting
Whereas Thos M. Murphy has on this day filed in the office of the said Court an instrument of writing purporting to be the Last Will & Testament of Benj F. Murphy late of said County dec'd and it appearing to the Court that Elbert Howell has been duly appointed Guardian ad litem of the minor heirs of said decedent You are therefore hereby commanded to summon the said Elbert Howell to be & appear in and before said Court on the 26th day of July 1858 then & there Show cause if any he can why said paper writing should not be admitted to Probate & recorded as the last Will & Testament of said decedent. Witness M. Kelly Judge of said Court this 6th day of July 1858. M. Kelly Judge

Ex parte S. Mapey &c In the matter of the Probate of his last Will and Testament

July 31st 1858

This day having been regularly appointed for hearing the application of S. M. Mapey which was heretofore filed in this Court for the Probate of an instrument of writing purporting to be the last Will and testament of said deceased now comes said applicant and also comes E. H. Cowell as she was heretofore duly appointed by the order of this Court and she now consents to act as the Guardian ad litem for Thomas H. Sarah E. John S. and Margaret E. Mapey the minor children of said deceased and it appearing to the Satisfaction of the Court that the notice of the said application and of the time appointed for hearing the same has been given in pursuance of law and in strict accordance with the former order of this Court made and entered in the premises on the 6th day of July 1858 by publication personally served as directed in said former order and no person appears in opposition of said S. M. Mapey the Court proceeded to hear said application and it appearing to the Satisfaction of the Court from the testimony of Robert H. Brown D. S. Cowell H. Cowell & George Carter that they respectively signed the said instrument of writing purporting to be the last Will & Testament of said deceased and which writing is now shown to them on the day of the date thereof in the presence of said Testator and at his request & subscribed their names to the same the said Testator then declaring that said instrument constituted his last Will and it being also shown by proof which is satisfactory to the Court that said Testator was of the full age of Twenty one years and upwards at the time of making said Will and that he was of sound mind and fully capable of making his said Will It seems to the Court that said application should be granted It is therefore ordered adjudged and decreed by the Court that said Will of said S. M. Mapey dec'd be received and the same is hereby declared to be duly proven as the last Will and Testament of said deceased and as such admitted to Probate and ordered to be recorded together with the proofs thereof and all other papers on file relating to this proceeding It is further ordered that said applicant pay the costs of this proceeding

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Ex parte S. Mapey &c Will & Proof thereof

The State of Alabama } Be it known unto all whom these presents shall come. Be
Jefferson County } it known that I Benjamin F. Mapey of the
State & County aforesaid being in a low state of health
but possessed of a sound mind & memory and being desposed &
desirous to dispose of my property by Will in the manner that
to me seemeth most proper do make this my last Will and
Testament Viz I desire first that all my just debts be
paid & Will and desire that the plantation on which I now
reside be reserved from Sale or division for the use of
my beloved wife Martha Mapey and her children while
they remain with her or until my eldest son Thomas is
of age and whenever any Son the said Thomas arrives at
the age of Twenty one years then the said land to be divided or
rather that my said wife shall take her Dower out of said
land & the balance to be Sold and equally divided between
my four children Viz Thomas Milton Sarah Catherine
John D and Margaret Elizabeth & between such other Chil-
dren as may be then living and if the said Thomas die before
he arrives at the age of Twenty one years I still wish the
said land to remain as before provided until the time
that he would have arrived at that age had he lived.
I also will and bequeath to my beloved wife Martha
Mapey my Slave Hannah and her increase if any
during the natural life of my said wife and at her
death the said Slave or Slaves to be equally divided between
my four children before mentioned I also will and
desire that further to assist my wife in supporting her
helpless children that my Slave George be reserved
from Sale, and that my beloved wife shall have
the full benefit of his labor until my youngest child
becomes of age or else any of the younger children should
die and the time should arrive that the youngest one
then living shall be 21 years of age then the said Slave
George shall be sold and the proceeds be equally divided
between as many of my children as may be then living
I also will & bequeath to my beloved wife Martha all
my household & kitchen furniture also three cows
& Calves. Twenty head of hogs & one horse to be selected
by herself my yoke of oxen and wagon also all such
plantation tools as she may need I will and desire that
my other two Slaves not named above Viz Sam and
Mariette be sold by my Executor & the proceeds be
equally divided between my wife and my four child-
ren. I also will and desire that all the balance of my

property or effects of whatever kind not herein
disposed be sold by my Executor and the proceeds
equally divided between my wife and my four Children
and I do hereby appoint and constitute my Brother
Thomas H. Mabry my Executor to this my last
Will & Testimony In Testimony of the foregoing being my
Will I have hereunto Subscribed my name and
affixed my Seal this twelfth day of may in the year
of our Lord One Thousand Eight hundred and
fifty eight
Signed Sealed & published in the presence of
O. S. Barnett
Robt Green
H Hewett
George Barton

Sealed
Jno T. Mabry

State of Alabama } Probate Court of said County
Jefferson County } July 31st 1858
In the matter of the Probate of the last Will & Testament
of Jno T. Mabry dec'd
Before me Moses Kelly Judge of said Court personally appear-
ed in open Court O S Barnett Robt Green H Hewett &
George Barton who having been by me first respectively duly
sworn and examined each and to depose and say on oath
that they are each Subscribing witnesses to the instrument of
writing now shown to them and which purports to be the last
Will & Testament of Jno T. Mabry dec'd late an inhabitant of
this County that said Mabry since deceased Signed and
executed said instrument on the day the same bears date
and declared the same to be his last Will & Testament & that
affiants did their Signatures thereto on the day the same bears
date as Subscribing witnesses to the same in the presence of
said Testator that said Testator was of sound mind and dis-
posing memory and in the opinion of deponants fully capa-
ble of making his Will at the time the same was so made
as aforesaid affiants further state that said Testator was
on the day of the said date of said Will of the full age of
Twenty one years and upwards
Subscribed & Sworn to &c
M Kelly Judge

Robt Green
O S Barnett
Geo. Barton
H. Hewitt

State of Alabama } Probate Court July 31st 1858
Jefferson County } I Moses Kelly Judge of the Court of Probate

in and for said County & State do hereby certify that the within instrument
of writing has this day in said Court been before me as the Judge
thereof been duly proven by the proper testimony to be the genuine last
Will and Testament of Jno T. Mabry dec'd and that same with together
with said proofs thereof have been recorded in my office in Book
of Wills No 1 pages 65 & 66 In Testimony of all which
I have hereunto set my hand This 31st July 1858
M Kelly Judge

Volentine Brown Dec'd Probate of Will

Volentine Brown Dec'd Court of Jefferson County Probate
Will Probate of Will The day came Mary Ann Brown and filed her petition and
Mary Ann Brown and filed for probate a paper writing purporting to be
the last will and testament of said deceased It is thereupon ordered
that the 6th day of December be appointed as a day for hearing the
Probate thereof It is further ordered that a Notice be issued for the
Subscribing witnesses to said instrument to appear on said day before
this Court & it is also ordered that Robert Brown and Henry Brown
heirs of said deceased be notified to appear before this Court on said day
if they choose to do so

Volentine Brown dec'd In the matter } Probate Court Dec 6th 1858
of the Probate of his last Will & Testament This day having been regularly
appointed for hearing the application of Mary Ann Brown which
was heretofore filed in this Court for the Probate of an instrument
of writing purporting to be the last will & Testament of said dec'd
and it appearing to the Satisfaction of the Court that the notice of
the said application and of the time appointed for hearing the same
has been given in strict accordance with the former order of this
Court made and entered on the premises on the 8th Nov 1858 and it
appearing to the Satisfaction of the Court from the testimony of
Mrs A Walker & David Thompson that they respectively Signed the
said instrument of writing purporting to be the last will and
Testament of said dec'd which writing is now shown to them
on the day of the date thereof at the request of said Testator and
his request as Subscribing witnesses to the same the said Testator then
declaring that said instrument constituted his last will and
being also shown by proof which is Satisfactory to the Court that said
Testator was of the full age of Twenty one years & upwards at the time
of making said will & that he was of sound mind & fully capable
of making his said will It is therefore ordered adjudged and
decreed by the Court that said Will of said Volentine Brown dec'd
be received and the same is hereby declared to be duly proven as the
last will & Testament of said deceased and as such admitted
to Probate and record together with the proof thereof & all oth-

paper on file relating to this proceeding. It is further ordered that said applicant pay the costs of this proceeding

In the name of God Amen

I Volentine Bivens of the County of Jefferson and State of Alabama being of sound and disposing mind and memory do make publish and ordain this to be my last will and Testament. 1st I wish by body decently buried at the grave yard on which my first wife Catharine 2nd I wish all my just debts paid. 3rd I wish after the payment of my just debts all my property both real and personal to remain untold and for my wife Mary Ann to have the use and possession of the same during her natural life. and of necessary to sell and make use of any of the personal property which may said wife may think best for the support of herself and the family of children begot by me of her body. 4th At the death of my wife I wish all the property both real and personal that may be then remaining to be divided among my five children to wit my wife Mary Ann Everett, Nancy Emily Jane Felix & Minerva and if an equal division can not be made of the property I wish it to be sold and the money equally divided among my said five children if they should all survive my said wife but if any of them should die before my wife then I wish my said property or the money arising therefrom to be equally divided among the survivors 5th I do not wish any of my land sold during the life time of my wife, but I wish my wife and my children by her begotten to live on the said land and to use and enjoy it for their comfortable support and maintenance 6th I appoint my wife Mary Ann Executor of this my last will and Testament. Given under my hand & Seal this 15th day of January A D 1856. Volentine his mark Bivens Seal

Signed Sealed & published
in the presence of us
W M Mc Donald
M A Walker
David Thompson.

State of Alabama } Probate Court of said County
Jefferson County } In the matter of the Probate of the last Will & Testament of Volentine Bivens dec'd Before me Moses Kelly judge of the said County personally appeared in open Court, M A Walker & David Thompson who having been by me first respectively Sworn and examined deth & do depose and say on oath that they are each subscribing witnesses to the instrument of writing now shown to them and which purports to be the last will and testament of Volentine Bivens dec'd late an inhabitant of this County that said Bivens signed & executed said instrument on the day the same bears date, & declared the

same to be his last Will and Testament & that affiants at the request of said Testator subscribed their names thereto the day the same bears date in subscribing in the presence of said Testator that said testator was of sound mind & disposing memory & over the age of twenty one years capable of making his will at the time the same was made before said affiants further state that said Testator was on the day of the said date of said will of the full age of twenty one years upwards

subscribed sworn & dated 3 Dec 1856 M A Walker
Moses Kelly Judge David Thompson

State of Alabama } I Moses Kelly Judge of the Court of Probate
Jefferson County } in and for said County & State do hereby certify that the within Instrument of writing for the estate in said County & before me at the Judge thereof has duly proven by the proper testimony to be the genuine last will & testament of Volentine Bivens dec'd & that said Will together with said proof thereof has been recorded in my office in Book of wills No 1 pages 61 & 62
In witness of all which I have hereunto set my hand this 3rd Dec 1856

Moses Kelly Judge

Thomas Barton Dec'd as to Probate of Will

Thomas Barton dec'd } In the matter } November 3rd 1856
of the Probate of his Will } This day came Isham Barton and filed his petition in writing and under oath therein praying and filing in this Court an instrument of writing purporting to be the last will & testament of said Thomas Barton dec'd and praying for such orders decrees & proceedings as may be proper and requisite for the due Probate and record of said will as this Court which said instrument appears to be attested by John Mc Donald Willis Castice John Elland & W M Eland of this County and who are alleged to have signed the same as subscribing witnesses thereto and it appearing to the Court from said petition that said petitioner is one of the next of kin of said deceased that Isham Barton who resides in this County is the widow of said decedent that said decedent left seven children now surviving to wit Eliza George Mary Jane Isham B F Nancy E Mary David & Melinda E all of whom reside in this County and is supposed to be of sound mind And the children of Hardy Barton dec'd who was a son of said decedent viz Francis M Eliza E John Thos L Eathan & George M Barton all of whom reside in this County except Thos L who resides in Mississippi It is therefore ordered by the Court that the 23rd day of December 1856 be set as a day for hearing testimony in proof of said instrument as such will. That said John Mc Donald, Willis Castice, John Elland & W M Elland be subpoenaed to be and appear on said 23rd day of Dec 1856 in this County this

[illegible] to be at a test[illegible] [illegible] concerning it and [illegible] to show the [illegible] of the validity of said instrument as [illegible] That the heirs of said Estate be notified of the proceeding [illegible] of the 1st above set for hearing the matter of relation to be entered upon them for at least ten days before said 31st day of Dec 1855 That the appointment of a suitable person to act as Guardian ad litem for the minors be postponed until said relation shall have been duly proved in said Court or upon the terms of this present order for such length of time as shall be deemed & adjudged by the Court to be reasonable and sufficient for such proof in the case of the age of petitioner praying for the Guardianship & other who are interested and who should be represented by Guardian to appear & nominate to the Court a proper person to act as such Guardian

State of Ala Jefferson County Before me Thomas Kelly Judge of the Probate Court in & for said County personally appeared John Barton who being duly sworn deposeth & says that he is acquainted with Thomas Barton late of said County deceased and was present at the time of his death & saw the said Thomas Barton sign & execute the instrument of writing purporting to be the last will & testament of said deceased & that he the said Thomas Barton was at the time of signing & executing the said instrument of writing of sound & disposing mind memory & understanding to the best of this deponents knowledge belief & information

Sworn to & subscribed before me this 22nd Nov 1855
Thomas Kelly Judge

John Barton

State of Alabama Probate Court of said County
Jefferson County Whereas John Barton has applied to me for Probate of the
Last Will & Testament of Thomas Barton late of said County deceased
These are therefore to cite & admonish all persons interested in said
Estate to appear at the Court House in Elyton on the 31st day of December
1855 then and there to contest if they see proper the probate of said
Will & Testament if they think proper so to do Given under my hand
this 22nd day of November 1855
Thomas Kelly Judge

State of Alabama Jefferson County To the Sheriff of said County
You are hereby commanded to summon John Barton Executor of the last
Will & Testament of Thomas Barton late of said County deceased to be
& appear before the Court at the Court House in Elyton on the 31st day of
December 1855 then and there to contest if he see proper the probate of
said Will & Testament if he think proper so to do Given under my hand
this 22nd day of November 1855
Thomas Kelly Judge

State of Alabama Jefferson County To the Sheriff of said County
You are hereby commanded to summon Thomas Barton Executor of the last
Will & Testament of Thomas Barton late of said County deceased to be
& appear before the Court at the Court House in Elyton on the 31st day of
December 1855 then and there to contest if he see proper the probate of
said Will & Testament if he think proper so to do Given under my hand
this 22nd day of November 1855
Thomas Kelly Judge

State of Alabama Jefferson County To the Sheriff of said County
You are hereby commanded to summon Thomas Barton Executor of the last
Will & Testament of Thomas Barton late of said County deceased to be
& appear before the Court at the Court House in Elyton on the 31st day of
December 1855 then and there to contest if he see proper the probate of
said Will & Testament if he think proper so to do Given under my hand
this 22nd day of November 1855
Thomas Kelly Judge

State of Alabama } Probate Court November 22nd 1858
Jefferson County } The State of Ala to Probate of Will
To Mrs Eliza Barton You are hereby notified that Isham Barton
died on this day filed in this Court for Probate and record a paper writing
purporting to be the last will and testament of said deceased Whereupon
it was ordered by the Court that the 25th day of December 1858 be set as a day
for hearing the Probate of said instrument as the last will & testament
of said deceased You are further notified to appear before this Court
on the above day at the Court house in Elyton and contest the Probate of
said instrument if you think proper to do so Given under my hand this 22nd Nov 1858
I do hereby acknowledge legal service of the Moses Kelly Judge
within notice this 2nd Dec 1858 M. Barton

Attest J. Montgomery

State of Alabama } Probate Court November 22nd 1858
Jefferson County } The State of Ala to Probate of Will
To Mrs Thomasine Barton You are hereby notified that Isham Barton
on this day filed and propound for Probate in this Court a paper
writing purporting to be the last Will & Testament of said deceased
Whereupon it was ordered that the 25th day of December 1858 be
set as a day for hearing the Probate thereof You are further notified
to appear before this Court on said day at the Court house in Elyton
& contest the Probate of said instrument if you see cause to do so
Given 22nd Nov 1858 Moses Kelly Judge
I do hereby acknowledge legal service of
the within notice this 2nd Dec 1858 T. Barton

Attest J. Montgomery

State of Alabama } Probate Court November 22nd 1858
Jefferson County } The State of Ala to Probate of Will
To Mrs Mary Jane Barton You are hereby notified that Isham
Barton died on this day filed & propound for Probate a paper writing
purporting to be the Last Will & Testament of said decedent
It was thereupon ordered by the Court that the 25th day of Dec
next 1858 be set as a day for hearing the Probate of said instrument
You are further notified to appear before this Court on said
day at the Court house of said County and contest the Probate
of said instrument if you choose to do so Given 22nd Nov
1858 Attest Moses Kelly Judge
I do hereby acknowledge legal service of the
within notice this 2nd day of Dec 1858 Mary J. Barton

Attest J. Montgomery

The State of Alabama } Probate Court Nov 22nd 1858
Jefferson County } Thomas Barton dec'd Estate of as to Probate
of Will. To Mrs Eliza Barton You are hereby notified that on
this day Isham Barton died filed & propound for Probate in this
Court a paper writing purporting to be the Last Will & Testament
of said deceased Whereupon It was ordered by the Court that

the 25th day of December next be set as a day for hearing the Probate of
said instrument as the last will & testament of said deceased You are further
notified to appear before this Court on the 25th day of December next
to contest the Probate of said instrument if you think proper
Given 22nd Nov 1858 Moses Kelly Judge
I do hereby acknowledge legal service of the within notice
this 2nd day of Dec 1858 Eliza Barton

Attest J. Montgomery

State of Alabama } Probate Court November 22nd 1858
Jefferson County } The State of Ala to Probate of Will
To Mrs Thomasine Barton You are hereby notified that Isham Barton died
on this day filed & propound for Probate in this Court a paper writing purporting
to be the last Will & Testament of said deceased Whereupon it was ordered that the 25th day of December
1858 be set as a day for hearing the Probate of said instrument You are further notified to appear before this Court
on the above day at the Court house in Elyton and contest the Probate of said instrument if you think proper
Given 22nd Nov 1858 Moses Kelly Judge
I do hereby acknowledge legal service of the within notice
this 2nd day of Dec 1858 M. Barton

Attest J. Montgomery

State of Alabama } Probate Court November 22nd 1858
Jefferson County } The State of Ala to Probate of Will
To Catharine Barton You are hereby notified that Isham Barton died
on this day filed and propound for Probate in this Court a paper writing
purporting to be the last Will & Testament of Thomas Barton dec'd
Whereupon It was ordered by the Court that the 25th day of December
1858 be set as a day for hearing the Probate of said instrument
You are further notified to appear before this Court on said
day at the Court house in Elyton and contest said Probate of said
instrument if you see cause to do so Given 22nd Nov 1858
I do hereby acknowledge legal service of Moses Kelly Judge
the within notice 2nd Dec 1858 Kate Barton

Attest J. Montgomery

State of Alabama } Probate Court Nov 22nd 1858
Jefferson County } Thomas Barton dec'd Estate of as to Probate of Will
Mrs Susan Barton widow of said decedent You are hereby notified
that Isham Barton died on this day filed for Probate in this Court a
paper writing purporting to be the last Will and Testament of said dec'd
Whereupon It was ordered that the 25th day of December be set as a day
for hearing the Probate of said instrument & on which day You
are further notified to appear before this Court if you think proper
and contest the Probate of said instrument Given this 22nd Nov
1858. Attest Moses Kelly Judge
I do hereby acknowledge legal service of the within notice this 2nd day of Dec 1858
Susan [illegible] Barton
mark

State of Alabama } Probate Court November 22nd 1858.
Jefferson County } Thomas Barton dec'd Estate of. as to Probate of Will &c
To Eliza Barton You are hereby notified that on this day Thomas Barton did propound for Probate a paper writing purporting to be the last Will and Testament of said deceased whereupon it was ordered by the Court that the 23rd day of Dec'r next 1858. be set as a day for hearing the Probate of said instrument. You are further notified to be and appear before this Court at the Court House in Elyton on said day and contest the Probate of said instrument if you choose to do so. Issued 22nd Nov'r 1858
Attest Jno. Hollingsworth Clerk Moses Kelly Judge
service of the within notice this 2 Dec'r 1858 Eliza Barton
Witness J. B. Elland

State of Alabama } Probate Court Nov'r 22nd 1858.
Jefferson County } Thomas Barton dec'd Estate of. as to Probate of Will &c
To Eliza Barton You are hereby notified that on this day Thomas Barton propounded and filed for Probate and record in this Court a paper writing purporting to be the last Will and Testament of said deceased whereupon it was ordered by the Court that the 23rd day of Dec'r next 1858 be set as a day hearing the probate of said instrument. You are further notified to be and appear before this Court on said day at the Court house in the Town of Elyton and contest the Probate of said instrument if you choose to do so. Issued 22 Nov'r 1858 Moses Kelly
Attest Jno. Hollingsworth Clerk Legal Service of the within notice this 2 day of Dec'r 1858 Eliza C Barton Judge
Witness- J. B. Elland.

Thomas Barton dec'd } Decem'r 17th 1858.
In the matter of his Will } And it being this day fully proven to the Court that the publication has been made and notice given to the widow and next of kin of said deceased as required by law and in strict accordance with the former order of this Court made and entered in this proceeding on the 22 day of Nov'r 1858 and none of said minors nor any other person for any of them having appeared or in any way signified to this Court a choice of any fit or proper person to represent them and to attend to their interest in this proceeding. It is now therefore ordered by the Court that P. M. Hewitt Esq'r be and he is hereby appointed Guardian Ad. Litem in this proceeding for said minors and for the said Benj. the said Hewitt being considered by the Court as in every respect a fit and proper person to attend to and to protect the interest of said minors and of the said [illegible] in the matter of the Probate of said Will And the said P. M. Hewitt being in Court accepts said appointment

[illegible] read by me

Thomas Barton dec'd } In the Matter of the Probate } December 22nd 1858
Probate of the last Will and Testament

This day being the regular term for hearing the application of Thos. Barton which was heretofore filed for the Probate of an instrument of writing purporting to be the last Will and Testament of said deceased. And soon as the said application was called W. Clark Esq'r. & Thomas for P. M. Hewitt Esq'r who was heretofore duly appointed by the order of this Court and who now comes into Court as the Guardian ad litem for the minors concerned and for Benj. Barton who is alleged to be of unsound mind all of whom are children and descendants of the deceased and heirs of said deceased and it appearing to the satisfaction of the Court that the notice of the said application and of the time appointed for hearing the same has been given in pursuance of law and in strict accordance with the former order of this Court made and entered on the premises on the 22nd day of Nov'r 1858. by citation personally served on all parties in said former order named on motion of said Eliza Barton & the proceeds to hear said application. And it appearing to the satisfaction of the Court from the testimony of Miller Coulter, W. H. Elland & John C. Coulter and John Elland that they respectively signed the said instrument purporting to be the last Will and Testament of said deceased and whereby writing is now shown to them on the day of the date thereof in the presence of said Testator and at his request as subscribing witnesses to the same. the said Testator the testimony that said instrument contains the last Will, and it being also shown by proof which is satisfactory to the Court that said Testator was of the full age of twenty one years and upwards at the time of making said Will and that he was of sound mind and fully capable of making his said Will it seems to the Court that said application should be granted It is therefore ordered adjudged and decreed by the Court that said Will of said Thomas Barton dec'd be received and the same is hereby declared to be duly proven as the last will and testament of said deceased and as such admitted to Probate and ordered to be recorded together with the proofs thereof. It is further ordered that said applicant pay the costs of this proceeding from the effects of said Estate

Will

State of Alabama } I Thomas Barton being of sound mind and memory make and declare this my last Will and Testament
Jefferson County }
1st I bequeath to my wife Eliza Barton all my personal property of her own and subject to her disposal in any way she may think proper for the support of herself and family with the exception of four horses and one saddle to be disposed of as follows viz I bequeath to Eliza one Mare & one horse and saddle each & I bequeath to Emma & Malinda C Barton all my daughters
2nd I bequeath to my wife all the land belonging to me during her life
3rd It is my will that all my hens that live on the farm now occupied by me shall if it ever becomes necessary pay an equal [illegible] for the maintenance of my family [illegible]

also that she shall have of the estate her mother Sarah's portion of any estate as may be necessary for a comfortable support during the remainder of her life. Given under my hand and seal this 6th day of August A.D. 1858

Witness: John McDonald, Willis Castles, John Ellard, W.R. Ellard

Thomas Barton

State of Alabama, Probate Court of said County. In the matter of Jefferson County Court of the Probate of the last will and testament of Thomas Barton dec'd. Before me Moses Kelly judge of the said Court personally appeared in open Court Willis Castles, W.R. Ellard, John McDonald and John Ellard who being by me first duly sworn & examined state and depose & say on oath that they are each subscribing witnesses to the instrument of writing now shown to them and which purports to be the last will and testament of Thomas Barton late an inhabitant of this county that said Barton executed signed and sealed said instrument on the day the same bears date & declared the same to be his last will and testament & that affiants set their signatures thereto on the day the same bears date as subscribing witnesses to the same in the presence of said Testator that said Testator was of sound mind & disposing memory & in the opinion of deponents fully capable of making his will at the time the same was so made as aforesaid. Affiants further state that said Testator was of the full age of twenty one years & upwards.

Subscribed and sworn to before me on this the 23rd day of Dec. 1858. Moses Kelly Judge.

Willis Castles, W.R. Ellard, John Ellard, John McDonald

State of Alabama, I, Moses Kelly judge of the Court of Probate Jefferson County Ala and for said County & State do hereby certify that the within instrument of writing has this day in said Court before me as the judge thereof been duly proven by the proper testimony to be the genuine last will and testament of Thomas Barton dec'd and that said will together with said proof thereof have been recorded in my office in Book of Wills No. 1. pages 73 & 74. In witness of all which I have hereunto set my hand this 23rd Dec. 1858.

Moses Kelly, Judge

Baylus Cole deceased & Petal of Will

Baylus Cole deceased } In the Matter } December 15th 1858.
of the Probate of his Will } This day came George H. Cole and filed his petition in writing and under oath therewith producing and filing in this Court an instrument of writing purporting to be the last will & testament of Baylus Cole dec'd and praying for such orders decrees & proceedings to may be regular and proper for the due Probate & record of said will & for this Court which said instrument appears to be attested by Pet. Chamblee William Taylor & Thos J. Wright who are allowed to have argued the same as subscribing witnesses thereto and it appearing to the Court from said petition that said petitioner is named in said instrument as executor of said will that Doretha Cole who resides in this County is the widow of said deceased that said deceased left no children nor surviving but the following named brothers and sisters to wit Susan Mullins formerly Susan Cole residence Blount County Ala. Martha Cole, Lewis Cole Henry Cole, Milton Cole, Elizabeth Cole, Ellen Jacobs formerly Retha Cole & her son Lewis Cole all of whom are of full age residence and known to petitioner. It is therefore ordered by the Court that the 27th day of December 1858 be set as a day for hearing testimony in proof of said instrument as such will that said P. Chamblee William Taylor & T.J. Wright be subpoenaed to be & appear on said 27th day of Dec. 1858 at and before this Court to testify and give evidence in and concerning all & every facts touching the validity of said instrument as such will. It is further ordered that Doretha Cole be notified of the pendency of said petition and of the day set for the hearing.

State of Alabama, Probate Court 15th Dec. 1858.
Jefferson County } To the Honorable Moses Kelly judge of the Court of Probate of said County. The petition of George H. Cole respectfully represents unto your Honor that the late Baylus Cole who was an inhabitant of this County at the time of his death departed this life on the 6th day of December 1858 in this County leaving a last will and testament duly signed & published by him and attested by P.C. Chamblee, W. Taylor & T.J. Wright who reside in this County as also your petitioner as the only witness named as executor thereof which said will is herewith produced to your Honor and propounded for Probate & record in this Court. Your petitioner further states that the widow of said deceased is Mrs. Doretha Cole, who resides in this County and that the next of kin of said deceased are his brothers and sisters to wit Martha Cole, Lewis Cole, Henry Cole & Milton Cole, Susan Mullins formerly Susan Cole, residence Blount Co. Ala. all of the above are non residents of this County by Retha Cole residence not known, Retha Jacobs formerly

Stiles Cole Esq. Court Cole the consideration of all which your petitioner prays that a day may be set for hearing the matter of this petition that subpoenas may be issued to bring on said subscribing witnesses to test of on such appointed day that due notice of this application may be given to the widow and next of Kin of said deceased and that such other proceeding orders & decrees may be had and made in the premises as may be regular and proper to effect the due Probate and record of said Will according to law. Sworn to in open Court & subscribed & sworn to before me

Moses Kelly Judge

S. H. Cole

State of Alabama } Probate Court of said County
Jefferson County } To any Sheriff of said County Greeting
Whereas George H. Cole has propounded to this Court for Probate & record a paper writing purporting to be the last will & Testament of Baylis Cole late of said County dec'd You are therefore commanded to Summon Chs. J. Enright who is a subscribing witness of said will to appear before the Probate Court for said County of Jefferson on the 27 day of Dec. 1858 to testify as to such paper writing purporting to be the last Will & Testament of said Baylis Cole dec'd Given under my hand at office this 15 day of Dec. A.D. 1858.

Moses Kelly
Sackmon Ledge legal Servant of the within
named this 16 day of Dec. 1858. C. J. Enright

Judge

State of Alabama } To any Sheriff of the State of Alabama
Jefferson County } Greeting— Whereas George H. Cole has propounded to this Court for Probate & record a paper writing purporting to be the last Will & Testament of

Baylis Cole late of said County dec'd You are therefore commanded to Summon W. T. Chamblee who is a subscribing witness to the said will to appear before the Probate Court for said County of Jefferson on the 27 day of December 1858 to testify as to paper writing purporting to be the last will & testament of said Baylis Cole dec'd Given under my hand at office this 16 Dec. 1858. M. Kelly
Sackmon Ledge legal servant of the within named
this 16 Dec. 1858. W. T. Chamblee

Judge

Attest S. H. Cole

State of Alabama } Probate Court of said County
Jefferson County } To any Sheriff of the State of Alabama Greeting— Whereas George H. Cole has propounded to this Court for Probate & record a paper writing purporting to be the last will & Testament of Baylis Cole late of said County dec'd You are therefore commanded to Summon Mrs Dorothea Cole widow of said deceased to appear before the Probate Court for the 27 day of Dec. 1858 to testify as to said will & the circumstances & Given under my hand this 15 day of December A.D. 1858.

executed on Mrs Dorothea Cole the 16 day of Dec. 1858. Moses Kelly Judge
Ret'd by S. H. Cole

Baylis Cole dec'd In the matter of } Petition for
the Probate of his last Will & Testament } Order

The 27 day of December 1858 being the regularly appointed for hearing the application of S. H. Cole which was entered in this Court for the Probate of an instrument of writing purporting to be the last will & testament of said deceased now comes the said applicant and it appearing to the satisfaction of the Court that the notice of the said application and of the time appointed for hearing the same has been given in pursuance of law and in strict accordance with the former order of this Court made and entered on the premises on the 15 day of Dec. 1858 by citations personally served as required in said former order now on motion of said Cole the Court proceeds to hear said application and it appearing to the satisfaction of the Court from the testimony of William Taylor & J. Enright & W. T. Chamblee that they respectively signed and witnessed the instrument of writing purporting to be the last will and testament of said deceased and which writing is now shown to them on the day of the date thereof in the presence of said Testator and at his request as subscribing witnesses to the same the said Testator then declaring the said instrument constituted his last will and it being also shown by proof which is satisfactory to the Court that said Testator was of the full age of twenty one years and upwards at the time of making said will and that he was of sound & disposing mind and fully capable of making his said will

It seems to the Court that said application should be granted
It is therefore ordered adjudged and decreed by the Court
that said Will of said Baylus Cole dec'd be received and the same
is hereby declared to be duly proven as the last will & Testament
of said deceased, and as such admitted to Probate &
ordered to be recorded together with the proof thereof
and all other papers on file relating to this proceeding. It
is further ordered that said applicant pay the costs of this
proceeding out of said Estate.

Will & Proof

In the matter of 3rd Amen

I Baylus Cole [illegible] of the State of Alabama, Jefferson
County being of sound mind but ill health, and knowing
the certainty of death do make ordain and publish
this my last Will and Testament and do hereby revoke
all other wills or bequests heretofore made at any time
Item the 1st I will and bequeath my body to its mother dust
from whence it was taken, to be by my friends decently
buried and do further will my Spirit unto the hands of God
who gave it. And as to my worldly goods whereof it has
been pleased God to bless me with, after my burying expenses
are paid and that five small steps I owe, I will and
dispose of them in the following manner, to wit. Item 2d
I will and bequeath to my beloved wife Daretha Cole all
my Estate real and personal, to be under her control and
for her own use and benefit and at her own disposal
during her natural life, and at her death, whatever may
remain of my effects, I will and bequeath it all to my
beloved Nephew Powel Cole. And that this my last
will and Testament may be carried out according to my
wish and desire I do hereby nominate constitute and
appoint my friend George H. Cole of Jefferson County
and State of Alabama, my Executor. Signed Sealed
and published this 7th day of June A.D. 1858, in presence
of the following witnesses

H. B. Chamblee
Wm Saylor Parson
T J Wright

Baylus his + mark Cole

State of Alabama } Probate Court of said County
Jefferson County } Before me Moses Kelly Judge of
the said Court, personally appeared in open Court
Wm Saylor, T. J. Wright & H. B. Chamblee, who having
been by me, first respectively duly Sworn and examin-
ed did and do depose and say, on oath that the year

such subscribing witnesses to the instrument of writing now shown to
them, and which purports to be the last will and testament of Baylus
Cole dec'd late an inhabitant of this County that said Cole was duly
signed and executed and in Statement on the day the same bears date
and declared the same to be his last will and Testament and that
affiants set their signatures thereto on the day the same bears date as
subscribing witnesses to the same, in the presence of said Testator
that said Testator was of sound mind and memory and
in the opinion of deponents fully capable of making his will at the
time the same was so made as aforesaid affiants further State
that said Testator was on the day of the said date of said will of the
full age of twenty one years and upwards.
Subscribed & Sworn to before me this
the 27 day of Dec 1858
Moses Kelly Judge

Jefferson
Wm Saylor
H. B. Chamblee

State of Alabama } I Moses Kelly Judge of the County Court
Jefferson County } for said County & State do hereby
certify that the within Instrument of writing has this day in
said County and before me as the Judge thereof been duly proven
by the proper Testimony to be the genuine last will and Testa-
ment of Baylus Cole dec'd and that said will together
with said proof thereof have recorded in my office in
Book of Wills No. 1 pages 75 & 77
In witness of all which I have hereunto set my hand
this December 27th 1858

Moses Kelly Judge

Elizabeth Lamb Dec'd Probate of Will &c

Elizabeth Lamb dec'd } On the motion of } December 6th 1858
of the Probate of her will } this day came John Camp and filed his
petition in writing and under oath therewith producing and filing publicly
Court an instrument of writing purporting to be the last will & testa
of said Elizabeth Lamb dec'd and praying for such orders & decrees and
proceedings as may be proper & requisite for the due Probate and record
of said will in this Court which said instrument appears to be attested
by Wm Earnest John L. Morrow & M. Nathan & by them to be
are alleged to have signed the same in subscribing witnesses thereto
and it appearing to the Court that said petitioner is one of the next of kin
of said deceased that said decedent left no husband but the following named
ed children and descendants of children her surviving, viz. Lucy Camp
over the age of twenty one years she resides in the State of Texas Rosanna
Camp of full age & who resides in the County of Gordon in the State of Georgia
Amarinda Tate widow of John Tate who resides in the County of Angelina
the State of Texas and the heirs of Green B. Camp who are now residents

application of the time appointed for hearing the same has been given in pursuance of law and in strict accordance with the order of this Court, made and entered in the premises on the 14th day of Decr 1858 for three successive weeks in the Central Alabamian, a newspaper published in this County as directed in said former order, Now on motion of said John Camp the Court proceeds to hear said application and it appearing to the satisfaction of the Court from the Testimony of Wm. S. Earnest, S. H. Watkins & John C. Morrow that they respectively signed the said Instrument of writing purporting to be the last will and testament of the said decedent, and which writing is now shown to them, on the day of the date thereof in the presence of said Testator and at her request as subscribing witnesses to the same, the said Testator then declaring that said instrument constituted her last will and it being also shown by proof which is satisfactory to the Court that said Testator was of the full age of Twenty one years and upwards at the time of making said Will, and that she was of sound mind and fully capable of making her said Will. It seems to the Court that said application should be granted. It is therefore ordered adjudged and decreed by the Court that said Will of said Elizabeth Dunn decd be received and the same is hereby declared to be duly proven as the last will and Testament of said decedent, and is such admitted to Probate and ordered to be recorded, together with the proof thereof and all other papers on file relating to this proceeding. It is further ordered that said applicant pay the Costs of this proceeding."

Will & Proof

State of Alabama } In the name of God Amen
Jefferson County } I Elizabeth Dunn of the County of Jefferson and State of Alabama being in good health and of sound & disposing mind but knowing the uncertainty of life, and the certainty of death and being desirous of settling my worldly affairs & directing how my estate with which it has pleased God in his goodness to bless me shall be disposed of after my death do make and publish this my last Will and Testament hereby revoking all former wills and testaments by me made. 1st I give my soul to God who gave and my body to the earth to be buried in a neat & christian manner by my Executors hereinafter named. 2nd I will that all my property real, personal and mixed of which I shall die seized and possessed be sold on such time as my Executors shall think best, for the interest of the Estate & legatees and the proceeds disposed of as hereinafter afterwards directed. 3. It is my will that all my just debts and funeral expenses be paid out of my Estate as soon as convenient after my death. 4th I give and bequeath unto my daughter Amarinda Pate and to the heirs of her body

free from the controll of her present husband & any future husband [illegible] to his or their debts the sum of seven hundred & sixty dollars to be paid to her or to the heirs of her body within twelve months after my death. 5th I give and bequeath to each of the heirs of my son Moses T. Camp the sum of Five dollars to be paid them in twelve months after my death but should they not apply for the same within two years after my death then the same to revert to my Estate to be disposed of as hereinafter mentioned. 6. After the payment of the above legacies I will that the remainder of my estate go to my son John Camp, & the said John Camp paying to the [illegible] of my other two sons [illegible] Camp & [illegible] Camp a full equivalent for their interest by & with my consent & for which he holds their receipts which receipts are hereby ratified & approved by me. [illegible] I hereby appoint my son John Camp, Robert [illegible] & Elijah Brown all of the County of Jefferson & State of Alabama my Executors of this my last will and testament.

In Testimony whereof I Elizabeth Dunn have hereunto this the 7th day of November 1857 subscribed my name and affixed my seal in the presence of the following witnesses

Signed sealed, published and declared by the said Elizabeth Dunn to be her last will & Testament in presence of each of us and we in presence of each other subscribed our names as witnesses to said will 7th of Nov. 1857

Wm. S. Earnest
John C. Morrow
S. H. Watkins

Elizabeth (her mark) Dunn (Seal)

State of Alabama } Probate Court of said County. In the matter of
Jefferson County } the Probate of the last will & Testament of Elizabeth Dunn decd. Before me, Moses Kelly judge of the said Court personally appeared in open Court Wm. S. Earnest, John C. Morrow & S. H. Watkins who having been by me first respectively duly sworn & examined did & do depose and say on oath that they are each subscribing witnesses to the instrument of writing now shown to them and which purports to be the last will & Testament of Elizabeth Dunn decd. late an inhabitant of this County that said Elizabeth Dunn since decd. signed and executed said instrument on the day the same bears date, and declared it to be her last will and testament and that affiants set their signatures thereto on the day the same bears date as subscribing witnesses to the same in the presence of said Testator. That said Testator was of sound mind and disposing memory and in the opinion of deponents fully capable of making her will at the time the same was so made as aforesaid. Affiants further state that said Testator was on the day of the said date of said will of the full age of Twenty one years & upwards.

Sworn & subscribed to
the 15th January 1839
Moses Kelly Judge
Probate

W. L. Garrett
S. K. Matthews
John C. Morrow

Testing the January A Moses Kelly judge of the Court of Probate
Jefferson County for Order in the County and State to wit I do
that the within instrument of writing for the day in said Court
and before me at the proper thereof duly proved by the proper Testi-
mony to be the genuine last will and Testament of Elizabeth Lamar
deceased and that said will together with said proof thereof have been
recorded in my office in Book of Wills No 1 pages 83 & 84
In testimony whereof which I have hereunto set my hand this
15th January 1839

Moses Kelly Judge
Probate

John Hall Executor to Dictate of Will

John Hall Executor to the matter } July 8th 1839
of the Probate of his Will }

This day came before Farnand
John Hall petitioner in writing and under oath thereto produces
and files in this Court an instrument of writing purporting
to be the last Will and Testament of said John Hall dec'd and
prays for such orders decrees and proceedings as may be proper
and requisite for the due Probate and record of said Will in
this Court. And said instrument appears to be attested by
W. G. Grace John Smith & Robert Owen of this County and are
are alleged to have signed the same as subscribing witnesses
thereto and it appearing to the Court from said petition that
said petitioner is named by said Testator as Executor of said Will
that Mrs Mary C Hall who resides in this County is the widow
of said decedent that said decedent left eight Children his
surviving viz Eliza to a minor about 16 years of age George
a minor about 15 years of age Anna to about 14 years of age
Williams Judson Martha M. Ruth S. & John C Grace all
minors under 14 years of age and all of whom reside in
this County with their Mother the said Mary C Hall
It is thereupon ordered that the 28th day of July 1839 be set as
a day for hearing testimony in proof of said Instrument of
such Will. That said W. G. Grace John Smith & Robert Owen
be subpoenaed to be and appear on said 28th day of July 1839 to
and before this Court to testify and give evidence of & concerning
all and any facts touching the question of the validity of said
instrument as such Will. That the above named minors heirs
under the age of 14 years be notified of this proceeding and
of the day above set for hearing the matter & all to be heard
upon this and whether the Court shall grant letters testamentary
thereon and that the above named minors
above and day of
be set
said relatives
to the foregoing
or shall be granted
interested as to
and for the
and could be represented by
to the Court a proper

Petition
that the
heir of
1839
and
in this
is
for
and
Further
that the
that
15 years of age
Martha M. Hall
of age
In consideration
day may be set for the
That subpoenas
subscribed to testify
application may be given
Hall and that such other proceedings orders and decrees may be had
and made in the premises as may be requisite and proper to effect
the due probate and record of said Will according to law
And it appearing
Subscribed & Sworn to this 8th July 1839
Moses Kelly Judge

State of Alabama } Probate Court July 8th 1839
Jefferson County } To any Sheriff of the State of Alabama
Greeting You are hereby commanded to summon W. G. Grace
to be and appear before the Probate Court of said County at the Court

Court in the Town of Elyton on the 30th day of July 1857 to give evidence in a certain matter now pending in said Court as to the Probate of a paper writing purporting to be the last Will & Testament of John Hare late of said County dec'd and this you shall in no wise omit under the penalty prescribed by law Hereof fail not and have you then and there this order Witness Moses Kelly Judge of said Court at office in the Town of Elyton this 4 day of July A.D. 1857

Moses Kelly Judge

Issued 4 July A.D. 1857
Executed the same day
July 1857 by delivering a Copy
W.C. Eubank Sheff'n

State of Alabama } Probate Court July 4th 1857
Jefferson County } To any Sheriff of the State of Alabama
Greeting You are hereby commanded to summon John Smith & Hart personally to be and appear in and before the Probate Court to be held for said County at the Court House in the Town of Elyton on the 30th day of July 1857 to give evidence in a certain matter now pending in said Court as to the Probate of a paper writing purporting to be the last will and Testament of John Hare late of said County dec'd and this you shall in no wise omit under the penalty prescribed by law Hereof fail not and have you then and there this writ with your doings thereon Witness Moses Kelly Judge of said Court at office in the Town of Elyton this 4th day of July A.D. 1857

Moses Kelly Judge

Issued 4th July A.D. 1857 The same day
Issued & executed 28th July 1857 W.C. Eubank Sheff'n

State of Alabama } Probate Court July 4th 1857
Jefferson County } To any Sheriff of the State of Alabama
Greeting You are hereby commanded to summon Robert Owen to be and appear personally and before the Probate Court of said County on the 30th day of July 1857 to give evidence in a certain matter now pending in said Court as to the Probate of a paper writing purporting to be the last Will & Testament of John Hare late of said County dec'd And this you shall in no wise omit under the penalty prescribed by law Hereof fail not and have you then and there this writ With your doings thereon Witness Moses Kelly Judge of said Court at Office this 4th day of July A.D. 1857

Moses Kelly Judge

Issued 4th July A.D. 1857
The same day Issued & executed 28th July A.D. 1857 W.C. Eubank Sheff'n

State of Alabama } Probate Court 4th July 1857
Jefferson County } John Hare dec'd as to Probate of Will
To Ann E Hare a minor about 18 years of age Please to take notice that on the foregoing Petition Letters Hare has on this day filed for Probate & record a paper writing purporting to be the last Will & Testament of said deceased You are therefore hereby notified to be and appear in and before said Court on the 30th day of July 1857 and contest the Probate of said Instrument as such Will of you think proper to do so Witness Moses Kelly Judge of said Court

Moses Kelly Judge

Issued 4th July A.D. 1857
Executed 28th July 1857 W.C. Eubank Sheff'n
By his Dep't [illegible]

State of Alabama } Probate Court 4th July 1857
Jefferson County } John Hare dec'd as to Probate of Will
To Rosa Hare a minor over 14 years of age Please to take notice that on the foregoing Petition Letters Hare has on this day filed for Probate & record a paper writing purporting to be the last Will & Testament of said deceased You are therefore hereby notified to be and appear in and before said Court on the 30th day of July 1857 and contest the Probate of said Instrument as such Will of you think proper to do so Witness Moses Kelly Judge of said Court

Moses Kelly Judge

Issued 4th July A.D. 1857 Executed 28th July 1857
W.C. Eubank Sheff'n By his Dep't [illegible]

State of Alabama } Probate Court July 4th 1857
Jefferson County } John Hare dec'd as to Probate of Will
To George Hare a minor over 14 years of age Please to take notice that on the foregoing Petition Letters Hare has on this day filed for Probate & record a paper writing purporting to be the Last Will & Testament of said deceased You are therefore hereby notified to be and appear in and before said Court on the 30th day of July 1857 and contest the Probate of said Instrument as such Will of you think proper to do so Witness Moses Kelly Judge of said Court

Moses Kelly Judge

Issued 4 July 1857 Executed July 1857
W.C. Eubank Sheff'n By his Dep't [illegible]

State of Alabama } Probate Court 4th July 1857
Jefferson County } To Mrs Mary E Hare the widow & mother of Wm S Talbott Martha M Talbott & John C Hare minors under the age of 14 years Please to take notice that Lewis Hare has on this day filed for Probate & record a paper

ordering propertey to be the last Will & Testament of John Hare late of said County dec'd You are therefore hereby commanded to appear in and before the Probate Court to be held for said County on the 5th day of July 1859 and contest the Probate of said Instrument as such Will &c. You this not fail to do so
Witness Moses Kelly Judge of said Court
Given this 9th day of June 1859 Moses Kelly Judge
Issued this 9th day of June 1859 Wm Barker Sheriff
By his Dep't D L Lacy

John Hare deceased } 5th July 1859
In the matter of the Will } And it being this day fully proven
to the Court that the notice has been given to the widow &
next of kin of said deceased required by and in strict accordance with the former order of this Court made & entered
in the proceedings on the 4th day of July 1859 and none of
said minors nor any other person for any of them or in
any way signified to this Court a desire of any fit or proper
person to represent them & to attend to their interest in
the proceedings It is now therefore ordered by the Court
that John L Morrow Esqr be and he is hereby appointed
Guardian ad litem in the proceedings for the minor heirs
of said estate the said Morrow being so ordered by the Court
to represent & fit and proper person to attend to &
protect the interest of said minors in the matter of the
Probate of said Will and the said Morrow being in Court
accepts said appointment

John Hare dec'd In the matter of } 5th July 30th 1859
the Probate of his last Will & Testament This day having been
regularly appointed for hearing the application of Jesse
Green which was heretofore filed in this Court for the Probate
of an Instrument of writing purporting to be the last Will
& Testament of said dec'd now comes John L Morrow Esq
who was heretofore duly appointed by the order of this Court
and who now consents to act as the Guardian Ad litem for
the minor heirs of said dec'd and it appearing to the
Satisfaction of this Court that the notice of the said applica-
tion & of the time appointed for hearing the same has been
given in pursuance of said & in strict accordance with
the former order of this Court made and entered in
the premises on the 4 day of July 1859 by citations personally
served as directed in said former order Now therefore
the Court proceeds to hear said application And it appears
to the Satisfaction of the Court from the Testimony of
John Smith & Robert Owen that they respectively
signed the said Instrument of writing purporting to be the last
Will and Testament of said deceased & that which writing is
now shown to them on the day of the date thereof in the pre-
sence of said Testator at his request as subscribing witnesses
to the same the said Testator then declaring that he had
executed his last Will and it being also shown by
proof which is satisfactory to the Court that said Testator
was of the full age of twenty one years and upwards and the
time of making said Will & that he was of sound mind &
fully capable of making his said Will It is therefore ordered
that said application should be granted & it is therefore
ordered adjudged & decreed by the Court that said Will of
said John Hare dec'd be recorded and the same is duly declared
to be duly proven as the last Will & Testament of said deceased
& as such admitted to Probate and ordered to be recorded
together with the proof thereof and all other papers on
file relating to this proceeding It is further ordered
that said applicant pay the costs of this proceeding

Will

In the name of God Amen
I John Hare of the County of Dispersor & State of Alabama
being of sound and disposing mind & memory do make
and ordain this my last will and Testament (viz) First I
will and desire that all my just debts I may owe at the time of my death or that may be
necessary to be expended by my executors in my last sickness and funeral
be first paid Secondly I give and bequeath to my beloved wife Mary Elizabeth Hare all the land which I possess
consisting of over 240 hundred acres lately purchased by
me of the Agent of Abner Lipsey and commonly known
as the Rockett place lying in Sec 15 T 11 R 1 East To
have and to hold forever in fee simple to dispose of as she
may think best either to sell it or convey a perfect title during
her life if she thinks proper to do so or to live on it
during her life if she chooses to do so And if she should
still own it at the time of her death then it is my desire
that said land or the proceeds thereof if a sale should be
necessary shall be equally devided between our children
now in existence viz Jesse L George Ann L William D
Jadoc, Melissa, Ruth J. M John L Eliza and those
which may hereafter be born. Thirdly I give and bequeath all the balance of my property of a personal nature

and all money and bills and everything else not before mentioned to my beloved wife Mary Elizabeth to use and dispose of as she pleases and whatever may remain at her death be equally divided between my children share and share alike and those of any which may hereafter be born of my present wife from our present marriage this bequest of course is intended to be divided the moment my Executor shall have settled my estate. Lastly I do hereby appoint my father in law Isaac Jones of Talladega County Executor of this my last Will & Testament

In testimony whereof I have hereunto set my hand & seal to the presence of these attesting witnesses this twelfth day of March A D 1857 John Isaac Smith

The foregoing Will was signed sealed published & declared as the last Will and Testament of said John Isaac this 12 day of March 1857 in our presence

Wm Cross
John Smith
Robert Owen

State of Alabama } In the Probate Court of said County
Jefferson County } In the matter of the Probate of the last Will & Testament of John Isaac dec'd Before me Moses Kelly Judge of the said Court personally appeared in open Court John Smith & Robert Owen who having been by me first duly sworn each for himself and not one for the other and each for himself deposes and says on oath that they are each subscribing witnesses to the instrument of writing now shown to them which purports to be the last Will & Testament of John Isaac dec'd late an inhabitant of this County that said Isaac signed & sealed said instrument on the day the same bears date & declared the same to be his last Will & Testament & that affiants set their signatures thereto on the day the same bears date as subscribing witnesses to the same in the presence of said Testator that said Testator was of sound mind & disposing memory & in the opinion of deponents fully capable of making his Will at the time the same was so made & proven and affiants further state that said Testator was on the day of the date of said Will of the full age of twenty one years and upwards.

Subscribed & Sworn to before me This 30th day of July 1857 Moses Kelly Judge.

John Smith
Robert Owen

State of Alabama } I Moses Kelly Judge of the Court Jefferson County } of Probate in & for said County & State do hereby certify that the within instrument of writing has this day in said Court, and before me as the Judge

thereof been duly proven by the oaths of the subscribing witnesses to the genuine last Will & Testament of John Isaac dec'd that said Will together with all proceedings thereon are recorded in Book [illegible] page [illegible] which I have hereunto set my hand this 30 day of July 1857

Moses Kelly Judge

[illegible]

Moses Kelly Judge of the Probate Court in & for the County of Jefferson & State of Alabama

Whereas there was granted by the Hon Moses Kelly Judge of the Probate Court in & for the County of Jefferson & State of Alabama on the 30th day of July 1857 Letters Testamentary on the last Will & Testament of John Isaac late of said County deceased to Mary Elizabeth Isaac Executrix of said last Will & Testament and whereas it appears to the satisfaction of the Judge of said Court that the said Executrix has fully administered the estate of said deceased and rendered a just account of her administration thereof to the Judge of said Court and has paid over and delivered to the persons entitled thereto all money and effects in her hands belonging to said estate and has performed all other acts required of her by law to be performed before the granting to her of letters of dismission from her said trust as Executrix as aforesaid

Now therefore I the said Moses Kelly Judge of the Probate Court aforesaid do hereby dismiss the said Executrix from her said trust as Executrix as aforesaid and do hereby order that the said Executrix be discharged from her said trust as Executrix as aforesaid and that she be relieved from all further responsibility as such Executrix

Given under my hand this 30th day of July 1857

Moses Kelly Judge

State of Alabama } I Moses Kelly Judge of the Court Jefferson County } of Probate in and for said County & State do hereby certify that the within instrument of writing has this day in said Court, and before me as the Judge

Petition of Isaac Yancey respectfully represents unto your Honor that the late Moses Yancey who was an inhabitant of this County at the time of his death departed this life on the 28th day of April 1857 at this County leaving a last Will and

Testament & by regular & published by law & attested
by Witnesses to be the Last Will & Testament of
Moses Kelly late of said County deceased & that
the said Petitioner is the widow of said deceased
that which said Will was duly produced and proponded
for Probate and Record in this Court by Petitioner
further States that She is the widow of said deceased and
resides in this County & that the Effects of said de-
ceased Consist of Real & Personal Estate of
which Moses Kelly Jr. Thomas Kelly & Elizabeth
Kelly are Children & Heirs at Law of said deceased
& that Elizabeth Kelly resides in this County
& that Moses Kelly Jr. & Thomas Kelly reside
in the State of Alabama & Marion County & that
Elizabeth Kelly is a Minor over the age of fourteen
years & under the age of twenty one years & resides
with her Mother in this County & that Moses Kelly Jr.
& Thomas Kelly reside more than twenty miles
from the Court House of this County & that
Elizabeth Kelly resides more than twenty miles
from the Court House of this County & that
Petitioner prays that a day may be set for the hearing
of the matter of this petition that Subpoenas may be issued
to said Children & Heirs at Law to testify on such
appointed day that due notice of this application may be
given to the heirs of said deceased and that such
other proceedings orders and decrees may be had and
made in the premises as may be requisite and proper
to effect the due Probate and Record of said Will accord-
ing to Law and as in duty bound &c
Sworn to & subscribed before this
[illegible] day of May 1839
Moses Kelly Judge Probate

State of Alabama Probate Court of said County
Jefferson County } To any Sheriff of the State of Alabama
Greeting You are hereby commanded to Summon Elijah
Selfe to appear and before the Probate Court to be held
for Jefferson County at the Court House in the Town of Elyton
on Saturday the 8th day of June 1839 to give evidence in a
certain matter now pending in said Court as to the Probate
of a paper writing purporting to be the Last Will & Testament
of Moses Yancey late of said County dec'd and this you
shall in no wise omit under the penalty prescribed by
Law therein fail not and have you then and there this
notice & the officer of this Judge of said Court
Witness Moses Kelly Judge of said Court at office this
[illegible] day of May 1839 Moses Kelly Judge
Probate
I authorize Judge Legal Service of the within
Subpoena This 14th day of May 39 Elijah Selfe

State of Alabama Probate Court of said County
Jefferson County } To any Sheriff of the State of Alabama
You are hereby commanded to Summon [illegible]
to appear before the Probate Court to be held for Jefferson County at the
Court House in the Town of Elyton on Saturday the 8th
day of June 1839 to give evidence in a certain matter
now pending in said Court as to the Probate of a paper
writing purporting to be the Last Will & Testament of
Moses Yancey late of said County dec'd and this you
shall in no wise omit under the penalty prescribed by
Law therein fail not and have you then and there this
notice & the officer of this Judge of said Court
Witness Moses Kelly Judge of said Court at office this
[illegible] day of May 1839 Moses Kelly Judge
Probate
I authorize Judge Legal Service of the within
Subpoena This 14th day of May 39 [illegible]

State of Alabama Probate Court of said County
Jefferson County } To any Sheriff of the State of Alabama
You are hereby commanded to Summon [illegible]
to appear before the Probate Court to be held for Jefferson County at the
Court House in the Town of Elyton on Saturday the 8th
day of June 1839 to give evidence in a certain matter
now pending in said Court as to the Probate of a paper
writing purporting to be the Last Will & Testament of
Moses Yancey late of said County dec'd and this you
shall in no wise omit under the penalty prescribed by
Law therein fail not and have you then and there this
notice & the officer of this Judge of said Court
Witness Moses Kelly Judge of said Court at office this
[illegible] day of May 1839 Moses Kelly Judge
Probate
I authorize Judge Legal Service of the within
Subpoena This 14th day of May 39 [illegible]

State of Alabama Probate Court of said County
Jefferson County } To any Sheriff of the State of Alabama
You are hereby commanded to Summon [illegible]
to appear before the Probate Court to be held for Jefferson County at the
Court House in the Town of Elyton on Saturday the 8th
day of June 1839 to give evidence in a certain matter
now pending in said Court as to the Probate of a paper
writing purporting to be the Last Will & Testament of
Moses Yancey late of said County dec'd and this you
shall in no wise omit under the penalty prescribed by
Law therein fail not and have you then and there this
notice & the officer of this Judge of said Court
Witness Moses Kelly Judge of said Court at office this
[illegible] day of May 1839 Moses Kelly Judge
Probate
I authorize Judge Legal Service of the within
Subpoena This 14th day of May 39 [illegible]

State of Alabama Probate Court of said County
Jefferson County } To any Sheriff of the State of Alabama
You are hereby commanded to Summon [illegible]
to appear before the Probate Court to be held for Jefferson County at the
Court House in the Town of Elyton on Saturday the 8th
day of June 1839 to give evidence in a certain matter
now pending in said Court as to the Probate of a paper
writing purporting to be the Last Will & Testament of
Moses Yancey late of said County dec'd and this you
shall in no wise omit under the penalty prescribed by
Law therein fail not and have you then and there this
notice & the officer of this Judge of said Court
Witness Moses Kelly Judge of said Court at office this
[illegible] day of May 1839 Moses Kelly Judge
Probate
I authorize Judge Legal Service of the within
Subpoena This 14th day of May 39 [illegible]

State of Alabama Probate Court of said County
Jefferson County } To any Sheriff of the State of Alabama
You are hereby commanded to Summon [illegible]
to appear before the Probate Court to be held for Jefferson County at the
Court House in the Town of Elyton on Saturday the 8th
day of June 1839 to give evidence in a certain matter
now pending in said Court as to the Probate of a paper
writing purporting to be the Last Will & Testament of
Moses Yancey late of said County dec'd and this you
shall in no wise omit under the penalty prescribed by
Law therein fail not and have you then and there this
notice & the officer of this Judge of said Court
Witness Moses Kelly Judge of said Court at office this
[illegible] day of May 1839 Moses Kelly Judge
Probate
I authorize Judge Legal Service of the within
Subpoena This 14th day of May 39 [illegible]

State of Alabama Probate Court May 11th 1859
Jefferson County } Thomas Yancey dec'd Probate of
Will To Richard Yancey You are hereby notified that
Jane Yancey died on the day of last and left a
paper writing purporting to be the last Will & Testament of
said deceased Whereupon It is ordered by the Court
that the 4th day of June 1859 be and is a day for hearing
the Probate of said Testament as such Will You are
therefore hereby notified to appear before this Court on
the 4th day of the next term of the Court of Clayton
and contest the same if you think proper
Given under my hand this 11th day of May 1859
Moses Kelly Judge
of Probate

State of Alabama Probate Court May 11th 1859
Jefferson County } Thomas Yancey dec'd Probate of
Will To Richard Yancey You are hereby notified that
Jane Yancey died on this day left in this Court for
Probate and record a paper writing purporting to be
the last Will & Testament of said deceased Whereupon
It was ordered by the Court that the 4th day of June 1859
be set as a day for hearing the Probate of said instrument
as such Will You are therefore hereby notified to
appear before this Court on the day and contest
the Probate of said instrument if you think proper
Given under my hand this 11th day of May
1859 Moses Kelly Judge
I do hereby acknowledge legal service of the within notice this
11th day of May 1859 Thomas Yancey

State of Alabama Probate Court May 11th 1859
Jefferson County } Thomas Yancey dec'd Probate of
Will You are hereby notified that Jane Yancey
died on this day left in this Court for Probate and
record a paper writing purporting to be the last Will
and Testament of said deceased Whereupon It was
ordered by the Court that the 4th day of June 1859 be
set as a day for hearing the Probate of said instru-
ment as the last Will & Testament of said deceased
You are therefore notified to appear before the Court
of Probate in the Town of Clayton on said 4th day of
June 1859 & contest the Probate of said instrument if
you think proper Given under my hand this 11th day
of May 1859 Moses Kelly Judge

Thomas Yancey dec'd Probate of
In the matter of the Probate of the day proof being regularly
this last Will & Testament is proved & for hearing the petition
of Jane Yancey which was heretofore filed in this Court for
the Probate of an instrument of writing purporting to be the
last Will & Testament of said deceased & to appear
to the Satisfaction of the Court that due notice of said petition
and of the time appointed for hearing it have been
given in pursuance of law and the order of this Court made
the former order of this Court made and entered on the
premises on the 11th day of May 1859 by which personally
Proved is directed to appear & contest the Probate of
to the Satisfaction of the Court from the testimony of Wyatt
Taylor Lloyd Jeff & John Hunter that they respectively
Signed the said instrument of writing purporting to be the
last Will and Testament of said deceased in their presence
and Moses Kelly on the day of the date thereof in the
presence of said testator and of the said witnesses and
subscribed the same the said testator then declaring the said
instrument so attested to be his last Will & Testament also
Shown by proof which is satisfactory to the Court that said
testator was at the time of making his Will and that he was of sound
mind and fully of the age of twenty one years & upwards
to the Court that said application should be granted It is
therefore ordered adjudged and decreed by the Court that
said Will of said deceased be received and the same
is hereby allowed to be duly proved as the last Will & Testament
of said deceased and as such admitted to Probate & ordered
to be recorded together with the proof thereof and all other
papers on file relating to this proceeding It is further ordered
that said Applicant pay the cost of this proceeding

Will & Testament

In the name of God Amen
I Thomas Yancey Farmer of the County of Jefferson and
State of Alabama being of sound mind & in good health and
knowing the certainty of death do make ordain and publish
this my last Will and Testament and do hereby revoke
all other Wills and bequeaths heretofore made by me and
first of all I will and bequeath my body to the mother dust
from whence it was taken to be by my friends decently buried
and I do further will my Spirit unto the hands of God who
gave it and as to my worldly goods whereof it has been pleased
God to bless me with after my burying expenses are paid and
what funds I may owe I will and dispose of them in the

following instrument to wit

Item 2nd I do will & bequeath to my beloved wife Jane Yancey all my personal & personal property of which I die seized and possessed to be at her sole disposal and for her own use & benefit during her natural lifetime and I do hereby revoke all other wills by me heretofore made & declare this to be my last will & testament in witness whereof I have hereunto set my hand & affixed my seal this 2nd day of February in the year of our Lord One thousand eight hundred and fifty seven in presence of the following witnesses

Thos Yancey Esq

Wm Taylor

Wm Taylor

State of Alabama } In the Probate Court of said County
Jefferson County } In the matter of the Probate of the Will of the last Will and Testament of Thomas Yancey dec'd Before me Thomas Kelly Judge of the said Court personally appeared in open Court William Taylor who being sworn by me first duly sworn and examined did on oath depose and say on oath that he is a subscribing witness to the instrument of writing now shown to him and which purports to be the last will & Testament of Thomas Yancey late an inhabitant of this County that said Yancey dec'd signed and executed said instrument on the day the same bears date and declared the same to be his last will and Testament and that affiant set his signature thereto on the day the same bears date as a subscribing witness to the same in the presence of said Testator that said Testator was of sound mind & disposing memory & in the opinion of deponent fully capable of making his will at the time the same was so made as aforesaid affiant further states that said Testator was on the day of the said date of said will of the full age of twenty one years and upwards.

Subscribed & Sworn to this
23rd day of May AD 1857 William Taylor
Thos Kelly Judge

State of Alabama } In Probate Court of said County
Jefferson County } In the matter of the Probate of

the last Will and Testament of Thomas Yancey dec'd before me Thomas Kelly Judge of the said Court personally appeared in open Court John Hall who being by me first respectfully duly sworn & examined did on oath depose and say on oath that they are each subscribing witnesses to the instrument of writing now shown to them and which purports to be the last Will and Testament of Thomas Yancey dec'd that they saw the said Thomas Yancey dec'd sign and execute said instrument & that they subscribed their signatures thereto on the day the same bears date as subscribing witnesses to the same at the request of said Testator that said Testator was of sound mind & disposing memory & in the opinion of deponent fully capable of making his will at the time the same was so signed as aforesaid affiant further states that said Testator was on the day of the said date of said will of the full age of twenty one years and upwards

Subscribed & Sworn to this 23rd day of May AD 1857
Thomas Kelly Judge

John Hall

State of Alabama } I Thomas Kelly Judge of the Court Jefferson County } Probate in and for said County and State do hereby certify that the within instrument of writing has this day in said Court before me as the Judge thereof been duly proven by the proper testimony to be the genuine last Will & Testament of Thomas Yancey dec'd and that said Will together with the said proof thereof have been recorded in my office in Book No 2 of Wills Page 103 & 104 which I do hereby Certify to which I hereunto set my hand this 9th day of June A D 1857

Thomas Kelly Judge
of Probate

James Peterson Dec'd 1860 Probate of Will

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James Peterson Dec'd. } January 30th 1860
Probate of Will } This day came A. D. Thaldrop and filed his petition in writing and under oath therewith producing and offering in this Court an instrument of writing purporting to be the last Will and Testament of James Peterson dec'd and praying for such orders decree and proceedings as may be proper in regard to the due probate and record of said Will & this Court which said instrument appears to be attested by Alberto Martin & James Grimes of the County and who are alleged to have signed the same as subscribing witnesses thereto and it appearing to the Court from said petition that said petitioner is named as Executor in said instrument and is also one of the heirs at law of said decedent, that said decedent died in said County leaving him surviving Mary Elizabeth S. Peterson daughter of Roman Peterson dec'd who was a son of said decedent & also residents in Union County Mississippi Malinda McKinney wife of James McKinney residents Madison County Mississippi Susan Armstrong wife of Henry Armstrong residents Shelby County Mississippi Clarissa wife of Hugh Armstrong and Sarah wife of George Dailey both of whom reside in this County. It is therefore ordered by the Court that the 1st day of March 1860 be set as a day for hearing testimony in proof of said instrument as such Will that said Alberto Martin & James Grimes be subpoenaed to be & appear on said 1st day of March 1860 be & before this Court to testify & give evidence of & concerning all and any facts touching the question of the validity of said instrument as such Will that Clarissa and her husband Hugh Armstrong & Sarah and her husband George Dailey be notified of this proceeding & of the day above set for hearing the matter by citation to be personally served on them at least ten days before said 1st day of March 1860 that said Elizabeth S. Peterson, Malinda McKinney & husband Harvick McKinney & Susan Armstrong and husband Henry Armstrong be notified & brought in as a party to this proceeding by publication continued for three successive weeks in the Central Alabamian a news paper published in this county, a copy of which shall be sent to them post paid through the public mail & properly addressed to them at their respective post offices within five days after the first publication as above ordered, and the Court believing the said Elizabeth S. to be a minor, It is therefore ordered that the appointment of a suitable person to act as Guardian ad litem be postponed until said citations shall have been duly served agreeable to the foregoing terms of these present orders &c

The State of Alabama } To the Hon. Moses Kelly Judge of the Court
Jefferson County } of Probate of said county The petition of A. D. Thaldrop respectfully represents to your Honor that the late James Peterson who was an inhabitant of this county at the time of his death departed this life on or about the 1st day of January 1860 at his residence in this county leaving last Will & Testament duly signed and published by him & attested by Alberto Martin & James Grimes who reside in this county as by your petitioner as he verily believes is annexed to & makes a part of this petition of said estate that said Will & Testament is left in the hands & possession of your petitioner for Probate and record by the law of this State & addressed to your Honor Further States that the said decedent left him surviving a son of said decedent & also residents in Union County Mississippi Malinda McKinney wife of James McKinney residents Madison County Mississippi Susan Armstrong wife of Henry Armstrong residents Shelby County Mississippi Clarissa wife of Hugh Armstrong and Sarah wife of George Dailey both of whom reside in this county. In consideration whereof your petitioner prays that a day may be set for the hearing of the matter of this petition that subpoenas may be issued to bring & such witnesses as to testify on such appointed day that due notice of this application may be given to the next of kin of said deceased that such all proceedings & decrees may be had and made in the premises as may be requisite & proper to effect the due Probate and record of said Will according to law. And as in duty bound &c

Subscribed & sworn to this 30th day of Jany 1860 Moses Kelly Judge
A. D. Thaldrop

State of Alabama } Probate Court of said County
Jefferson County } James Grimes Peterson dec'd estate of
vs to Probate of Will To any Sheriff of the State of
Alabama Greeting, You are hereby commanded to
Summon Alberto Martin to be and appear before this
Court at the Court house in the Town of Elyton on the
1st day of March 1860 there to testify and the truth to speak
in relation to an instrument of writing purporting to be the
last Will & Testament of said decedent. Fail you will not
otherwise omit under the penalty prescribed by law.
Given under my hand This 30th day of Jany 1860
Issued 30th Jany 1860 Rec'd 1st Feby 1860 Moses Kelly Judge
R. Hudson Sheff Executed 1st March 1860 by delivering a copy R. Hudson Sheff.

State of Alabama } Probate Court of said County
Jefferson County } James Peterson dec'd estate of

To the Probate Writ to the Sheriff of said County
Greeting You are hereby commanded to summon
James Primer & Sarah Taffer & Geo Dailey to appear before this Court at the
Court House in the Town of Clayton on the 1st Day of March
1860 then & there to shew cause if any they can why the
instrument of writing purporting to be the last Will & Testament
of said deceased should not be admitted to Probate as the last Will &
Testament of said deceased & why Letters Testamentary should not
issue thereon to the executor therein named & have you then & there
this Writ with your endorsement thereon showing how you have executed the same
Given under my hand & seal this 30th day of January 1860
Moses Kelly Judge
Issued 30th Jany 1860 Rec'd 1st Feby 1860 R Hudson Shff.
Executed 1st Feby 1860 by delivering a copy R Hudson Shff.

State of Alabama } Probate Court of said County
Jefferson County } James Peterson dec'd estate of Probate of
Will To any Sheriff of the State of Alabama Greeting
You are hereby commanded to notify Margaret Armstrong
& husband Hugh Armstrong that on this day A. F.
Waldrop filed in this office for Probate & record a paper
writing purporting to be the last Will & Testament of said
deceased Whereupon it was ordered by the Court
that the 1st of March 1860 be set as a day for hearing the
Probate of said Instrument at which time you can
attend & contest the same if you choose to do so
Given under my hand this 30th Jany 1860
Issued 30 Jany 1860 Moses Kelly Judge
Rec'd 10 Feby 1860 R Hudson Shff Executed 10th Feby
1860 by delivering a copy to Hugh Armstrong
R Hudson Shff

State of Alabama } Probate Court of said County
Jefferson County } James Peterson dec'd estate of Probate of
Will To any Sheriff of the State of Alabama Greeting
You are hereby commanded to notify Sarah Dailey
& husband George Dailey that on this day A. F.
Waldrop filed in this office for Probate and record
a paper writing purporting to be the last Will & Testament
of said deceased, Whereupon it was ordered by the Court
that the 1st day of March 1860 be set as a day for hearing
the Probate of said Instrument, at which time you can
attend & contest the same if you choose to do so
Given under my hand this 30 day of Jany 1860
Issued 30th Jany 1860 Moses Kelly Judge
Rec'd 10th Febry 1860 R Hudson Shff, Executed 10 Febry 1860
by delivering a copy to George Dailey R Hudson Shff

State of Alabama } In the Probate Court of said County
Jefferson County } In the matter of the Estate of James Peterson dec'd

This day came on to be heard upon the petition of A. F. Waldrop
appointed for hearing the application of A. F. Waldrop which was made
& filed in this office for the Probate of a certain instrument of writing
purporting to be the last Will & Testament of said deceased, and
upon the said petition & it appearing to the satisfaction of the
Court that the notice of said application & of the time appointed
for hearing the same has been given in conformity with the statute
& in accordance with the former order of this Court & that said
notice was published in the Jefferson County Gazette a newspaper
published in said County & also posted at three public places in
the premises on the 30 Day of Jany 1860 & that said notice continued
for three successive weeks & that the Gazette is a weekly
paper published in said County & otherwise properly issued
as directed in said former order & it further appearing to the
Court that A. F. Waldrop is the executor named in said instrument
& appearing to the satisfaction of the Court from the testimony of
Moses Kelly & James Primer that the instrument of writing
& said instrument of writing purporting to be the last
Will & Testament of the said James Peterson dec'd & bearing date
the 10th day of Feby 1859 & that the signature of
the said Testator to said writing & instrument constituted
this last Will & Testament was proved to be genuine
to the Court that said Testator was of the full age of twenty
one years & was at the time of making said Testator that he
was of sound mind & capable of making a last Will &
Testament & that said Will & Testament should be granted
It is therefore ordered adjudged & decreed by the Court
that said Will of said deceased James Peterson dec'd be allowed and
the same is hereby declared to be duly proved to be the last
Will & Testament of said deceased & that the same be admitted
to Probate & it is ordered to be recorded together with the
proof thereof & all other papers relating to this
proceeding It is further ordered that the costs of this
proceeding be taxed against the estate of said deceased

Moses Kelly Judge

In the name of God Amen I James Peterson do make
publish & declare the following to be my last will & testament,
1st I give and bequeath to A. F. Waldrop Trustee for my daughter
Sarah A Dailey One hundred Dollars in order to equalize her
with my other children She having had given & received the
amount less than the rest said One hundred Dollars to be held
for the same purposes for which other property hereinafter mentioned
is to be held by said Trustee.
2nd I give & devise to my daughter Elizabeth A Armstrong

the following described tract or parcel of land towit, the
S½ of S½ of Sec 35 T 19 R 4 West & ten acres off of the
West side of S½ of S½ Sec 35 T 19 R 4 West the N½ of
N½ Sec 2 T 20 R 4 West & ten acres off of the west side
of N½ of N½ of Sec 2 T 20 R 4 West & the N½ of N½
S 2 T 20 R 4 West making one hundred & forty acres
more or less to have and to hold to the said Elizabeth S
Armstrong during the term of her life & at her death
the same shall be equally divided between the heirs of her
body begotten

3rd I give & devise to my daughter Sarah A Dailey the
following described tract or parcel of land towit, the N½
of N½ of Sec 1 T 20 R 4 West & thirty acres off of the
East side of N½ of N½ Sec 2 T 20 R 4 West. Fifty
acres off of the S½ of N½ Sec 2 T 20 R 4 West & twenty
five acres off of the North end of the [illegible] of N½ Sec 2
T 20 R 4 West & thirty acres off of the East side of S½ of
S½ Sec 35 T 19 R 4 West making One hundred and seventy
five acres more or less to have and to hold to the said
Sarah A Dailey during the term of her life & at her
death the same shall be equally divided between the heirs
of her body begotten

4th I give and devise to my daughter Clarissa Armstrong
the following tract or parcel of land towit The W½ of N½
Sec 35 T 19 R 4 west the N½ of S½ Sec 35 T 19 R 4 west and about
seven acres in the SE corner of the N½ of Sec 35 T 19 R 4 west
being that part of said quarter section lying on the west
side of the public road making one hundred & sixty
seven acres more or less to have & to hold to the said
Clarissa Armstrong during the term of her life &
at her death the same shall be equally divided between
the heirs of her body begotten

5th I will & direct that sd described tracts or parcels of
land shall be valued so soon as convenient after the
Probate of this Will by three disinterested men appoin-
ted by the Probate Court, which valuation shall be
returned & kept as a basis of calculation in carrying
out other provisions of this Will.

6th I give & bequeath to Malinda McKinney my daughter
& my grand-daughter Sophrona E. Peterson (only child
of my deceased son Orman Peterson each one fifth of
my whole estate (except the 100$ mentioned in the 1st
clause of this will) to be determined by adding the
aggregate value, of the three tracts of land heretofore
mentioned, as shown by the valuation heretofore required
to be made to the balance of my property as shown on
a final settlement of my estate & dividing the same by five
numbers.

7th I direct that all my property [illegible] except the land
heretofore devised shall be sold & that the [illegible] shall be consid-
ered in executing the 6th clause of this Will

8th I will & bequeath the balance of my property not heretofore dis-
posed of to R S [illegible] of [illegible] for the following purposes towit, for
the use of my three daughters Elizabeth S Armstrong Sarah A
Dailey & Clarissa Armstrong during their natural lives & at their
deaths the same shall be equally divided between the heirs of their
bodies begotten. The share of each to be [illegible] by him to the separate
use of her [illegible] [illegible] of the share of each to be determined
by considering the value of the tracts of land already devised
so that each of my three daughters last named may receive
an equal share [illegible] with [illegible]
[illegible]
[illegible] shall pay the interest accruing on [illegible]
[illegible] annually to my sd daughters [illegible] at the death
of each of them the [illegible] for her with any interest
that may have accumulated shall be equally divided between the
heirs of her body begotten [illegible]

9th I do not [illegible] that any [illegible] for my daughters
should give security for the performance of [illegible] duties
as such [illegible]

[illegible] Peterson

Signed sealed published & declared by the above named James
Peterson the testator as [illegible] last will and testament
in the presence of us who have hereto set our hands as witn-
esses at the request & in the presence of the testator & in the
presence of each other

[illegible]

[illegible]

State of Alabama } Probate Court of said County
Jefferson County } In the matter of the Probate of the last
Will and testament of James Peterson decd. Before me
Moses Kelly Judge of said Court personally appeared
in open Court James [illegible] & Alberto Martin who having
been by me first respectively duly sworn as [illegible]
did & do depose and say on oath that they are each
subscribing witnesses to the instrument of writing now
shown to them & which purports to be the last Will & testament
of James Peterson decd late an inhabitant of this county
& that said Peterson since decd signed & executed said
& declared the same to be his last will & testament & that affiants set their signatures
instrument on the day the same bears date as subscribing
thereto on the day the same bears date
witnesses to the same in the presence of said Testator
That said testator was of sound mind and disposing

proving it on the person of the witness duly appointed by the Court for the purpose of making the will at the time the same was executed as aforesaid. Affidavit in this State that said testator was on the day of the date of said will of the full age of twenty one years and upwards. Subscribed & sworn to before me this 1st day of March 1860. Albert Martin. Moses Kelly Judge of Probate. Probate Powers.

State of Alabama } I Moses Kelly Judge of the Court
Jefferson County } of Probate in for said County
State do hereby certify that the foregoing instrument of writing and the affidavit thereto annexed was this day produced before me as
[illegible] by the witness [illegible] to the said instrument of writing and that said will was executed and that the witness [illegible] and subscribed the same in my presence. I further certify that the same was recorded in my office in Book of wills No 1 pages 101, 102, 103 & 104. Witness my hand and seal of office this 1st day of March 1860. Moses Kelly Judge of Probate

Ex Parte Martin Petition to Probate Will

Sarah Martin deceased } March 5th 1860
In the matter of the Probate of Will } This day came Alberto Martin & M J Porter and filed their petition in writing and under oath therewith producing and filing in this Court an instrument of writing purporting to be the last will and testament of said Sarah Martin dec'd and praying for such orders decrees and proceedings as may be proper and requisite for the due Probate & Record of said Will in this Court which said instrument appears to be attested by Nathaniel Hawkins and C A Walker of this County and who are alleged to have signed the same as subscribing witnesses thereto and it appearing to the Court that said petitioners are among the next of kin of said dec'd that said deceased left her surviving your children & Alberto Martin your petitioner, Alexander K Martin, Kelly J Porter, wife of said Mitchell J Porter, & Caroline E Earle wife of Joseph B Earle all of whom are of full age, and reside in this Jefferson County It is therefore ordered by the Court that the 16th day of March 1860 be Set as a day for hearing testimony in proof of said instrument as such Will, that said Nathaniel Hawkins & C A Walker, be Subpoenaed to be and appear on said 16th day of March 1860 before the Court to testify and give evidence of and concerning all and any facts touching the execution of the validity of said instrument as such Will that said A K Martin Kelly J Porter & husband & Caroline E Earle & husband & S B Earle or next of kin of the proceeding notice the day above set for hearing the matter by a citation to be served upon them at least ten days before said 16th day of March instant.

The State of Alabama } In the Court of Probate
Jefferson County } To the Hon Moses Kelly Judge of the Court of Probate of said County of Jefferson
Your petitioners Alberto Martin and Mitchell J Porter respectfully represent unto your Honor that the late Sarah Martin who was at the last term of said County at the time of her death departed this life on the tenth day of February instant in said County leaving a last will & testament duly signed and published by her and attested by Nathaniel Hawkins & Charles A Walker both of whom reside in said County as your petitioners are informed and believe. That your petitioners are next of kin to the said deceased and said will is desired to be admitted to probate and record in this Court. Your petitioners further state that the next of kin of said deceased at the time of her death & under whom they claim are as follows to wit that the next of kin of said deceased are her four children namely said Alberto Martin one of your petitioners Alexander K Martin Kelly J Porter wife of said Mitchell J Porter and Caroline E Earle wife of Joseph B Earle all of whom reside in said County of Jefferson [illegible] relation of all which your petitioners pray that a day may be set for the hearing of the matter of their petition that subpoenas may be issued to bring said subscribing witnesses to testify on such appointed day that due notice of the application may be given to the said next of kin of said deceased and that such other proceedings orders and decrees may be had and made in the premises as may be requisite and proper to effect the due probate and record of said will according to law. And as in duty bound &c
Subscribed & sworn to before me this 5th day of March 1860. M J Porter
Moses Kelly Judge of Probate. Alberto Martin

State of Alabama } Probate Court of said County
Jefferson County } To the Sheriff of said County Greeting
You are hereby commanded to notify A K Martin that M J Porter & Alberto Martin have on this day filed in said Court an instrument of writing purporting to be the last will

day of that term of the Court of said Jefferson
that the said [illegible] subscribing witnesses to the same
the said Testatrix then Declared that said instrument
so Executed was her last Will and Testament and proof
being also shown by [illegible] subscribing witness to the Court that said Testatrix
was of the age of twenty one years at the
time of so doing and was of sound
and disposing mind and memory and was
not under any restraint or undue influence
and it appearing to the Court that said Testatrix
was a resident of this County at the time of her death
and left property in this County to be administered
on and that Letters Testamentary should be granted
to the persons named and appointed by the
said Will and Testament to execute the same
Whereupon it is ordered and decreed by the
Court that said Will of said deceased be
and the same is hereby declared to be duly proved
as the last Will and Testament of said deceased and
that said Will and Letters Testamentary be recorded
together with the proof thereof and other papers
relating to the same and that these Letters
that said Will be by the Clerk of this proceedings

Will of Sarah Martin

I Sarah Martin make publish and declare the following
to be my last Will and Testament hereby revoking
all former wills by me made
First I direct that my executor shall pay all my
just debts as soon as practicable after my decease
Second I give and bequeath to Alberto
Martin my Silver Watch I also give and bequeath
to M. T. Porter Trustee for the purposes hereinafter
mentioned the sum of Two Thousand Dollars together
with such increase as to one third of the whole
estate of all the balance of my property to be
determined by Alberto Martin whose estimate
shall be conclusive the whole of which bequest shall
be held by the said M. T. Porter Trustee for the use and
benefit of A. H. Martin during her A. H. Martins
life time and at her death one fourth of the same
shall become the property of her wife if she survive
her and the balance shall go to his children who
survive him in the event that he leave no children
who survive him then the portion which they would
have taken shall be equally devided between
to Martin M. T. Porter, A. E. & Earle. In the event that
he does not leave a wife surviving him then the
whole shall go to his surviving children And in
default of wife or children the whole shall be
equally divided between Alberto Martin, M. T. Porter
& A. E. Earle. And I hereby invest M. T. Porter Trustee

[illegible]

Signed sealed published and declared to be the last
Will and Testament of the said Sarah Martin in the
presence of us who have hereunto signed our names at
the request & in the presence of the said
Sarah Martin

Nathaniel Hawkins
Charles Weather

State of Alabama } Probate Court of said County
Jefferson County } In the matter of the Estate of the last
Will and Testament of Mrs Sarah Martin dec'd
Before me Moses Phillips Judge of the said Court
personally appeared in open Court Nathaniel Hawkins
& Charles Weather who having been by me first
duly sworn & examined did and do depose

William B. Neal Dec'd

William B. Neal dec'd

Will Proved

Estate of Thos. Taylor Dec'd. Vs. Petition for Probate of Will

Upon Taylor dec'd in the matter of the Probate of his Will

June 2nd 1860

This day came F. B. Taylor and filed his petition in writing and under oath therein with proper writing and Exhibit in this Court for enrollment of a writing purporting to be the last Will and Testament of said Thos. Taylor dec'd and praying for such orders decrees and proceedings as may be proper in regards to the due Probate and record of said Will in this Court which said instrument appears to be attested by F. B. Clayton & Rochelle Blythe of this County and he was obliged to have signed the same as subscribing witnesses thereto and appearing before this Court from bodily infirmity and petitioner is one of the next of kin of said dec'd. That Catharine Taylor dec'd resided in this County at the time of said decedent death and said decedent left seven children & heirs at law viz. Mrs. Nancy Kelly, William Taylor, Mrs. Kelly, Mahala Carter wife of Solomon Carter, Clifford Taylor, F. B. Taylor, Martha Blythe wife of Charles Blythe, Asberry Taylor, Catharine Young wife of Thos. Young all of whom reside in this County & are of full age & all of whom except Asberry Taylor reside in this County. It is therefore ordered by the Court that the 7th day of July 1860 be set as a day for hearing testimony in proof of said instrument as such will that said F. B. Clayton & Rochelle Blythe be subpoenaed to be and appear on said 7th day of July 1860 in and before this Court to testify and give evidence of and concerning all and any facts touching the question of the validity of said instrument as such will that said evidence together with all the above named heirs be notified of this proceeding and of the day above set for hearing the matter by relation to be personally served ten days at least two days before said 7th day of July 1860 that the appointment of a suitable person to act as Guardian ad litem for the said F. B. Taylor be postponed until he shall have had due notice of this proceeding &c

State of Alabama } To the Hon. Moses Kelly Judge of the
Jefferson County } Court of Probate of said County. The petition
of F. B. Taylor respectfully represents to your Honor that the
late Thos. Taylor who was at the time of his death a resident of
at the residence of said petitioner in the County of Jefferson
duly signed and published by him and attested by F. B. Clayton
& Rochelle Blythe who reside in this county as shown by your
petitioner all be ready to prove to record as a last will and
Testament and that he is one of said decedent's next of kin
will to have the proof of same to your Honor and to record in
Probate and record in this Court. Your petitioner further
states that the estate of said decedent is of the value of
Taylor who resides in this county and that the next of kin
of said decedent are his widow Catharine Taylor Nancy Taylor
Kelly Taylor William Taylor Catharine Kelly wife of Thos
Kelly Mahala Carter wife of Solomon Carter Clifford
Taylor F. B. Taylor Martha Blythe wife of Charles Blythe
Asberry Taylor Catharine Young wife of Thos Young all of
whom reside in this county & are of full age & all of whom except
Asberry Taylor reside in this county. Your petitioner further
represents that Asberry Taylor resides in this County
That consideration your petitioner prays that a day may be set for hearing the matter of this
petition that subpoenas may be issued to bring in
said subscribing witnesses to testify on such day
that due notice of the time & place may be given
to the said [illegible] of kin of said decedent and that
such other proceedings orders and decrees may be
had and made in the premises touching the matters
& prayers of this petition as may be required
by law & equity in the premises. Said petitioner
will ever pray &c

F. B. Taylor

Sworn to before me this 2nd day of June 1860
Moses Kelly Judge of Probate

State of Alabama } Probate Court of said County
Jefferson County } June Term 1860 In the matter
of the last Will & Testament of Thos Taylor dec'd
Catharine Taylor Nancy Taylor Kelly Taylor
William Taylor Catharine Kelly Husband of the
Kelly Mahala Carter Husband of Solomon Carter
Clifford Taylor Martha Blythe Husband Charles
Blythe, Asberry Taylor Catharine Young Husband
Thos Young & F. B. Clayton You and each of you
are hereby notified that F. B. Taylor has on this day
filed for Probate and record an instrument of
writing purporting to be the last Will & Testament

of Jesse Taylor decd Whereupon the 7 day of July 1860 has been appointed a day on which to hear the Probate of said Instrument as such will at which time you or either of you can attend & contest the same if you think proper to do so.
Given under my hand

Moses Kelly Judge

We hereby acknowledge legal service of the above notice. Philemon Partain Mahala Partain Lott Taylor Polly Taylor A H Taylor William Taylor Samuel Taylor Charles Blythe Martha Blythe W. J. Terry Catharine Terry Asbery Taylor John Kelly Cathrine Kelly Telford Taylor.

State of Alabama } Probate Court of said County
Jefferson County } To Any Sheriff of the State of Alabama Greeting, You are hereby commanded to summon G. B. Clayton to appear in and before the Probate Court to be held for said County at the Court house of said County on the 7 day of July 1860 to give evidence in a certain matter now pending in said Court as to the probate of the last Will & testament of Jesse Taylor decd And this you shall in no wise omit under the penalty prescribed by law. Herein fail not and have you then and there this writ at the office of the Judge of said Court. Witness Moses Kelly Judge of said Court at office This 2nd day of June 1860

Moses Kelly Judge

I acknowledge legal service of the within subpoena This 27 day of June 1860.

G. B. Clayton

State of Alabama } Probate Court of said County
Jefferson County } To Any Sheriff of the State of Alabama Greeting, You are hereby commanded to summon Ricketts Blythe to appear in and before the Court of probate to be held for said County on the 7 day of July 1860 to give evidence in a certain matter now pending in said Court as to the last Will of Jesse Taylor decd And this you shall in no wise omit under the penalty prescribed by law. Herein fail not and have you then and there this writ at the office of the Judge of said Court — Witness Moses Kelly Judge of said Court at office this 2 day of June 1860

Moses Kelly Judge

I acknowledge legal service of the within notice this 2nd day of July 1860

Jesse Taylor decd In the matter of July 7th 1860
the probate of the last Will & testament This day having been regularly appointed for hearing the application of A. H. Taylor which was heretofore filed in this Court for the probate of an instrument of writing purporting to be the last will & testament of said deceased in his name the said applicant and also James E. Kelly who consents to act as Guardian ad litem for A. H. Taylor the only minor interested and it appearing to the satisfaction of the Court that due notice of said application & of the time appointed for hearing the same has been given in pursuance of law and in strict accordance with the former order of this Court made and entered on the premises on the 2nd day of June 1860 by notices personally served as directed in said former order on each and every of the said A. H. Taylor, the Court proceeds to hear said application and it appearing to the satisfaction of the Court from the testimony of Ricketts Blythe and G. B. Clayton that they respectively signed the said instrument of writing purporting to be the last Will & testament of said decd. that it is the same and only is now shown to them in the presence of said testator and at his request as subscribing witnesses to the same the said testator then declaring that said instrument constituted his last will. And it being also shown by proof which is satisfactory to the Court that said testator was of the full age of twenty one years and upwards at the time of making said will and that he was of sound mind and fully capable of making his said will it seems to the Court that said application should be granted. It is therefore ordered adjudged and decreed by the Court that said will of said Jesse Taylor decd be received and the same is hereby declared to be duly proven as the last will & testament of said decedent and as such admitted to Probate & ordered to be recorded together with the proof thereof and all other papers on file relating to this proceeding. It is further ordered that said applicant pay the cost of this proceeding.

(Will & Test.)

In the name of God Amen I Jesse Taylor of the County of Jefferson and State of Alabama being in moderate health and perfect in mind and memory thanks to God for the same but knowing the uncertainty of human life, do make ordain and constitute this my

last will & testament revoking all others & I do for the first place after my decease I will my body to be plainly entered my immortal soul I bequeath to the mercy of the Almighty author of my being & for worldly goods of which I may die possessed & wished towards the following distribution My first place I give to my wife Catharine Taylor all of my real estate on the North of the Big Spring & the West of the Northern Ditch of Block of Section 12 Township 15 Range one east & on the second place I give all my personal goods and Chattels both together with all my household & Kitchen furniture to my wife except those feather beds and furniture Thirdly I give all the hogs and sheep one wagon & gears and two yoke of oxen the old corn crib & waggon bed two yoke which is to belong to her during her natural life and at her death the real estate above mentioned is to descend to my son P.B. Taylor and the above mentioned property except the real estate is to be sold at the death of my wife Catharine Taylor and the proceeds to be equally devided between all my lawful heirs and I do direct that P.B. Taylor shall take care of my daughter Polly Taylor as long as she will remain in his house and when she leaves them to pay her one hundred dollars and also have to pay to my daughter Catharine Penny one hundred dollars at the expiration of two years after he gets possession of the land I give to my son P.B. Taylor one cow and Polly one cow and calf one feather bed and furniture also Rifle gun I give to my daughter Polly one bay mare one cow and calf one bed & furniture I further direct that all the property belonging to me not mentioned in the foregoing will to be sold and the proceeds thereof together with all the money on hand and which may be collected on Notes and accounts that are belonging to me at my death to be distributed equally between all my lawful heirs I further direct that the proceeds of the farm for the present year except enough to pay Thomas Penny hire for during the present year the balance to go to the use of the family I do nominate constitute and appoint my son P.B. Taylor Sole executor to this my last will & testament In testimony whereof I set my hand & affix my seal this 5th day of September 1857

Jesse Taylor

In the presence of
Jp B. Clayton, Rich Reta Blythe

State of Alabama Probate Court of said County
Jefferson County In the matter of the Probate of the last will &
testament of Jesse Taylor dec'd Before me Wm Kelly Judge
of the said County personally appeared in open Court P.B. Blyth
and P B Clayton who having been by me first respectively duly sworn
& examined did on their oaths depose and say that they are each
subscribing witnesses to the instrument of writing now shown &
there unto shown & produced to be the last will and testament of
Jesse Taylor dec'd and that they verily believe the said
Taylor was at the time of executing the same of sound mind
on the day the same bears date & at the time he executed the same to
be his last will and testament & that they affixed their names
thereto as subscribing witnesses to the same in the presence
of said testator that said testator executed and published
& declared the same to be his last will & testament & that
all of making his will & at the time he executed the same
aforesaid affirmed & believed that said testator was
on the day of the said date of said will of the full age
of twenty one years & upwards

Sworn & subscribed to this day

Wm Kelly Judge of Probate

Jesse Taylor dec'd
Will
Filed 5th Sept 1857
Wm Kelly Judge

State of Alabama Jefferson County Probate Court of said County
Jefferson County In the matter of the Probate of the last will &
testament of Jesse Taylor dec'd Before me Wm Kelly Judge
of the said County personally appeared in open Court P.B. Blyth
and P B Clayton who having been by me first respectively duly sworn
& examined did on their oaths depose and say that they are each
subscribing witnesses to the instrument of writing now shown &
there unto shown & produced to be the last will and testament of
Jesse Taylor dec'd and that they verily believe the said
Taylor was at the time of executing the same of sound mind
on the day the same bears date & at the time he executed the same to
be his last will and testament & that they affixed their names
thereto as subscribing witnesses to the same in the presence
of said testator that said testator executed and published
& declared the same to be his last will & testament & that
all of making his will & at the time he executed the same
aforesaid affirmed & believed that said testator was
on the day of the said date of said will of the full age
of twenty one years & upwards

Sworn & subscribed to this day

Wm Kelly Judge of Probate

Jesse Taylor dec'd
Will
Filed 5th Sept 1857
Wm Kelly Judge

State of Alabama Jefferson County Probate Court of said County
Jefferson County In the matter of the Probate of the last will &
testament of Jesse Taylor dec'd Before me Wm Kelly Judge
of the said County personally appeared in open Court P.B. Blyth
and P B Clayton who having been by me first respectively duly sworn
& examined did on their oaths depose and say that they are each
subscribing witnesses to the instrument of writing now shown &
there unto shown & produced to be the last will and testament of
Jesse Taylor dec'd and that they verily believe the said
Taylor was at the time of executing the same of sound mind
on the day the same bears date & at the time he executed the same to
be his last will and testament & that they affixed their names
thereto as subscribing witnesses to the same in the presence
of said testator that said testator executed and published
& declared the same to be his last will & testament & that
all of making his will & at the time he executed the same
aforesaid affirmed & believed that said testator was
on the day of the said date of said will of the full age
of twenty one years & upwards

Sworn & subscribed to this day

Wm Kelly Judge of Probate

Jesse Taylor dec'd
Will
Filed 5th Sept 1857
Wm Kelly Judge

Elijah Brown dec'd Copy of will & Probate

Elijah Brown dec'd In the matter of the Probate of his will
This day came Joel Taylor and filed his petition in writing and under oath here-
with producing and filing in this Court an instrument of
writing purporting to be the last will and testament of
Elijah Brown dec'd and praying for such orders decrees &
proceedings as may be proper and requisite for the due
probate & record of said will in this Court which said
instrument appears to be attested by B.E. Grace & F. Worthington

of the County aforesaid alleged to have died seized
Estate of said deceased which they ask to have granted
to the Court that the Petitioners are entitled to
of said deceased that Mary Brown who resides in the
the estate of said deceased and that said deceased left the
following named children to wit Sarah A. Martin wife
of Robert G. Martin Martha A. Bumford wife of James
Bumford Rebecca C. Bagley wife of Jesse Bagley
Caroline Tarrant wife of Henry G. Tarrant Margaret
A. Tarrant wife of Wm. D. Tarrant and Mahaney Fuller
wife of M. D. Fuller all of lawful age and Miranda Brown
and Susan Brown and William H. Brown minor children
of said deceased all of whom reside in this County except
Margaret A. Tarrant who resides in Talladega County
Alabama and that there is no Administration on the
estate of said deceased in this County Whereupon it is
Ordered that the 17th day of June 1860 be appointed a day for
hearing the petition of said petitioners and ordered that
notice thereof be given to all persons interested to appear
at the Court House in said County on the 17th day of June
1860 and show cause if any they can why said petition
should not be granted and that a copy of this order be
published for three consecutive weeks in the Jefferson
Democrat a newspaper published in said County and
that a copy of this order be served on Mary Brown
Sarah A. Martin Martha A. Bumford Rebecca C. Bagley
Caroline Tarrant Margaret A. Tarrant Mahaney Fuller
Miranda Brown Susan Brown and William H. Brown
all of whom reside in the County of Jefferson at least
ten days before the 17th day of June 1860 and that
the Sheriff make due return of his proceedings in the
premises at the time of hearing

Moses Kelly Judge of Probate

State of Alabama
Jefferson County
Sterling G. [illegible] Sheriff of the said County
Alabama do hereby command all and
singular the Sheriffs and lawful Constables
of the State of Alabama to summon
Mary Brown Sarah A. Martin Martha A. Bumford
Rebecca C. Bagley Caroline Tarrant Margaret A. Tarrant
Mahaney Fuller Miranda Brown Susan Brown and
William H. Brown to appear in and
before the Probate Court to be held in said County at the
Court House in the town of Elyton on the 17th day of June
1860 to give evidence touching the matters and things
in said Court then and there depending
on the petition of Sterling G. Tarrant
praying for letters of administration on the estate of
Elijah Brown deceased and this you shall in no wise
omit under the penalty prescribed by law Herein fail not
but have you then there and the officer of the Judge of said Court
Witness Moses Kelly Judge of said Court at office this
7th day of June A.D. 1860 Moses Kelly Judge

[illegible] Sheriff of Jefferson County
Alabama Greeting
Summon Benjamin F. Northington to appear in and
before the Probate Court to be held in said County at the
Court House in the town of Elyton on the 17th day of June
1860 to give evidence touching matters and things
in said Court then and there depending
on the petition of Sterling G. Tarrant praying for letters of
administration of writing purporting to be the last
will of Elijah Brown deceased and this you shall in no wise
omit under the penalty prescribed by law Herein fail not
but have you then there at the office of the Judge of said Court
Witness Moses Kelly Judge of said Court at office this
7th day of June A.D. 1860 Moses Kelly Judge

To Robert Worthington

State of Alabama } Probate Court of said County
Jefferson County } In the matter of the probate of the last will & testament of Elijah Brown dec'd

You are hereby commanded to notify Sarah A. Martin & husband Robert G. Martin that Saml Bagley did on the 7th day of June inst. file in this Court for probate an instrument of writing purporting to be the last will & testament of said deceased & that the 27th day of June inst. has been appointed a day on which to hear the probate of said instrument of writing & on which day they can attend if they think proper & contest the same if they think proper. Herein fail not & have you then this notice with your doings thereon. Dated under my hand this 16th June 1860. Moses Kelly Judge

The same day served & executed by reading a copy of the same to Robert G. Martin Sheriff

State of Alabama } Probate Court 7th June 1860
Jefferson County } In the matter of the probate of the last will & testament of Elijah Brown dec'd

To Mrs. Nancy Brown, Sarah A. Martin & husband Robert G. Martin, Martha A. Bradford & husband James Bradford, Rebecca E. Bagley, Caroline Jane & husband Henry G. Jarrard, Margaret A. Isenbaugh & husband W. McDonnough Isenbaugh, Florence Fuller & husband M. S. Fuller, Marinda Brown

Elijah Brown dec'd

[illegible]

To the sheriff of Jefferson County Greeting

[illegible]

Elijah Brown dec'd

[illegible]

To the sheriff of Jefferson County Greeting

[illegible]

In the matter of the probate of the will of Elijah Brown dec'd In the probate Court Jefferson County

Wm [illegible] guardian ad litem of William A. Brown Marinda Brown and Susan Brown minor child[ren] of Elijah Brown dec[ease]d [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] of the making & publishing of said Will [illegible] of said proof thereof [illegible] [illegible] Wm [illegible] Atty
Guardian ad litem.

Elijah Brown dec[ease]d. In the matter of the probate of his last Will and testament
June 27 1860
This day having been regularly appointed for hearing the application of Joab Bagley which was heretofore filed in this Court for the probate of an instrument of writing purporting to be the last Will and testament of said dec[ease]d [illegible] the said applicant and also came Wm [illegible] Esq who was heretofore duly appointed by the order of this Court to be [illegible] to act as the guardian ad litem for Marinda, Susan & Wm A Brown minor all of whom are children and heirs of said dec[ease]d and it appearing to the satisfaction of the Court that the notice of the said application & of the time appointed for hearing the same has been given in pursuance of law and in strict accordance with the former order of this Court made and entered in the premises on the 7 day of June 1860 by [illegible] personally [illegible] as directed in said former order — now on motion of said Joab Bagley the Court proceeds to hear said application and it appearing to the satisfaction of the Court from the testimony of B. C. Grace and B. F. Worthington that they respectively signed the said instrument of writing purporting to be the last Will and testament of said decedent, & which writing is now shown to them on the day of the date thereof in the presence of said testator and at his request as subscribing witnesses to the same, the said Testator then declaring that said instrument constituted his last Will. And it being also shown by proof which is satisfactory to the Court that said testator was of the full age of twenty one years & upwards at the time of making said Will it seems to the Court that said application should be granted. It is therefore ordered adjudged and decreed by the Court that said Will of said Elijah Brown dec[ease]d be received And the same is hereby declared to be duly proven as the last Will and testament of said decedent And as such admitted to probate & ordered to be recorded

together with the proof thereof and all other papers on file relating to the proceeding. It is further ordered that said applicant pay the cost of this proceeding.

Will & Copy

In the name of God Amen, I Elijah Brown of the county of Jefferson and State of Alabama, being of sound and disposing mind and memory but being in a weak state of body, and wishing to dispose of my property by will [illegible] most right and proper do make publish and declare the following instrument as my last Will and testament.
First [illegible] It is my will and desire that all my just debts be first paid by my executor. Second I give and bequeath to my beloved wife Nancy Brown the following named negroes Lewis, Milly and her wife [illegible] and the youngest child of [illegible] & [illegible] also my [illegible] woman [illegible] and [illegible] a boy about thirteen years old and [illegible] my [illegible] household and kitchen furniture [illegible] making my [illegible] daughters all equal in respect to the [illegible] they have [illegible] from me after marriage. I also give my wife all [illegible] stock of horses cattle, hogs and all other kinds of stock that may be on the farm at the time of my death with the [illegible] [illegible] [illegible] [illegible] [illegible] best interest of the children. I also give and bequeath to my beloved wife Nancy Brown a life time estate in all the land [illegible] [illegible] wish my land to go to my only son William A. Brown. Third I give and bequeath to my beloved and only son William A. Brown the following named negroes Lewis, [illegible] and her children [illegible] Sally [illegible], Daniel, and [illegible] also all my land at the death of his mother To have and to hold the same in fee simple forever. Fourth I give and bequeath to my daughter Sarah Ann [illegible] [illegible] hundred Dollars in money to be paid by my executors as soon as convenient after my death. Fifth I give and bequeath to my daughter Martha Ann Burford Three hundred Dollars in money. Sixth I give and bequeath to my daughter Rebecca Bagley Two hundred Dollars in money. Seventh I give and bequeath to my daughter Caroline Tarrant Three hundred Dollars in money. Eighth Believing

it to be necessary that any provision should be made for my wife for her immediate use after my death and having made any provision that hundred Dollars in gold in addition to the Legacy made to her in a former clause of this will I give and bequeath the same to said wife Nancy Brown three hundred Dollars in gold to be paid by my Executor out of my property at my death Fifthly after paying the above legacies and it is my desire that the balance of my Estate after it is collected be equally divided between all my Children as mentioned in this will Sixth I give and bequeath to my son Elijah Brown my gold watch and chain heretofore given to my son Elijah Brown through the negligence of said Executor I did not give it to Mr Fuller Executor of my Estate as I further desired to do I also bequeath to my daughter Rosanda Brown my gray mare Mary Ellen Seventh I give and bequeath to my daughter Susan my sorrel mare Kate Ann and her colt Christopher Smith I give and bequeath to my grand son Elijah Smith one two year old mare colt to be held by Executor until said Elijah arrives to the age of Eighteen years old to be at the disposal at the death of my wife to remain in her possession and to her use during her life. Eighthly At the death of my wife it is my will and desire that all the personal property hereby willed to her that she may not have disposed of and that may remain in her possession including my negroes shall be sold and the proceeds equally divided among all my children. And lastly and finally I do hereby Constitute and appoint my beloved wife Nancy Brown and my son the said W. D. Pennington my Executor and Executrix under the orders of the Probate Court to carry into effect the provisions of this my last will and testament In testimony whereof I have hereunto set my hand and seal this 17 day of April A D 1860 Signed sealed &c as the last will of Elijah Brown now deceased the date above written

Elijah Brown (Seal)

B E Grace
B F Worthington

State of Alabama } Probate Court of said County
Jefferson County } In the matter of the probate of

the last will & testament of Elijah Brown deceased

[illegible]

State of Alabama }
Jefferson County } I [illegible] Register in and for said County do hereby certify that the within instrument was received for record on the [illegible] day of [illegible] 1860 at [illegible] o'clock [illegible] and duly recorded in Book [illegible] page [illegible] of Record of Deeds in my office

Given under my hand this [illegible] day of [illegible] 1860

[illegible] Probate

State of Alabama }
County }

I [illegible] Register in and for said County do hereby certify that the within instrument was received for record on the [illegible] day of [illegible] 1860 at [illegible] o'clock [illegible] and duly recorded in Book [illegible] page [illegible] of Record of Deeds in my office

Given under my hand this [illegible] day of [illegible] 1860

[illegible] Probate

State of Alabama }
Jefferson County } Probate Court of said County

At the Court House in said County at the Town of Elyton on the second Monday in June it being the 11th day of said month the following proceedings were had &c

Now Nelly for probating [illegible]

Samuel Fields dec'd Proofs &c as to Probate of Will

[illegible] June 1860

[illegible] This day came Moses Fields and filed his petition in writing & under oath therewith producing and filing in this Court an instrument of writing purporting to be the last Will and Testament of Samuel Fields dec'd and praying for such order or decree proceedings as may be proper and requisite for the due probate and record of said Will in this Court which said instrument of writing appears to be attested by Wm S Mundell Wm A Walker and Goat Bagley of this County and who are also said to have signed the same as subscribing witnesses thereto And it appearing to the Court from said petition that said petitioner is one of the next of kin of said deceased and that said deceased left the following named children to him surviving to wit Moses Samuel [illegible] James [illegible] Isaac & your petitioner Nancy wife of James Rodgers dec'd wife of [illegible] Elizabeth wife of [illegible] Melinda wife of Morgan Isaacs all of whom are of full age and reside in this County It is therefore ordered by the Court that the 1st day of July next be set as a day for hearing on proff of said instrument as such will that Wm S Mundell Wm A Walker & Goat Bagley be subpoenaed to be and appear in said Court day of July 1860 & before this Court to testify and give testimony &c concerning all and any facts touching the question of the validity of said [illegible] instrument as such will that said Moses Fields et al be notified of the proceedings and of the day above set for the hearing the matter by publication to be served upon them at least ten days before the said 1st day of July 1860 and the Court adjourned

The State of Alabama } To the Hon Moses Kelly judge
Jefferson County } of Probate of Jefferson County

The petition of Isaac B Fields respectfully represents unto your Honor that Samuel Fields late of said County who was an inhabitant of said County at the time of his death departed this life on the 20 day of April 1860 leaving a last will and testament duly signed & published by him and attested by Wm S Mundell William A Walker & Goat Bagley all of whom reside in said County of Jefferson which said will is herewith produced to your honor and proponed for probate & record in this Court And your petitioner further states that said Samuel Fields left no widow

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and that the next of kin of said decedent are the children of Moses Fields son Samuel Fields grandchildren to James Fields & your petitioner Isaac B Fields & to wit Moses Fields Samuel Fields James Fields Isaac B Fields & Nancy Rodgers wife of [illegible] Rodgers Elizabeth wife of [illegible] Melinda wife of Morgan Isaacs all of whom are of full age and reside in this County of Jefferson State of Alabama

In consideration of all of which [illegible] day be set for the hearing of the matter of the petition and that Subpoenas may issue to bring [illegible] on said application to the next of kin of said deceased and that of the granting of [illegible] of said will [illegible] June 1860

Moses Kelly Judge of Probate

State of Alabama }
Jefferson County } Probate Court of said County

To any Sheriff of the State of Alabama Greeting

You are hereby commanded to summon Wm S Mundell & Wm A Walker & Goat Bagley to be & appear before the Probate Court of said County at a term thereof to be held at the Court House in the Town of Elyton on the 1st day of July 1860 to give evidence in a certain matter now pending in said Court wherein Isaac B Fields has filed for Probate an instrument of writing purporting to be the last will & testament of Samuel Fields dec'd and this you shall in no wise omit under the penalty prescribed by law Herein fail not & have you then & there this writ with the endorsement thereon

Witness Moses Kelly Judge of Probate of said County this 1st day of July 1860

Moses Kelly Judge

Sheriff's return [illegible] executed by delivering a copy [illegible]

State of Alabama } Probate Court said County
Jefferson County } To any Sheriff of the State of Alabama greeting

You are hereby commanded to summon Wm S Mundell & Wm A Walker & Goat Bagley to be & appear before the Probate Court of said County at a term thereof to be held at the Court House in the Town of Elyton on the 1st day of July 1860 to give evidence in a certain matter now pending in said County wherein Isaac B Fields has filed for Probate an instrument of writing purporting to be the last will and testament of Samuel Fields dec'd and this you shall in no wise omit under the penalty prescribed by law Herein fail not & have you then this writ at the office of the

of Exs Sales in said County Felly put out Moses Kelly Judge of Said
Court at Office on this 13th day of June A.D. 1860

Moses Kelly Judge

Jeff Ala 13th June 1860 Rec'd and Executed by delivering a copy
to Anderson Shff

State of Alabama } Probate Court of Said County
Jeffson County } To any Shff of the State of Alabama Greeting -
You are Hereby Commanded to Summon Isaac B Fields to
appear in and before the Probate Court of Said County on the
1st day of July 1860 to give evidence in a certain matter
now pending in said County wherein Isaac B Fields
has filed for Probate an instrument of writing purporting
to be the last will & Testament of Samuel Fields dec'd
& this you shall in no wise omit under the penalty
prescribed by Law Herein fail not & Have you then this
writ & what you shall have done in the premises
Witness Moses Kelly Judge of said Court at Office
this 13th day of June 1860 Moses Kelly Judge
Sheriff Returns this Same day Issued and Executed
by delivering a copy to Anderson Shff

State of Alabama }
Jeffson County } Probate Court of Said County
In the matter of the Probate of the last will and
Testament of Samuel Fields dec'd To Moses Fields Samuel
J Fields James Fields William Fields Nancy Rodgers
& husband James G Rodgers Mary Jacks wife of G G Jacks
& Elizabeth Brake widow of Wm Pate Lucinda McBagley
wife of Thos & husband Wm Bagley & Melinda Isaacks & Husband
Morgan Isaacks You and each of you are Hereby notified
that Isaac B Fields has on this day filed for Probate &
record an instrument of writing purporting to be the last
will and Testament of Samuel Fields dec'd Whereupon the 1st
day of July next 1860 has been appointed a day on which to
hear the Probate of said instrument & at which time you or either of you can attend and contest the
same if you Should think proper to do so
Given under my hand this 13 day of June A.D. 1860
Moses Kelly Judge
The Sheriff of said County will execute this above
notice & make June 18th 1860 & return this notice with his
endorsement thereon Moses Kelly Judge
of Probate

Shff Returns this 13th June 1860 Rec'd and Executed by delivering a copy
Executed 22nd upon Moses Fields & Wm Fields Copies Sent to
Nancy Rodgers & James G Rodgers Mary Jacks & G G Jacks

on the 18th June 1860 & on the 26th upon Lucinda McBagley & husband
Melinda Isaacs & husband & Elizabeth Brake widow of Wm Pate
Samuel J Fields & James Fields not found in County Shff

Samuel Fields dec'd early made offer for
Probate of his last will & Testament Filed the 13th
It is ordered that this day having been legally appointed for hearing the
application of Isaac B Fields that same be now for the
court for the Probate of
to be the last will and testament of said deceased
copy to the last partner
said application
same to be
accordance with the
pursuant
notice of said
Said application
the Court from the testimony
the last will and testament of
writing is now
in the presence of
instrument
proff which is satisfactory to the Court that said instrument
of the
making said
Should be granted It is therefore ordered
by the Court that said will of said Samuel Fields dec'd
be recorded and the same is hereby declared to be duly proven
as the last will and testament of said deceased and as such
admitted to Probate and ordered to be recorded and that
the proff thereof and all other papers
to this proceeding It is further ordered by the Court that
applicant pay the cost of this proceeding
And the Court adjourned

Will and Proff

In the name of god Amen
I Samuel Fields of the County of Jefferson and State of Alabama
being of sound mind and disposing memory and desiring
to dispose of the worldly goods with which it has pleased God
to bless me in such manner as may just & equitable which
I am in a proper condition so to do, do make publish & declare
my last will and testament in manner and form following

(hereby revoking all other former Wills by me at any time made) To wit

1st I will my Soul to God who gave it and my body to its mother earth

2nd After the payment of my just debts I will and bequeath all my property both real and personal to my beloved wife Mary Fields during her natural life

3rd I will after the death of my beloved wife Mary Fields I will & bequeath all my real estate to my five Sons to wit Samuel, James, William, & Isaac W. Fields and my Negro and all other property that may remain after the death of my wife Mary Fields I will & desire shall be equally devided between all of my Children to Nancy Rodgers wife of James Rodgers Moses Fields Mary Jacks wife of Gilbert C Jacks Elizabeth Bratt wife of Wm Bratt Samuel J. Fields Lucinda M. Fields Malin C Fields James Fields William Fields and Isaac Fields

I further will and desire all of my Children who may be unmarried at the time of my death to receive as much house hold furniture and other property as my married Children have all

Signed and sealed this 14th day of August A D 1848

Samuel Fields (Seal)

Signed Sealed published and declared in presence of us and by us severally signed as witnesses thereto in the presence of the Testator and in presence of each other

Wm Mundel W. A. Walker, J Bagley

State of Alabama
Jefferson County } Probate Court of Said County

In the matter of the Probate of the last will and testament of Samuel Fields dec° before me Moses Kelly Judge of the Said Court personally appeared in open court Jos. Bagley and W.A. Walker who having been by me first respectively Duly Sworn and examined did and do depose & say on oath that they are each subscribing witnesses to the instrument of writing now shown to them and which purports to be the last will and testament of Samuel Fields dec° late an inhabitant of this County that said Fields since deceased Signed & executed said instrument on the day the same bears date and declared the same to be his last will and testament. Said that affiants set their Signatures on the thereto on the day the same bears date as subscribing witnesses to the same in the presence of said testator That said Testator was of sound mind and in the opinion of deponents fully capiable of making his will at the time the same was so made as aforesaid Affiant further State that said Testator was on the day of the said date of said will of the full age of twenty one years and upwards

Subscribed & Sworn to this 14th day of July 1860 Moses Kelly Judge of Probate

J. Bagley
W.A. Walker

State of Alabama
Jefferson County } I Moses Kelly Judge of the Court of Probate in & for said County & State do hereby certify that the within instrument of writing has this day in said Court & before me as the proper Court of same duly proven by the proper testimony to be the genuine last will and testament of Samuel Fields deceased and that said Will together with said proff thereof have been recorded in my office in Book of Wills No 1 Page [illegible]

Moses Kelly Judge of Probate

Octavious Spencer dec°
State of Alabama
Jefferson County } At a Regular Term of the Honorable the Court of Probate held in and for said County at the Court House in said County at the Town of Bly on the 13th day of January 1862 the following proceedings were had &c

Octavious Spencer dec°
In the matter of the Probate of a paper writing purporting to be the last will and testament of Octavious Spencer dec°

This day came Elizabeth Ann Spencer who resides in this County & the widow of said deceased and the following named children and heirs & distributees of said deceased to wit Elizabeth Spencer Sarah Spencer Charles Spencer infant Son of James Spencer dec° who was a Son of said deceased John S. Spencer, Frances S. Spencer married name wife of W. Chance, Frances P. Gray wife of John G. Gray who was the daughter of William Spencer dec° who was a Son of said deceased and above named Louisa Tempie County Miss. Octavious Spencer jr. Jno. Moorehouse Spencer & Thomas B. Spencer, Elfred L. Spencer & Spencer & William C. Spencer Son of William Spencer dec° who was the Son of said deceased all of the last named reside in this County Post office Jonesboro Ala. all of full age except Charles Spencer above named

And it is therefore ordered by the Court that the 20th day of February next 1862 be set down as a day for hearing testimony in proof of said instrument as such will that A.M. Spencer S.B. Spencer and Elizabeth Spencer be subpoenaed to appear on said 20th day of February next 1862 in said

and before this court to testify and give evidence touching and concerning all and any fact touching the question of the validity of said instrument as such will that due notice be issued to each of said heirs of the filing of said petition and of the day & time of hearing thereof & it is further ordered that James Bibb be and he is hereby appointed Guardian ad litem to represent and protect the interest of Charles Spencer minor aforesaid and that he have notice of said appointment

The State of Alabama }
Jefferson County } Probate Court of said County

You will please take notice that the 23rd day of February next was this day set for hearing the proof in relation to the will of your deceased father

At which time you can attend at my office in Elyton if you choose to do so.

Given under my hand 22 January 1862

Moses Kelly judge of Probate

Sheriff's Return Rec'd same day & executed 23rd February 1862 by delivering a copy

Hudson Shff

The State of Alabama }
Jefferson County } Probate Court for said County
Delaware Spencer dec'd }
Estate of } To Mrs Elizabeth Ann Spencer
As to probate of the will & codicil of said deceased

You are hereby notified that Elizabeth died on the 20th of this month, proposed for Probate & record a paper writing purporting to be the last will and testament of said decedent and that the 20th day of February next 1862 has been appointed to hear and determine as to the validity of said instrument at which time you can appear before said Court and contest the proceedings probating the same if you choose to do so

Given under my hand 22nd January 1862

Moses Kelly judge of Probate

Sheriff's Return Rec'd same day & executed 23rd February 1862 by delivering a copy

Hudson Shff

The State of Alabama }
Jefferson County } Probate Court of said County
To Thomas B. Spencer

The proff in relation to the will of your deceased Father will be heard at my office in Elyton on the 20th day of February next 1862 at which time you can attend if you choose to do so Given under my hand 23rd January 1862

Moses Kelly Judge & Clerk

Affidavit Rec'd same day & executed 23rd February 1862 by delivering a copy

Hudson Shff

The State of Alabama }
Jefferson County } Probate Court of said County
To Mrs Elizabeth Spencer

You will take notice that the 20th day of February next was the day set for hearing the proof in relation to the will of your deceased husband at which time you can attend at my office in Elyton if you choose to do so

Given under my hand 23rd January 1862

Moses Kelly judge of Probate

Sheriff's Return Rec'd same day & executed 23rd February 1862 by delivering a copy

Hudson Shff

The State of Alabama }
Jefferson County } Probate Court of said County

[illegible] February 1862 [illegible] the will of your grandfather [illegible] can if you choose attend [illegible]

[illegible] 23rd January 1862

Moses Kelly judge of Probate

Sheriff's Return [illegible] by delivering a copy

Hudson Shff

The State of Alabama }
Jefferson County } Probate Court of said County

Upon an [illegible] Elizabeth Ann Spencer & Elizabeth Spencer if to be found in your county to be & appear before the Hon. Judge of the Probate Court at the Court House of said County to be held at Jefferson [illegible] 20th day of February next and then and there to testify and declare touching the [illegible] Delaware Spencer dec'd [illegible] same will not and have you then & there this writ

Witness my hand this 22nd day of January 1862

Moses Kelly Judge of Probate

Sheriff's Return Rec'd same day & executed 23rd February 1862 by delivering a copy to Mrs Spencer & Thos B. Spencer & returning the Original

Hudson Shff

The State of Alabama }
Jefferson County } Probate Court for said County

Elizabeth A. Spencer the widow of Delaware Spencer dec'd & the names of his children & those of his children who are dead & Rebekah Spencer, Charles Spencer son of James Spencer dec'd John Spencer Barnett Spencer wife of A. McNabb Frances P. Gray wife of James J. Gray Frances A.

Spencer Octavius Spencer Jr Thomas B Spencer Alfred G Spencer Andrew J Spencer William C Spencer

On this the 21st day of January 1862 I have issued notices to each of the above named heirs notifying them that B. E. Grace has propounded for Probate & record in this Court a paper writing purporting to be the last will and testament of said decedent & that the 20th day of February next 1862 has been set for hearing the proof that may be submitted in relation thereto and that the same will be heard at the Court house on that day where they may or any of them may appear if they choose & contest the probating of said instrument

Witness my hand 21 January 1862

Moses Kelly Judge of Probate

The State of Alabama }
Jefferson County } To the Hon Moses Kelly Judge of the Probate Court of said County.

The petitioner of Baylis E Grace respectfully represents to your Honor that the late Octavius Spencer Sr who was an inhabitant of this County at the time of his death departed this life on the 3rd day of January 1862 at his residence in Jefferson County Alabama leaving a last will and testament duly signed and published by him and attested by Thomas B Spencer, A M Spencer & B E Grace the said Thos B & B E Grace reside in this County and the said A M Spencer in Perry County or Dallas County your petitioner does not know which and that your petitioner is by said will is named executor in said will which said will is herewith produced to your Honor and propounded for Probate and record in this Court

Your petitioner further states, that the widow of said decd is Mrs Elizabeth Ann Spencer who resides in this County and that the next of kin of said decedent are Hezekiah G Spencer Sr of Salem Tippah Co Miss Charles Spencer infant son of James Spencer decd of Salem Tippah Co Miss. Octavius Spencer Jr of Moorhouse Parish La. John S Spencer Scooba Kemper Co Miss. Harriet Nave wife of H M Nave Scooba Kemper Co Miss Frances P Gray wife of John G Gray same place, Francis A Spencer same place Thomas B Spencer Alfred G Spencer, Andrew J Spencer & William C Spencer (son of Wm Spencer decd) all of this County all being of full age except the above named Charles Spencer who is an infant under the age of fourteen years In consideration of all which your petitioner prays that a day may be set for the hearing of the matter of this petition, that subpoenaes may issue to bring in said subscribing witnesses to testify on such appointed day and that due notice be given to said widow and next of kin of said deceased and that such other proceedings may be had in the premises as may be necessary and proper to effect the due Probate & record of said will according to law and your petitioner as in duty bound will ever pray &c

Subscribed & sworn to this 21 January 1862

Moses Kelly Judge of Probate

B E Grace

Octavius Spencer Sr decd estate of }
As to Probate of Will } February 20 1862

On motion of B. E. Grace the hearing of the proof in relation to the Probate of the will of said decedent was continued until the 3rd day of March 1862

Octavius Spencer Sr decd estate of }
In the matter of the Probate of his last will & testament } March 3rd 1862

This day having been regularly appointed for hearing the application of B E Grace which B E is heretofore filed in this Court for the Probate of an instrument of writing purporting to be the last will and testament of said deceased now comes the said applicant and also comes [illegible] Wilson Esqr who was heretofore duly appointed by the order of this Court guardian ad litem of Charles Spencer a minor and the only one of said heirs and who is a grand son of said decedent and it appearing to the satisfaction of the Court that the notice of the said application and of the time appointed for the hearing of the same has been given in pursuance of law and in strict accordance with the former order of this Court made and entered in the premises on the 20th day of January last 1862 by citations personally served and by forwarding citations by mail postage paid to the non resident heirs as directed in said former order now on motion of said B E Grace the Court proceeds to hear said application and it appearing to the satisfaction of the Court from the testimony of Thomas B Spencer that he signed the said instrument of writing purporting to be the last will and testament of the said decedent and which writing is now shown is now shown to him on the day of the date thereof in the presence of said testator and at his request as subscribing witness to the same the said testator then declaring that said [illegible] instrument constituted his last will and and it being shown by proof which is satisfactory to the Court that said testator was of the full age of twenty one years and upwards at the time of making said will and that he was of sound mind and fully capable of making his said will

It is therefore ordered adjudged and decreed by the Court that said will of said Octavius Spencer Sr deceased be approved and and the same is hereby declared to be duly proven as the last will and testament of said decedent and as such admitted to Probate and ordered to be probated & recorded, together with the proof thereof and all other papers on file relating to this proceeding.

Spencer Octavius Spencer jr Thomas B. Spencer Alfred G. Spencer Andrew J. Spencer William C. Spencer

On the 21st day of January 1862 I have issued notices to each of the above named heirs notifying them that E. E. Spence has propounded for Probate & record in this Court a paper writing purporting to be the last will and testament of said decedent & that the [illegible] day of February 1862 has been set for hearing the proof that may be submitted in relation thereto and that the same will be heard at the Court house on that day when they or any of them may appear if they choose & contest the probating of said instrument

Witness my hand 21 January 1862

Moses Kelly Judge of Probate

The State of Alabama }
Jefferson County }
To the Honl. Moses Kelly Judge of the Probate Court of said County

The petition of E. E. Spence respectfully represents to your honor that the late Octavius Spencer Sr who was an inhabitant of this County at the time of his death departed this life on the 3rd day of January 1862 at his residence in Jefferson County Alabama leaving a last will and testament duly signed and published by him and attested by Thomas B. Spencer A. G. Spencer & E. E. Spence the said Thos. B. & E. E. Spence reside in this County and the said A. G. Spencer in Perry County or [illegible] County your petitioner does not know which and that your petitioner is by said [illegible] named executor in said will which said will is herewith produced to your Honor and propounded for Probate and record in this Court

Your petitioner further states, that the widow of said decd is Mrs Elizabeth Ann Spencer who resides in this County and that the next of kin of said decedent are Hezekiah G. Spencer Sr of Salem Lippah Co Miss Charles Spencer infant son of [illegible] Spencer decd of Salem Lippah Co Miss Octavius Spencer jr of [illegible] Moorehouse Parish La. John S. Spencer Sekooba Kemper Co Miss Harriet Nave wife of H. Nave Sekooba Kemper Co Miss Frances C. Gray wife of John G. Gray same place, Francis A. Spencer same place Thomas B. Spencer Alfred G. Spencer, Andrew J. Spencer & William C. Spencer son of Wm. S. Spencer decd all of this County all being of full age except the above named Charles Spencer who is an infant under the age of fourteen years In consideration of all which your petitioner prays that a day may be set for the hearing of the matter of this petition, that subpoenaes may issue to bring in said subscribing witnesses to testify, on such appointed day and that due notice be given to said widow and next of kin of said deceased and that such other proceedings may be had in the premises as may seem proper to effect the due Probate & record of said will according to law and your petitioner as in duty bound will ever pray &c

Subscribed & sworn to this 20 January 1862

Moses Kelly Judge of Probate

Octavius Spencer Sr decd estate of }
As to Probate of Will }
E. E. Spence
February [illegible] 1862

On motion of E. E. Spence the hearing of the proof in relation to the Probate of the will of said decedent is continued until the 3rd day of March 1862

Octavius Spencer Sr decd estate of }
In the matter of the Probate of the last will & testament }
March 3rd 1862

This day having been regularly appointed for hearing the application of E. E. Spence which E. E. has before filed in this Court for the Probate of an instrument of writing purporting to be the last will and testament of said deceased now come the said applicant and also come [illegible] Esq who was heretofore duly appointed by the order of this Court guardian ad litem of Charles Spencer a minor and the only one of said heirs and who is a grand son of said deceased and it appearing to the satisfaction of the Court that the notice of the said application and of the time appointed for the hearing of the same has been given in pursuance of law and in strict accordance with the former order of this Court made in the premises on the 20th day of January last by delivering personally to and by forwarding [illegible] by mail postage paid to the non residents him as directed in said former order [illegible]

the Court proceeds to hear said application and it appearing to the satisfaction of the Court from the testimony of Thomas B. Spencer that he signed the said instrument of writing purporting to be the last will and testament of the said decedent and [illegible] [illegible] him on the day of the date thereof in the presence of said testator and at his request is subscribing witness to the same the said testator then declaring that said instrument constituted his last will and it being shown by proof which is satisfactory to the Court that said testator was of the full age of twenty one years and upwards at the time of making said will and that he was of sound mind and fully capable of making his said will.

It is therefore ordered adjudged and decreed by the Court that said will of said Octavius Spencer Sr deceased be & proven and and the same is hereby declared to be duly proven as the last will and testament of said decedent and as such admitted to Probate and ordered to be probated & recorded, together with the proof thereof and all other papers on file relating to this proceeding.

O Clarus Spencer's Will

The last will and testament of O Clarus Spencer

Knowing it to be appointed for all men once to die and desiring to settle upon my affairs while in health and strength so that I may depart this life with the world at peace and being the possessor of property which I have received from my father's estate and which I have since increased by my own industry and economy and which I desire to dispose of in the manner hereinafter mentioned I do make and publish this my last will and testament hereby revoking all others by me heretofore made

First I desire that my wife Mrs Clarissa Spencer shall have the use and benefit of all my property both real and personal during her natural life or widowhood

Second I desire that all my just debts be paid after my decease out of my personal estate by my executor hereinafter named

Third I desire that my executor hereinafter named shall sell and convey all my property both real and personal except my negroes and the proceeds arising from such sale shall be equally divided between my eight children viz Sarah Spencer John O Spencer O Clarus Spencer Jr Thomas Spencer Alfred L Spencer Frances [illegible] Spencer and Bennet Spencer formerly Bennet Spencer and the children of William L Spencer dec'd viz James Spencer each family to receive the same amount except the other children having to make them all equal and it is my further desire that if any of my above named children should die without issue that the estate conveyed to him by this will shall revert back and be equally divided between my other children and the families of those that may be dead to share equally with the living as provided in the 2nd clause of this will

Fourth I do hereby appoint my friend Bayless B Grace executor of this my last will and testament and desire that the Probate Court appoint him by his giving his individual bond without security

In testimony whereof I hereunto set my hand and seal this 23 day of November 1859

Signed sealed and declared in our presence as and for the last will and testament of O Clarus Spencer the date above written

O Clarus Spencer [seal]

A H Spencer
T B Spencer
B B Grace

Recorded

The State of Alabama }
Lowndes County } Probate Court [illegible] Term

In the matter of the Probate of the last will and testament of O Clarus Spencer deceased

Upon motion it is ordered by the Court that Thomas B Spencer who resides in this county be and he does hereby appointed executor to the last will and testament of O Clarus Spencer deceased and that he enter into bond with security in the sum of [illegible] dollars conditioned according to law and that letters testamentary issue to him upon the execution of said bond

The last will and testament of O Clarus Spencer deceased was produced in open Court and proved by the oaths of A H Spencer and B B Grace two of the subscribing witnesses thereto to be the last will and testament of said deceased and it appearing to the Court that said deceased was a resident of this county at the time of his death and that said instrument was executed by him in the presence of said witnesses more than two years before the date hereof and that said deceased was of sound mind and memory and not under the influence of fraud or undue influence at the time of the execution of said instrument and that said deceased left property in this county and that said instrument was duly executed according to law for the disposition of property and that said instrument was made and executed by said deceased freely and voluntarily and that said instrument was duly attested by three competent witnesses who subscribed their names thereto in the presence of said deceased and in the presence of each other and that said deceased was at the time of the execution of said instrument a resident of this county and that said deceased left surviving him the following named persons as his only heirs at law and distributees viz Sarah Spencer a daughter of said deceased, John O Spencer a son of said deceased, Thomas Spencer a son of said deceased, Alfred L Spencer a son of said deceased, Frances [illegible] Spencer a daughter of said deceased, Bennet Spencer formerly Bennet Grace a daughter of said deceased, the children of William L Spencer deceased viz James Spencer, [illegible] Spencer and [illegible] Spencer children of said William L Spencer deceased, and [illegible] Spencer a daughter of said William L Spencer deceased, and that said deceased left no other heirs at law or distributees than those above named and that said deceased left no debts except such as will be paid by the executor hereinafter named and that said deceased left property in this county of the value of about [illegible] dollars and that said instrument be admitted to record as the last will and testament of said deceased and that letters testamentary issue thereon to Thomas B Spencer executor named in said instrument upon his executing bond with security in the sum of [illegible] dollars conditioned according to law

Ordered and decreed this 3rd day of March 1862

Thos [illegible]
Judge

State of Alabama }
Lowndes County } In the matter of the Probate of the last will and testament of O Clarus Spencer deceased

This day came William L Spencer and made oath that he is the son of O Clarus Spencer deceased and that he is informed and believes that the said O Clarus Spencer died without issue and that the following named persons are the only heirs at law and distributees of said deceased viz Sarah Spencer a daughter of said deceased, John O Spencer a son of said deceased, Thomas Spencer a son of said deceased, Alfred L Spencer a son of said deceased, Frances [illegible] Spencer a daughter of said deceased, Bennet Spencer formerly Bennet Grace a daughter of said deceased, the children of William L Spencer deceased viz James Spencer, [illegible] Spencer and [illegible] Spencer children of said William L Spencer deceased, and [illegible] Spencer a daughter of said William L Spencer deceased, and that said deceased left no other heirs at law or distributees than those above named and that said deceased left no debts except such as will be paid by the executor hereinafter named and that said deceased left property in this county of the value of about [illegible] dollars and that said instrument be admitted to record as the last will and testament of said deceased and that letters testamentary issue thereon to Thomas B Spencer executor named in said instrument upon his executing bond with security in the sum of [illegible] dollars conditioned according to law

Ordered and decreed this 3rd day of March 1862

Thos [illegible]
Judge

The State of Alabama }
Lowndes County } In the matter of the Probate of the last will and testament of O Clarus Spencer deceased

This day came William L Spencer and made oath that he is the son of O Clarus Spencer deceased and that he is informed and believes that the said O Clarus Spencer died without issue and that the following named persons are the only heirs at law and distributees of said deceased viz Sarah Spencer a daughter of said deceased, John O Spencer a son of said deceased, Thomas Spencer a son of said deceased, Alfred L Spencer a son of said deceased, Frances [illegible] Spencer a daughter of said deceased, Bennet Spencer formerly Bennet Grace a daughter of said deceased, the children of William L Spencer deceased viz James Spencer, [illegible] Spencer and [illegible] Spencer children of said William L Spencer deceased, and [illegible] Spencer a daughter of said William L Spencer deceased, and that said deceased left no other heirs at law or distributees than those above named and that said deceased left no debts except such as will be paid by the executor hereinafter named and that said deceased left property in this county of the value of about [illegible] dollars and that said instrument be admitted to record as the last will and testament of said deceased and that letters testamentary issue thereon to Thomas B Spencer executor named in said instrument upon his executing bond with security in the sum of [illegible] dollars conditioned according to law

Ordered and decreed this 3rd day of March 1862

Thos [illegible]
Judge

The State of Alabama }
Lowndes County } Probate Court [illegible] Term

In the matter of the Probate of the last will and testament of O Clarus Spencer deceased

Upon motion it is ordered by the Court that Thomas B Spencer who resides in this county be and he does hereby appointed executor to the last will and testament of O Clarus Spencer deceased and that he enter into bond with security in the sum of [illegible] dollars conditioned according to law and that letters testamentary issue to him upon the execution of said bond

The last will and testament of O Clarus Spencer deceased was produced in open Court and proved by the oaths of A H Spencer and B B Grace two of the subscribing witnesses thereto to be the last will and testament of said deceased and it appearing to the Court that said deceased was a resident of this county at the time of his death and that said instrument was executed by him in the presence of said witnesses more than two years before the date hereof and that said deceased was of sound mind and memory and not under the influence of fraud or undue influence at the time of the execution of said instrument and that said deceased left property in this county and that said instrument was duly executed according to law for the disposition of property and that said instrument was made and executed by said deceased freely and voluntarily and that said instrument was duly attested by three competent witnesses who subscribed their names thereto in the presence of said deceased and in the presence of each other and that said deceased was at the time of the execution of said instrument a resident of this county and that said deceased left surviving him the following named persons as his only heirs at law and distributees viz Sarah Spencer a daughter of said deceased, John O Spencer a son of said deceased, Thomas Spencer a son of said deceased, Alfred L Spencer a son of said deceased, Frances [illegible] Spencer a daughter of said deceased, Bennet Spencer formerly Bennet Grace a daughter of said deceased, the children of William L Spencer deceased viz James Spencer, [illegible] Spencer and [illegible] Spencer children of said William L Spencer deceased, and [illegible] Spencer a daughter of said William L Spencer deceased, and that said deceased left no other heirs at law or distributees than those above named and that said deceased left no debts except such as will be paid by the executor hereinafter named and that said deceased left property in this county of the value of about [illegible] dollars and that said instrument be admitted to record as the last will and testament of said deceased and that letters testamentary issue thereon to Thomas B Spencer executor named in said instrument upon his executing bond with security in the sum of [illegible] dollars conditioned according to law

Ordered and decreed this 3rd day of March 1862

Thos [illegible]
Judge

testimony and proof of said instrument in such wise
& for further order &c Pet R. L. Powell & A. J. Walker pltf be noted
to attend at next regular Said Court to prove the hand
writing of Said testator to one of the witnesses and
that notice be given to each of said Defts notifying them
of the day &c for hearing Said prayer as to Powell

The State of Alabama
Jefferson County } In the Probate Court of Said County
Said County } Special Term 1862

To Moses Kelly Judge of Probate of Said County

The petition of William L. Sabors respectfully represents unto your Honor that the late Samuel L. Sabors who was a citizen of the Said County of Jefferson at the time of his death departed this life on the 28 day of December ult. in the City of Mobile leaving a last will & testament duly signed and published by him and attested by William L. O'Powell both of whom are citizens of this county but are now in the army of the C. S. and against the enemies of this State in which last will your petitioner is named as he believes as a devisee and legatee which said will is now produced to your Honor & propounded for probate & record in this County

He therefore applies in accordance & the rules of Court as the brother and Sister Samuel L. wife of L. Smith Sarah E. wife of L. L. Sabors & L. B. wife of George W. Smith and William L. Sabors are of full age & reside in this County Save the wife of L. L. Sabors who resides in the County of Perkins in Said State & Said Sabors son the age of Fourteen years is now at the University of Alabama at Tuscaloosa Matilda E. & Louisa M. Sabors minor Fourteen and twelve in this County with their mother Matilda Sabors

In consideration of which your petitioner prays that a day may be set for the hearing of the matter of this petition that due notice of this application may be given to the Said next of kin and that Such other proceedings, orders and decrees may be had and made in the premises as may be requisite and proper to effect the due probate of said will according to law Such as in duty bound

Subscribed & Sworn to before me
this March 15th 1862

W. L. Sabors

Moses Kelly Judge of Probate

I Ask as the Guardian ad litem of the minors named on the within petition, that the petitioners be held to Strict proof &c

A. J. Walker

The State of Alabama
Jefferson County } In the Probate Court of Said County
Said County } Special Term 1862

To Moses Kelly Judge of Probate of Said County

The petition of William L. Sabors respectfully represents unto your Honor that the late Samuel L. Sabors who was a citizen of the Said County of Jefferson at the time of his death departed this life on the 28 day of December ult. in the City of Mobile leaving a last will & testament duly signed and published by him and attested by William L. O'Powell both of whom are citizens of this county but are now in the army of the C. S. and against the enemies of this State in which last will your petitioner is named as he believes as a devisee and legatee which said will is now produced to your Honor & propounded for probate & record in this County

He therefore applies in accordance & the rules of Court as the brother and Sister Samuel L. wife of L. Smith Sarah E. wife of L. L. Sabors & L. B. wife of George W. Smith and William L. Sabors are of full age & reside in this County Save the wife of L. L. Sabors who resides in the County of Perkins in Said State & Said Sabors son the age of Fourteen years is now at the University of Alabama at Tuscaloosa Matilda E. & Louisa M. Sabors minor Fourteen and twelve in this County with their mother Matilda Sabors

In consideration of which your petitioner prays that a day may be set for the hearing of the matter of this petition that due notice of this application may be given to the Said next of kin and that Such other proceedings, orders and decrees may be had and made in the premises as may be requisite and proper to effect the due probate of said will according to law Such as in duty bound

Subscribed & Sworn to before me
this March 15th 1862

W. L. Sabors

Moses Kelly Judge of Probate

I Ask as the Guardian ad litem of the minors named on the within petition, that the petitioners be held to Strict proof &c

A. J. Walker

The State of Alabama
Jefferson County } In the Probate Court of Said County
Said County } Special Term 1862

To Moses Kelly Judge of Probate of Said County

The petition of William L. Sabors respectfully represents unto your Honor that the late Samuel L. Sabors who was a citizen of the Said County of Jefferson at the time of his death departed this life on the 28 day of December ult. in the City of Mobile leaving a last will & testament duly signed and published by him and attested by William L. O'Powell both of whom are citizens of this county but are now in the army of the C. S. and against the enemies of this State in which last will your petitioner is named as he believes as a devisee and legatee which said will is now produced to your Honor & propounded for probate & record in this County

He therefore applies in accordance & the rules of Court as the brother and Sister Samuel L. wife of L. Smith Sarah E. wife of L. L. Sabors & L. B. wife of George W. Smith and William L. Sabors are of full age & reside in this County Save the wife of L. L. Sabors who resides in the County of Perkins in Said State & Said Sabors son the age of Fourteen years is now at the University of Alabama at Tuscaloosa Matilda E. & Louisa M. Sabors minor Fourteen and twelve in this County with their mother Matilda Sabors

In consideration of which your petitioner prays that a day may be set for the hearing of the matter of this petition that due notice of this application may be given to the Said next of kin and that Such other proceedings, orders and decrees may be had and made in the premises as may be requisite and proper to effect the due probate of said will according to law Such as in duty bound

Subscribed & Sworn to before me
this March 15th 1862

W. L. Sabors

Moses Kelly Judge of Probate

I Ask as the Guardian ad litem of the minors named on the within petition, that the petitioners be held to Strict proof &c

A. J. Walker

be recorded and the same is hereby declared to be duly proven as the last will and testament of Samuel Sabors dec'd as such admitted to probate and order to be recorded together with the proxy thereof and all other papers on file relating to the proceeding

Recorded Oct 25th 1862

Samuel Sabors Will

I Samuel Sabors do make, publish and declare the following to be my last will and testament

I give & bequeath to my wife Martha J. Sabors all the property, money, stock and description real or personal of which I the said Testator may be possessed to have and to hold during the term of her natural life and at her death it is my will that the same be equally devided between my brothers William J. Sabors & Francis L. Sabors & my sister Elizabeth & Louisa Sabors & being my desire that none of my children shall receive any of my estate at the termination of the life of my said wife any portion of my property and it being my intention that all my personal property & any real estate I may own at my death shall pass by this will in the manner above mentioned

In witness whereof I have hereto set my hand & seal this 28th June 1862

Samuel J. Sabors

Signed sealed published and declared to be his last will and testament in the presence of us who at his request & in his presence & in the presence of each other have hereunto set our hands as witnesses at the signing of and in the presence of the testator — the said Samuel J. Sabors

J. C. Powell
Edwards Martin

The State of Alabama
Jefferson County } In Probate Court of said County

In the matter of the probate of the last Will and testament of Samuel J. Sabors dec'd

Before me Alexis Kelly Judge of the said Court Personally appeared in open Court B. F. Lovell and A. F. Maldrop who having been by me first duly Sworn & examined deposeth and saith on oath that he the said B. F. Lovell says that the instrument hereto on the other side written is subscribed by the name of Samuel J. Sabors dec'd that he believes it to be the true and genuine signature of Samuel J. Sabors dec'd and the said A. F. Maldrop says on oath as aforesaid that the name of Edwards Martin as one of the subscribing witnesses to the within is the hand writing of said Martin and that he believes the signature of B. F. Powell the other subscribing witness to be genuine

Sworn to & subscribed before me this 3rd March 1863

Alex Kelly
Judge of Probate

Thomas Bryant to Rec as a Will

To Purchase
with the will & testamentary
of Samuel J. Sabors
Dec'd Thomas Bryant
names and Executors as
appears in the
Executors of the
assigned the same as recorded
Appearing
Followers
that Said
of Elizabeth
as the wife
Sabors
Brothers names
in the County
County
Clark, residing in the State
Bird Executors
aforesaid
Grayson
It is therefore
July 1863.
proof of
John Clark,
be subpoenaed to
July 1863
evidence
touching
ment as
of the Application
given to the heirs of
ding to Law.

be recorded and the same is hereby ordered to be done
proven as the last will and testament of Said deceased
and as such admitted to probate and order to be recorded
together with the proxy thereto and all other papers on file
relating to the proceeding

Samuel Stabors Will

I Samuel Stabors do make publish and declare this
writing to be my last will and testament
I give & bequeath to my mother Martha J Stabors all the
following described land and discription real or personal of
which I die seized & possessed to have and to hold during
the term of her natural life and at her death it is my
will that the same be equally devided between my brothers
William L Stabors & Thomas D Stabors & my sister Catherine
J Powell Stabors & lastly my will and desire that none of my
children have no interest in or claim at the termination
of the life of my said mother any portion of my property
and it being my intention that all my personal property
or any real estate I may own at my decease shall pass
by this will in the manner above mentioned
In witness whereof I have hereto set my hand & seal this
2nd Nov 1861 Samuel S Stabors
Signed sealed published and declared to be his last
will & testament in the presence of us who
have hereunto set our names as witnesses at the request of and
in the presence of the testator — the said Samuel
S Stabors
J C Powell
E Elbourte Martin

The State of Alabama
Jefferson County } Probate Court of Said County
In the matter of the probate of the last Will and testament
of Samuel S Stabors dec'd
Before me Alexis Kelly Judge of the Said Court personally
appeared in open Court A P Lovelle and A Muldrop
who having been by me first duly sworn & examined
deposeth and saith on oath that he the said A P Lovelle
says that the instrument hereunto on the other side
written is subscribed the name of Samuel S Stabors dec'd
that he believes it to be the true and genuine Signature
of Samuel S Stabors dec'd and the said A Muldrop says on
oath as aforesaid that the name of Elbourte Martin
as one of the subscribing witnesses to the within is
the hand writing of said Martin and that he
believes the Signature of J C Powell the other

Subscribing witness to be genuine
Probated & recorded 3 March 1862
Filed this 5 day of
March

Thomas Burchfield

B Burchfield
appears to
assigned the same
Thomas Burchfield
Burchfield
in the County
Clark, residing in the State
Bird Burchfield
Kansas and the
Burchfield
Clerk
It is therefore ordered by the
July 1862, be
proof of said instrument as such
John Clark, Mrs Burchfield
be subpoenaed to be
July 1862 then
evidence
touching the
ment as such
of the Application
given to the heirs of said estate
according to law.

Wilson

State of Alabama
Jefferson County } To the Honorable [illegible] Wilson Judge of Probate
Court of said County the undersigned
Citizen of the State of Tennessee & late
of said County, Decent on the 22nd inst. prays in respect
fully represents unto your Honor that said decedant
died testate, & left and instrument which they
herewith present for Probate they further present unto
your Honor that Rebecca Burchfield Widow of said
decedant & Elizabeth Burchfield daughter of decedant
and wants to have an account Robert Pipe of the
County Thomas Burchfield & Mary A. Sims Wife of
Alvan Parsons William Burchfield Nathaniel Burch-
field all in this County and the Heirs of Ben Bur-
chfield persons not [illegible] residing in this State
in the County of Talladega Franklin Burchfield
residing in the County of Shelby Sarah Elliott
wife of James Elliott residing in the State of Mississippi
and the heirs of Eliz Burchfield deceased who died
in the

Subpoenas

State of Alabama
Jefferson County } To any Sheriff of the State of Alabama
Greeting. You are hereby commanded to
Summon John Clark to appear in and before the Probate
Court to be held in Jefferson County on the 21st day of
July 1862 to answer in a certain matter now
pending in said Court wherein the [illegible] instru-
ment purporting to be the last will and testament of
Thomas Burchfield has been presented for probate and
this you shall in no wise omit under the pains
& forfeitures in law herein fail not and have you
then and there this Writ at the office of the Probate
Judge of said County Where the Wilson Judge of
said Court at office this the 18th of June 1862
Attest R. D. Wilson Judge
I acknowledge the service of the within June 18th
1862
John Clark

Notices

State of Alabama
Jefferson County } Probate Court June 18th 1862
Thomas Burchfield dec'd } To William Burchfield You are
Vs to Probate of Will } hereby Notified that Rebecca & Elizabeth Burchfield did
this day file in this Court for Probate and record
a paper writing purporting to be the last will and
Testament of said decedant Whereupon It is ordered
by the Court that the 21st day of July 1862 be set as a

day for hearing the Probate of said instrument as such
will, You are therefore hereby notified to appear before
the Court on the above day and contest the Probate if the
same if you think proper. Given under my hand this
June 18th 1862
Attest R. D. Wilson Judge
Jefferson County } To Thomas Wilson
I hereby certify that
this day filed in this Court for probate a paper
writing purporting to be the last will & Testament of said
decedant whereupon it was ordered by the Court that the 21st
July 1862 be set as a day for hearing said Probate of said
as such will you are therefore hereby notified to appear
before this Court on the above day and contest the Probate if
same if you think proper. Given under my hand this
June 21st 1862
D. [illegible] Wilson Judge
I acknowledge the service of the within June 21st 1862
Thos Wilson

State of Alabama
Jefferson County
Thomas Burchfield dec'd } To Mary Parsons
Vs to Probate of Will } Notified that Rebecca & Elizabeth Burchfield
did this day file in this Court for Probate and record a paper
writing to be the last will and testament of said deceased
Whereupon it was ordered by the Court that the 21st
of July 1862 be set as a day for hearing the Probate of said
instrument as such will. You are therefore hereby notified
to appear before this Court on the above day and contest
the Probate of the same if you think proper. Given
under my hand this the 21st day of June 1862
Thos Wilson Judge
I acknowledge the service of the within June 18th 1862
Mary Parsons

State of Alabama
Jefferson County
Thomas Burchfield dec'd } To Thomas Burchfield June 18th 1862
Vs to Probate of Will } You are
hereby Notified that Rebecca & Elizabeth Burchfield did
on this day file in this Court for Probate and record a paper
writing purporting to be the last will and testament of said
decedant. Whereupon It was ordered by the Court that the 21st
day of July 1862 be set as a day for hearing said Probate of said
instrument as such will. You are therefore hereby notified
to appear before this Court on the above day and contest

State of Alabama
Jefferson County } To the Honorable [illegible] The Probate Court of said County the undersigned citizens of the State of Tennessee & late of said County, become on the 22nd day of April 1862 respectfully represents unto your Honor that said decedent died testate, at a late hour, leaving much property and effects which they are informed & believe may further represent unto your Honor that Rebecca Burchfield widow of said decedent & Elizabeth Burchfield daughter of decedent are entitled to said letters testamentary which Rebecca Burchfield & Mary Parsons wife of Thomas Parsons & sons of said decedent William Burchfield, Nathaniel Burchfield all in this County and the heirs of Ben Burchfield persons not residing in this State in the County of Talladega Reuben Burchfield & children in the County of Tuscaloosa Isaac Clark wife of James Clark & children in the State of Mississippi and the heirs of Bird Burchfield deceased who died in the

Subpoenas

State of Alabama
Jefferson County } To any Sheriff of the State of Alabama
Greeting. You are hereby commanded to summon John Clark to appear in and before the Probate Court to be held in Jefferson County on the 21st day of July 1862 to show cause if any certain matter now pending in said Court wherein the [illegible] instrument purporting to be the last will and testament of Thomas Burchfield has been presented for probate and you shall in no wise omit under the penalty prescribed by law herein fail not and have you then and there this writ at the office of the Probate Judge of said County Wilson H. Wilson Judge of said Court at office this the 18th day of June 1862
Attest W.H. Wilson Judge
I acknowledge the service of the within June 18th 1862
John Clark

Notices

State of Alabama
Jefferson County } Probate Court June 18th 1862
Thomas Burchfield dec'd
As to Probate of Will } To William Burchfield you are hereby notified that Rebecca & Elizabeth Burchfield did on this day file in this Court for Probate and record a paper writing purporting to be the last will and testament of said decedant Whereupon it is ordered by the Court that the 21st day of July 1862 be set as a day for hearing the Probate of said instrument as such Will You are therefore hereby notified to appear before this Court on the above day for hearing the Probate if you see proper
Attest
You are therefore hereby notified to appear before the Court on the above day and contest if
Given under my hand this 18th day of June 1862
W.H. Wilson Judge
I acknowledge the service of the within June 18th 1862
Mary Parsons

State of Alabama
Jefferson County
Thomas Burchfield dec'd } Probate Court June 18th 1862
As to Probate of Will } To Thomas Burchfield you are hereby notified that Rebecca & Elizabeth Burchfield did on this day file in this Court for Probate and record a paper writing purporting to be the last will and testament of said decedant. Whereupon it was ordered by the Court that the 21st day of July 1862 be set as a day for hearing the Probate of said instrument as such Will You are therefore hereby notified to appear before this Court on the above day and contest

the Probate of the same if you think proper
Given under my hand this June 13th 1862
W. L. Wilson Judge

I acknowledge the service of the within June 1[illegible]th 1862
Lemes Burchfield

State of Alabama
Jefferson County

Thomas Burchfield Decd } Probate Court June 13th 1862
As to Probate of Will } To Nathaniel Burchfield You are hereby notified that Rebecca & Elizabeth Burchfield did this day file in this Court for Probate and record a paper writing purporting to be the last will and testament of said deceased Whereupon It was ordered by the Court that the 21st of July 1862 be set as a day for hearing said matter as to Probate & such you are therefore hereby notified to appear before this Court on the day above mentioned & written and contest the Probate of the same if you think proper Given under my hand this June 13th 1862
W. L. Wilson Judge

I acknowledge the service of the within June 13th 1862
Nathaniel Burchfield

State of Alabama
Jefferson County

Thomas Burchfield Decd } Probate Court June 13
As to Probate of Will } To any Sheriff of the State of Alabama

You are hereby Commanded to Summon Rebecca & Elizabeth Burchfield to appear in and before the Probate Court to be held for Jefferson County on the 21st day of July 1862 to give evidence in a certain Matter the Proof of an Instrument purporting to be the last will and Testament of Thomas Burchfield is now pending for record Instituted by Petition of Rebecca and Elizabeth Burchfield for the Probate of said Will herein fail not and in no wise omit and have you there and then this writ at the office of the Judge of said Court.
Issued on the 13th day of June 1862
Attest W. L. Wilson
Judge of Probate

I acknowledge the service of the within June 27th 1862
Elizabeth Burchfield

Hearing of the Application as to the Probate of Will

Thomas Burchfield Decd } In the Matter of } Probate Court July 21st 1862
The Probate of his last Will and testament } This day having been regularly Appointed for hearing the application of Elizabeth and Rebecca Burchfield which was heretofore filed in this Court for the Probate of an instrument of writing purporting to be the last will and testament and [illegible] Estate of said deceased [illegible] comes the said Applicants [illegible] appearing [illegible] of the Court [illegible] on the testimony of [illegible] [illegible] the instruments as [illegible] said of the said deceased and which writing is now shown to him on the day of the date thereof in the presence of said Testator [illegible] subscribing witness to the same. The said Testator then declaring that said instrument contained his last will and [illegible] being shown also by proof which is satisfactory to the Court that said Testator [illegible] of the full age of twenty one years and [illegible] at the time of [illegible] said will and that he was of sound mind and fully capable of making his will It is therefore ordered adjudged and decreed by the Court that said will of said Thomas Burchfield be received and the same is hereby declared to be ready proven as the last will and testament of said decedent and as such admitted to Probate and ordered to be recorded together with the proof thereof and all other papers on file relating to this proceeding

Will Dr. Proof

Know all men by these presents that I Thomas Burchfield of the County of Jefferson and State of Alabama Considering the uncertainty of this life and being of sound mind and memory do make declare and publish this my last will and testament first I give and bequeath unto my beloved wife Rebecca Burchfield and my daughter Elizabeth Burchfield a certain tract or parcel of land during there natural lives Known as the North East quarter of the South West quarter of Section thirty five in township eighteen Range Seven west also the North west quarter of the North East quarter of Section thirty five in township Eighteen of Range Seven west also a fraction of sixteen acres off of a forty known as the Gilbert forty North of said tract hereabove described running East and west eighty rods thence North thirty two rods with all that appertains to the same &c I give and devise and bequeath to my said beloved wife Rebecca Burchfield and my daughter Elizabeth Burchfield whom I nominate and constitute sole Executors of this my last will and

testament all the residue & remainder of my real
& personal Estate of every description & wheresoever
the same may be situated in the County of Jefferson
and State of Alabama and all the income and
advantages that may arise therefrom until the time of
the decease of my said wife Rebecca Burchfield
I will that my said wife Rebecca Burchfield
shall be my Sole executrix of this my last will and
Testament and at her decease I give my said daughter
Elizabeth Burchfield all of said property
and premises to be equally divided between my three daughters
& my friends
Sarah Clark Mary Parmer here and there Like all the Book
now remaining in said house and the moneys thereof
I give to my beloved wife and daughter to have whilst
they live & during their widowhood & at their decease the same
to be sold & the money to be divided
equally between my surviving children share and share
alike I do nominate and appoint my beloved wife
Rebecca Burchfield and Elizabeth Burchfield to be
my Sole executors of this my last will and testament
In testimony whereof I have hereunto set my hand
and to each sheet of writing subscribed my name and
set my seal and I do declare that I have
subscribed my name and affixed my seal this 2nd
day of April in the year of our Lord one thousand
eight hundred and sixty one

Thomas (his mark) Burchfield (seal)

Signed sealed declared and published by the said
Thomas Burchfield as and for his last will and
Testament in presence of us who at his request and
and in his presence and in presence of each other
have subscribed our names as witnesses hereto

John Clark L.S.
Wm J Burchfield L.S.
Wm J Burchfield L.S.

State of Alabama
Jefferson County } Probate Court of said County

In the matter of the Probate of the last Will and
testament of Thomas Burchfield deceased. Before
me W.S. Wilson Judge of the said Court personally
appeared in open Court, John Clark who having
been by me, first respectively, duly Sworn
and examined, did and doth depose and say
on oath, that he is or was subscribing witness
to the instrument of writings now shown to
him, and which purports to be the last will

and testament of Thomas Burchfield deceased, and
was in habitant of this County that said Burchfield
deceased, signed and executed said instrument as
his (or the same as his) last will and testament
to be his last will and testament and that
& let his signature thereto (or the same
was done & subscribing in) each & the presence
the presence of said witness that said testator was
of sound mind and disposing memory and was
the opinion of deponent fully capable of making his
will at the time the same was made as far
said deponent further states that said witness was the
of the said testator at the request of said
one years and upwards and said witness
testator signed the said will in the presence of the other
subscribing witness which was done at
Sobely he here at his home
Subscribed & Sworn to
before me this July 21st 1862
W S Wilson Jr J
Judge of Probate

State of Alabama
Jefferson County } I W S Wilson Judge of the Court of Probate
in and for said County and State do hereby certify
that the within instrument of writing has this day
in said Court, and before me is the proper thereof
proven duly proven by the proper witnesses
against, last will and testament and Estate
Thomas Burchfield deceased and that
said will and Codicil is further ordered and
Thereof have been recorded in my office in the
Book of Wills Vol Pages 143-144-145-146-147-148-149
149 In witness whereof I have hereunto
hereunto set my name and affixed the seal of the said
Court this July 21st 1862

W S Wilson
Judge of Probate

Adelia Sandifer Decd As to Probate of Will

State of Alabama }
Jefferson County } ss

At a regular term of the Honorable the Court of Probate held in and for said County and State, at the Court house of said County in the Town of Elyton on the second day of July 1862 the following proceeding was had to wit

Adelia Sandifer Decd
In the Matter of the Probate } July 2d 1862
of her Will } This day came B. E. Grace and filed his petition, in writing and under oath, therewith producing and filing in this Court, an instrument of writing purporting to be the last will and Testament of Adelia Sandifer deceased, and praying for such orders, decrees, and proceedings, as may be proper and requisite, for the due Probate and Record of said will in this Court, which said instrument appears to be attested by Moses Fields and James Brown of this County, and who are alleged to have signed the same as subscribing witnesses thereto, and it appearing to the Court from said petition that said petitioner is appointed Executor of said paper writing, that the decedant was an inhabitant of this County at the time of her death, that she departed this life on the 10th day of June 1862 and that the following named persons are the descendants or distributees of said deceased, viz Elizabeth Addington wife of Jason Addington of Pickens County Ala, Jane Satterwhite wife of Wm D Satterwhite of Jefferson County Ala, Elvira Addington wife of Jesse Addington Ala, Mary McWilliams wife of James McWilliams, Mary Elvira McWilliams daughter of the last named and James L Sandifer of Jefferson County Ala.

It is therefore ordered by the Court that the 20th day of August next 1862 be set down as a day for hearing testimony in proof of said instrument as such will, that Moses Fields & James Brown be subpoenaed to be and appear on the said 20th day of August 1862, in and before this Court, to testify and give evidence of and concerning all and any facts touching the question of the validity of said instrument as such will, that due Notice be issued to each of said heirs of the filing of said Petition and of the day set for the hearing thereof.

It is further ordered that A J Waldrop be, and he is hereby appointed to act as Guardian ad litem to represent the interest of minors if any and that he have Notice of said appointment. It is further ordered that said Petition be recorded.

Petition

State of Alabama }
Jefferson County } To the Hon. M. L. Wilson Judge of Probate of said County. The Petition of B. E. Grace respectfully represents that Adelia Sandifer who was an inhabitant of this County at the time of her death, departed this life on the 10th day of June 1862, leaving a last will and testament duly signed and published by her, and attested by James Brown and Moses Fields, who reside in this County. And your petitioner further represents to your Honor that the distributees of said decd are Elizabeth Addington wife of Jason Addington of Pickens Co Ala, Jane Satterwhite wife of Wm D Satterwhite of Jefferson Co Ala, Elvira Addington wife of Jesse Addington, Mary McWilliams wife of James H. McWilliams, Mary Elvira McWilliams daughter of the last named who alone of all the legatees is under the age of 21 years & lives with her father, and James L Sandifer of Jefferson Co Ala all except said Elvira being over the age of 21 years. In consideration of all which your petitioner being named as executor in said will respectfully prays that your Honor will appoint a day for hearing this petition and issue the necessary orders to the witnesses & legatees as required &c so that the same may be disposed of according to law and your petitioner as in duty bound &c

Elyton July 2d 1862.

B E Grace

Subscribed and sworn to before me }
this July 2d 1862 M L Wilson }
Judge of Probate }

Subpoenas

State of Alabama }
Jefferson County } Probate Court of said County
To any Sheriff of the State of Ala

Greeting. You are hereby commanded to summon James Brown to appear in and before the Probate Court to be held in the Town of Elyton on the 20th day of August 1862 to give evidence in a certain matter now pending in said Court, wherein he will be required to testify as to the will of Adelia Sandifer and this you shall in no wise omit under the penalty prescribed by law. Herein fail not and have you then there this writ at the office of the Judge of said Court.

Given under my hand at office in Elyton this July 2d 1862.

M L Wilson Judge of Probate

Recd same day issued & executed [illegible] day of July 1862 by reading the within to James Brown

R Hudson Shff

State of Alabama
Jefferson County } 3 In the Probate Court of said County
To any Sheriff of the State of Alabama Greeting.
You are hereby Commanded to Summon Mrs Sarah E Sandifer to appear in and before the Probate Court to be held for Jefferson County at the Court House in the Town of Elyton on the 2d day of August 1862 then and there to show cause if any she can why the instrument of writing purporting to be the last will and testament of Adelia Sandifer late of said County deceased should not be admitted to Probate and record as the last will and testament of the said Adelia Sandifer dec'd and why Letters Testamentary should not issue thereon to the said Sarah E Sandifer as Executrix of said last will and testament and have you then and there this writ. Witness my hand as Judge of said Court and the seal of said Court at office this July 2d 1862 Issued on the 2d day of July 1862 in the year of our Lord

W L Wilson Judge of Probate

Rec'd the same day and executed the day of July 1862 by reading the within to Mrs S E Sandifer Sheff.

Notice &c

State of Alabama
Jefferson County } 3 In the Probate Court
To any Sheriff of the State of Alabama Greeting Whereas S E Grace has this day propounded for probate a paper writing purporting to be the last Will and Testament of Adelia Sandifer late of said County dec'd And it appearing to the Court that Mary M Williams wife of James M Williams is amongst the next of kin to said Dec'd you are therefore hereby Commanded to Summon the said Mary M Williams and her husband James M Williams to appear in and before the Probate Court on the 2d day of August inst 1862 to show cause if any they have why said Instrument so propounded as aforesaid should not be admitted to Probate & record as the last will and Testament of the said Adelia Sandifer dec'd

Witness W L Wilson Judge this July 2d 1862

W L Wilson Judge of Probate

Rec'd same day and executed 2d day July 1862 by delivering a copy to James M M Williams R Hudson Sheff

State of Alabama
Jefferson County } 3 In the Probate Court July 2d 1862

To any Sheriff of the State of Alabama Greeting Whereas S E Grace has this day propounded for probate and record a paper writing purporting to be the last will and Testament of Adelia Sandifer late of said County deceased, And it appearing to the Court that Jane Satterwhite wife of W J Satterwhite is amongst the next of kin to the said Dec'd, you are therefore hereby Commanded to Summon the said Jane Satterwhite and her husband W J Satterwhite to appear in and before the Probate Court to be held for Jefferson County at the Court House in the Town of Elyton on the 2d day of August 1862 then and there to show cause if any they have why said instrument of writing purporting to be the last will and Testament of the said Adelia Sandifer dec'd should not be admitted to Probate and record as the last will and Testament of the said Adelia Sandifer dec'd and why Letters Testamentary should not issue thereon to the said Sarah E Sandifer as Executrix of said last will and testament

Witness this July 2d 1862

W L Wilson Judge of Probate

Rec'd same day and executed 2d day July 1862 by reading the within to Mrs S E Sandifer Sheff.

State of Alabama
Jefferson County } 3

To any Sheriff of the State of Alabama Greeting Whereas S E Grace has this day propounded for probate a paper writing purporting to be the last will and testament of Adelia Sandifer late of said County deceased, And it appearing to the Court that Jane Satterwhite wife of W J Satterwhite is amongst the next of kin to said Dec'd you are therefore hereby Commanded to Summon the said Jane Satterwhite and her husband W J Satterwhite to appear in and before the Probate Court to be held for Jefferson County at the Court House in the Town of Elyton on the 2d day of August 1862 then and there to show cause if any they have why said instrument of writing purporting to be the last will and Testament of the said Adelia Sandifer dec'd should not be admitted to Probate and record as the last will and Testament of the said Adelia Sandifer dec'd and why Letters Testamentary should not issue thereon to the said Sarah E Sandifer as Executrix of said last will and testament

Witness this July 2d 1862

W L Wilson Judge of Probate

Rec'd same day and executed 2d day July 1862 by reading the within to Mrs S E Sandifer Sheff.

State of Alabama
Jefferson County } 3

To any Sheriff of the State of Alabama Greeting Whereas S E Grace has this day propounded for probate a paper writing purporting to be the last will and testament of Adelia Sandifer late of said County deceased, And it appearing to the Court that Mary M Williams wife of James M Williams is amongst the next of kin to said Dec'd you are therefore hereby Commanded to Summon the said Mary M Williams and her husband James M Williams to appear in and before the Probate Court on the 2d day of August inst 1862 to show cause if any they have why said Instrument so propounded as aforesaid should not be admitted to Probate & record as the last will and Testament of the said Adelia Sandifer dec'd

Witness W L Wilson Judge this July 2d 1862

W L Wilson Judge of Probate

Rec'd same day and executed 2d day July 1862 by delivering a copy to James M M Williams R Hudson Sheff

Adelia Sandifer Dec'd } In the Probate Court July 2d 1862

As to the Matter of the Probate of Will This being the day set for a session of this Court for the purpose of hearing evidence as to the Probate of the Will of said deceased for the reasons that Notices was not properly

forward the Court was continued to the 8th day of September 1862

Court met pursuant to adjournment 1, 862 Sept 8th 1862

Present Same Officers Present

In the matter of the Probate of the will Aug 28th 1862 Probate Court

And it being this day fully proven to the Court that the publication has been made and notice given to the next of kin of said deceased as required by law and in strict accordance with the former order of this Court made and entered on this proceeding on the 2d day of July ult and Mary Elvira Daughter of James H McWilliams nor any other person appearing for her or in any way manifesting to this Court a choice of any fit and proper person to represent her and attend to her interest in this proceeding and the said Mary Elvira not having appeared nor any person for her to make choice of a guardian to represent her in this proceeding It is now therefore ordered by the Court that W H Mitchell be and he is hereby appointed Guardian ad litem in this proceeding for said minor the said Mitchell being considered by the Court as in every respect a fit and proper person to attend to, and to represent and protect the interest of said minor in the Probate of said Will and he being in Court, accepts the said Appointment

Subpoena

State of Alabama }
Jefferson County } Probate Court of said County

To any Sheriff of the State of Ala Greeting You are hereby Commanded to summon Moses Gibbs to appear in and before the Probate Court to be held in said County on the 8th day of September 1862 to give evidence in a certain Matter now pending in said Court. Whereupon he will be required to testify as to the will of Adelia Sandifer and this you shall in no wise omit under the penalty prescribed by Law herein fail not and have you then this writ at the office of the Judge of said Court Witness W L Wilson Judge of said Court Aug 28 1862

W L Wilson Judge of Probate

Rec'd Aug 28 1862 & executed on the 29 of the same month

A Killough Shff

W F Hickman Dep'ty

State of Alabama }
Jefferson County } Probate Court of said County

To any Sheriff of the State of Alabama, greeting

You are hereby Commanded to summon James Brown to appear in and before the Probate Court to be held in the town of Elyton on the 8th day of September 1862 to give evidence in a certain matter now pending in said Court wherein he will be required to testify as to the will of Adelia Sandifer and this you shall in no wise omit under the penalty prescribed by Law Herein fail not and have you then this writ at the office of the Judge of said Court

Given under my hand this 28 day of August 1862

W L Wilson Judge of Probate

Subpoena

State of Alabama }
Jefferson County } In the Probate Court of said County

To any Sheriff of the State of Alabama Greeting Whereas Mary E McWilliams has this day filed in the office of the Judge of Probate of said County her petition praying to be appointed guardian ad litem to Mary Elvira McWilliams a minor over the age of fourteen years and under the age of twenty one years in a matter now pending in the Probate Court of said County wherein the last will and testament of Adelia Sandifer deceased is offered for probate and record and the said Mary Elvira McWilliams is interested in said will and testament as one of the heirs at law of said deceased and whereas it appears to the Court that the said Mary Elvira McWilliams is a minor over the age of fourteen years and under the age of twenty one years and that the said Mary E McWilliams has no interest adverse to the said minor in said matter and whereas it appears to the Court that the said minor resides with her mother the said Mary E McWilliams and that the said minor has no guardian in this State Now therefore I command you to summon the said Mary Elvira McWilliams to appear in and before the Probate Court on the 8th day of September 1862 to show cause if any she can why said instrument so propounded should not be admitted to probate and record as the last will and testament of said Adelia Sandifer deceased Witness W L Wilson Judge of Probate and the seal of said Court at office in Elyton this 28th day of August 1862 and of the Independence of the United States the eighty seventh year

W L Wilson Judge of Probate

Rec'd August 28th 1862 & executed on the 29th of the same month

A Killough Shff

W F Hickman Dep'ty

State of Alabama }
Jefferson County } Probate Court

To any Sheriff of the State of Alabama

Greeting Whereas B F Grace did on the 8th day of July 1862 propound a paper writing for probate purporting to be the last will and testament of Adelia Sandifer late of said County deceased And it appearing to the Court that Mary E McWilliams is one among the next of kin to said deceased You are therefore hereby commanded to summon the said Mary E McWilliams (or the heirs a minor and under the age of fourteen years this Citation may be perfected by serving this Order on her parents with whom she resides) to appear in and before the Probate Court on the 8th day of September 1862 to show cause if any she can why said instrument so propounded should not be admitted to probate & Record as the last will and testament of said Adelia Sandifer deceased Witness W

J Wilson Judge August 20th 1862

W L Wilson
Judge of Probate

Executed by notifying the Parents Aug 26th 1862

A Killough Shff
W P Hickman Dpty

State of Alabama
Jefferson County } In the Probate Court of said County

To any Sheriff of the State of Alabama
Greeting Whereas B E Grace has in the 2nd day of July prefounded for Probate a paper writing purporting to be the last will and testament of Adelia Sandifer late of said County deceased and it appearing that James Sandifer is amongst the next of kin to said dec'd you are therefore hereby commanded to summon the said James Sandifer to appear and before the Probate Court on the 8th day of September 1862 to show cause if any he has why said instrument of writing should not be admitted as aforesaid, should not be admitted to Probate and record as the last will and testament of said Adelia Sandifer dec'd Witness W L Wilson Judge of Probate this Aug 20th 1862

W L Wilson Judge of Probate

Recd August 21st 1862 & executed the same day

A Killough Shff
W P Hickman Dpty

State of Alabama
Jefferson County } In the Probate Court August 20th 1862

To any Sheriff of the State of Alabama Greeting

Whereas B E Grace has on the 2nd of July 1862 prefounded for probate and record a paper writing purporting to be the last will and testament of Adelia Sandifer late of said County decd and it appearing to the Court that Mary McWilliams wife of Jas A McWilliams is amongst the next of kin to said decd you are therefore hereby commanded to summon the said Mary McWilliams and her husband Jas A McWilliams to appear in and before the Probate Court on the 8th day of September 1862 to show cause if any they have, Why said instrument to be prefounded as aforesaid Should not be admitted to probate and record as the last will and testament of the said Adelia Sandifer decd Witness W L Wilson Judge, this Aug 20th 1862

W L Wilson Judge

Recd Aug 21st 1862 & executed on the 26th same month

A Killough Shff
W P Hickman Dpty

State of Alabama
Jefferson County } I A J Waldrop Guardian ad litem in the Probate Court of said County to represent and protect the interest of Mary E McWilliams in the Probating of the Will of Mrs Adelia Sandifer

after me having all the facts in his case upon examination in open Court and during the absence of the Executor Bond and who that he be held to Strict proof. Sept 8th 1862

Adelia Sandifer Decd
In the Matter of the Probate
of her last will and Testament } Sept 8th 1862

This day having been regularly set for hearing the application of B E Grace, which was here filed in the Court, for the probate of an instrument of writing
last testament of said deceased.
Now comes Applicant by
Ed. by order of this Court & it not appearing to the
guardian ad litem for Mrs
minor and under the age of thirteen years and who is an
heir of said estate by the
Section 2 of the
to and of the same
when in presence of
the former order of this Court
on the 1st day of
Grace, the Court proceeds
appearing to the satisfaction
of James Brown & Miss
signed the said instrument of writing
the last will and testament of the said deceased,
which writing
sole thereof in the presence of said witnesses and at their
request as subscribing witnesses to the same the said witness
then declaring that said instrument constituted as last will
and it being also shown by proof which is satisfactory to the
Court, that said testator was at the full age of twenty one years
and upwards at the same time of making said will and that
She was of sound mind and body of
said will, I
Court that said will of said Adelia Sandifer deceased be
received and the same is hereby ordered to be duly proved as the
last will and testament of said deceased and which
ed and filed to probate and record to be received by the said
Said proof thereof and all the papers in the matter of the said
proceedings. It is further ordered that said estate pay the cost
of this proceeding.

Will & Inv

In the Name of God Amen, I Adelia Sandifer of the County of Jefferson and State of Alabama, being of sound and disposing

mind and memory, not being desirous while yet in that state of mind to make a final disposition of my worldly affairs do here by make, publish and declare the following as my last will and testament.

1st I recommend my soul to God who gave it, and my body to be decently interd. under the direction of my executor

2nd I desire that all my just debts & my funl. at my death be paid off by my executor.

3rd I will and bequeath to my daughter Elizabeth Arrington two negroes. Caroline about 18 years old and Grace about Sixteen. Also one good new feather bed, one bed Stead and one bureau, also one third of the

4th I will and bequeath to my daughter Anne Sutherlin a negro woman Martha and her two children Lucy & Ike also one feather bed and one note & hand on John Burris and David Hanby for one hundred dollars dated 7th Feb 1859 Credited with one hundred and ten dollars fifty cents.

5th I will and bequeath to my daughter Ann Arrington wife of Jesse Arrington One thousand dollars, to be made up from the sale of my surplus property that may be on hand at the time of My death, not herein bequeathed and if there should not be a sufficiency of Said Surplus property to make up the amount of $1000. the balance to be paid to her by my son James, and daughter Mary Barnes paying one fourth of the deficiency and Mary one fourth

6th I give and bequeath to my daughter Mary M. Williams wife of James H. M. Williams one negro woman Mary & her grown daughter Harriet, one girl Ann. also one feather bed

7th I will and bequeath to my grand daughter Mary Elvira M. Williams one negro girl Laura about 6 years old.

8th I give and bequeath to my son James L. Sandifer my negroes Andy Sam. and Louisa, also one feather bed.

9th I hereby appoint Boyles & Grace Executor of this my last will and testament.

In witness whereof I hereunto set my hand and seal this 12th day of April 1863

Adelia Sandfur (Seal)

Signed sealed published
& delivered in our presence
this 12 April 1863
Moses Fields
James Brown

State of Alabama }
Jefferson County } Probate Court of said County
In the Matter of the Probate of the last will and testament

Court personally appeared in Open Court Moses Fields and James Brown who having been by me first severally duly sworn do depose and say on oath that they saw Adelia Sandifer sign, publish and declare the within and annexed instrument of writing as and for her last will and testament and that at the time of so doing she was of sound and disposing mind and memory and not under any restraint to their knowledge or belief. And that they subscribed their names as witnesses to said instrument in the presence of said testatrix and at her request and in the presence of each other. And that affiant do not believe the said testatrix at the time of executing said instrument was influenced by fear or persuasion or any undue influence whatever.

Sworn to and subscribed before me this 1st day of September 1863

J. L. Wilson Judge of Probate

James Fields
James Brown

State of Alabama }
Jefferson County } I J. L. Wilson Judge of Probate in and for said County do hereby certify that the within instrument of writing was this day produced in said Court and before me as the Judge thereof proven by the proper testimony to be the genuine last will and testament of Adelia Sandifer deceased and that said will together with this certificate is recorded in my office in Book A Vol 2 Pages 150 to 152

In witness whereof I have hereunto set my hand and the seal of said Court this 1st September 1863

J. L. Wilson
Judge of Probate

G H Blackburn's Petition to Probate of Will

State of Alabama
In the matter of the } September 3rd 1862
Probate of this will } This day came Annie Blackburn and
exhibited her petition [illegible] with the writing
and petition to this Court, for probate of writing purporting
to be the last will and testament of G H Blackburn
deceased, and prays for such orders, rules and proceedings
thereon as may be necessary, in the premises, to the end that
record of said will in this Court, and said instrument
appears to be attested by F Farrant and Thomas Jones of this
County and upon the same appears the same as above
nothing without this state, and it appearing to the Court from
said petition that said petitioner is the Widow of said deceased
that said decedent died leaving no will & children
but that his heirs are his brothers and sisters, to Hardin &
James & Margaret T. Jones intermarried with Thomas Jones all
over the age of twenty one years, Annie Blackburn aged Eleven
years Hannah aged about fourteen years Nahala aged about
Eleven years Anna and about three years all of whom reside
in this County, said minors reside with their Mother said petitioner It is therefore ordered by the Court that the 25th day
of September 1862 be set as day for hearing the [illegible] proof of said instrument as such Will, that said F
Farrant & Thomas Jones be supoenaed to be and appear on
said 25th day of September 1862 in and before this Court
to testify and give evidence &c and concerning all,
and any facts touching the question of the validity of said
instrument as such Will, that said Annie Hannah Nahala
& Anna be notified of this proceeding, and of the day
above set for hearing the Matter, by Citation, to be served
upon their said Mother for them, at least ten days before
said 25th day of September, that said Hardin & James
& Margaret Jones be notified and brot in as a party to
this proceeding, that the appointment of a Suitable person
to act as guardian ad litem be postponed until said
Citation shall have been duly served on said minors,
agreeable to the foregoing terms & there present orders
for such a length of time as shall be deemed and adjudged by the Court to be reasonable and sufficient for
such of said minors as are over the age of fourteen years
and for the friends and Custodians of others who are interested
and who should be represented by Guardians, to come
in and nominate to the Court a proper person to act
as such Guardians,

Petition for Probate of Will

Probate of } To the Hon W L Wilson Judge of
Jefferson County } Probate Court of said County
Respectfully shows unto your Honor the petitioner
a resident of this County under the age of twenty one years that
on this 3rd day of September 1862 he died in Jefferson County
three months ago leaving a will & testament
bearing a writing purporting
which was published
your petitioner would further show
G H Blackburn left no widow
Mathias and Sarah Blackburn
not
one year Annie Blackburn aged
4 years Nahala Blackburn aged about
three years your petitioner therefore
as being
Thomas Jones

Jefferson County } Sworn to and subscribed before me
this the same day and date above written
Sept 3rd 1862 W L Wilson Judge
Probate

Summons

State of Alabama
Jefferson County } To any Sheriff of the State of Alabama
Greeting You are hereby commanded to summon Thomas
Farrant to appear in and before the Probate Court to be
held in the Town of Elyton on the 25th day of September
1862 to give evidence in a certain matter now pending
in said Court, Wherein he will be required to testify touching the
will of G H Blackburn, and this you shall in no wise
omit, under the penalty prescribed by law herein fail not
and have you then and there this writ with your doings thereon
Judge of said Court, Given under my hand at office
September 3rd 1862 W L Wilson Judge of Probate
Sheriff's Return Rec'd same day issued Executed on Thomas
Farrant 8th Sept 1862 F Farrant Sheriff

State of Alabama } Probate Court of said County
Jefferson County } To any Sheriff of the State of Alabama
Greeting You are hereby commanded to summon that

Jones to appear in and before the Probate Court, to be held
at the Town of Elyton on the 2d day of September 1862 to give
evidence in certain matter now pending in said Court
Wherein he will be required to testify as to the will of G
Blackburn and this you shall in no wise omit under
the penalty prescribed by law Herein fail not and how
you then and there do at the office of the Judge of
said Court. Given under my hand at office Sept 3d 1862
M L Wilson Judge of Probate

Shff's Return Rec'd the same day Served the within Thomas
Jones not found in my County Sept 2d 1862 A Killough Shff

Notices to Heirs

State of Alabama }
Jefferson County } In Probate Court of said County
To any Sheriff of the State of Alabama greeting,
Whereas Irena Blackburn has propounded for probate and record a
paper writing purporting to be the last will and testament of G
M Blackburn Dec'd And it appearing that Francis Hannah
Mahala, & Ann Blackburn are amongst the next of kin
to said Dec'd you are therefore hereby commanded to summon
the above named persons which summons may be ser-
ved by serving the same on their mother Irena Black
burn to appear on the 2d Sept. 1862 and contest the pro-
bate of said instrument if they think proper, & can show
any cause therefor given under my hand Sept 3d 1862
M L Wilson Judge

Shff's Return Rec'd in office the same day served the
within on Irena Blackburn the Mother of the minor heirs Sept 8th 1862
A Killough Shff

State of Alabama }
Jefferson County } Probate Court for said County
To any Sheriff of the State of Alabama
Greeting Whereas Irena Blackburn has on this day prop-
ounded for probate a paper writing purporting to be the last
will and Testament of G M Blackburn late of said Coun-
ty dec'd & it appearing that Hardin H Blackburn is
amongst the next of kin to said Decedent you are there-
fore hereby commanded to summon the said Hardin H Black-
burn to appear in and before the Probate Court on the 2d
of Sept. 1862 to show cause if any he can why said in-
strument should not be proounded as aforesaid Shall not be ad-
mitted to probate and record as the last will and testament
of said G M Blackburn Dec'd Witness Sept 3d 1862
M L Wilson Judge of Probate

Shff's return Rec'd The same day served on the 8th Sept 1862 A Killough Shff

State of Alabama }
Jefferson County } 3 In Probate Court Sept 2d 1862
And it being this day fully proven to the Court that
has been made and notice given to the widow and heirs
to said decedent as required by and in strict accordance with
the former order of this Court, made and entered in the
premises on the 3d day of Sept 1862 and none of said minors
nor any other person in behalf of them having appeared or in any way
signified to the Court, a choice of any [illegible] for them
for them having been appointed for them and to attend to their interests
in this proceeding. It is therefore ordered by the Court that

Jno M Blackburn Dec'd
In the matter of the Will } Probate Court Sept 2d 1862

Jones to appear in and before the Probate Court, to be holden at the Town of Elyton on the 2d day of September 1862 to give evidence in a certain matter now pending in said Court wherein he will be required to testify as to the will of G. M. Blackburn and this you shall in no wise omit under the penalty prescribed by law. Herein fail not and have you then and there this writ at the office of the Judge of said Court. Given under my hand at office Sept 3d 1862

W. S. Wilson Judge of Probate

Sheffs Return Rec'd the same day Served the within Thomas Jones not found in my County Sept 3d 1862 A Killough Sheff

Notices to Wits

State of Alabama
Jefferson County } Probate Court of said County.

To any Sheriff of the State of Alabama greeting,

Whereas Lewis Blackburn has presented for probate and record a paper writing purporting to be the last will and testament of G. M. Blackburn Dec'd and it appearing that Francis Virginia Clarke & Ann Blackburn are amongst the next of kin to said Dec'd you are therefore hereby commanded to summon the above named persons which summons may be served by serving the same on their mother for them Emma Blackburn to appear on the 2d September 1862 and contest the probate of said instrument if they think proper, or can show any cause therefor given under my hand Sept 3d 1862

W. S. Wilson Judge

Sheffs Return. Rec'd to appear the same day served & executed on Emma Blackburn the Mother of the minor heirs Sept 8th 1862

A Killough Sheff

State of Alabama
Jefferson County } Probate Court for said County

To any Sheriff of the State of Alabama

Greeting Whereas Lewis Blackburn has on this day presented for probate a paper writing purporting to be the last will and testament of G. M. Blackburn late of said County Dec'd & it appearing that Hardin H Blackburn is amongst the next of kin to said Decedent you are therefore hereby commanded to summon the said Hardin Blackburn to appear in and before the Probate Court on the 2d of Septr 1862 to show cause if any he can why said instrument so propounded as aforesaid shall not be admitted to probate and record as the last will and testament of said G. M. Blackburn Dec'd Witness Sept 3d 1862

W. S. Wilson Judge of Probate

Sheffs Return Rec'd the same day served on the 8th Sept 1862 A Killough Sheff

State of Alabama
Jefferson County } Probate Court Sept 8th 1862

And at this day personally known to the Court that [illegible] has been made and notice given to the widow and next of kin to said decedent as required by and in strict conformance with the former order & order of this County made and entered in the premises on the 3d day of Sept 1862 and none of said minors nor any other person for any of them having appeared or in any manner signified to the Court, a choice of any [illegible] for them having been appointed for them and it appearing to this Court for this Proceeding. It is therefore ordered by the Court that

J. J. Walthop. being first duly appointed Guardian ad litem in this proceeding for said minors he being present for & behalf of said minors in the matter of the said probate of said will, and he being in court accepts said appointment & duly sworn and entering upon the discharge thereof.

In the matter of the Probate of the last will and testament of G. M. Blackburn Dec'd. in the Probate Court Sept 25th 1862

State of Alabama }
Jefferson County } Sept 25th 1862

J. J. Walthop Guardian ad litem in the Probate Court of said County to represent and protect the interest of the minors interested in the probating of the will of G. M. Blackburn Dec'd. in said Court, and hereby said G. Alabama, now in said Court and it appearing to the satisfaction of the Court that the hour of the said application and the time appointed for hearing the same, has been given in pursuance of law, and in strict accordance with the former order of this Court made and entered in the premises on the 3rd day of Sept 1862 by advertisement at the Court house door and by citation personally served as directed by said former order,

Now on motion of said Irena Blackburn the Court proceeds to hear said application. And it appearing to the satisfaction of the Court from the testimony of James Sarrant that he signed the said instrument of writing purporting to be the last will and testament of the said deceased, and which writing is now shown to him on the day of the date thereof, in the presence of said testator and at his request as subscribing witness to the same the said testator then declaring that said instrument constituted his last will. And it being also shown by proof which is satisfactory to the Court that said testator was of the full age of eighteen years and upwards of

the time of making said will, & of sound disposing mind & memory and free from restraint by the Court that said will & G. M. Blackburn deceased executed and the same is duly proved by the testimony of the last will and testament of G. M. Blackburn deceased to probate to [illegible] the personal property and effects of said deceased to be recorded, [illegible] all other [illegible] that said will be filed in the Court as the proceedings

Will & Probate

The State of Alabama }
Jefferson County } I, [illegible] do hereby certify that the foregoing [illegible] I have for [illegible] and I do hereby appoint [illegible]

May 1st.
Attorneys
J. Sarrant
Summons
State of Alabama }
Jefferson County } I, [illegible] Clerk of the Court of Probate in and for said County and State, do hereby certify that the within instrument of writing has been duly proven by the proper testimony before the Court as the genuine last will and testament of G. M. Blackburn deceased and that said will together with said proof thereof has been recorded in my office in Book of Wills No 1 Pages 164 to 165 inclusive of all which I have hereunto set my hand and the seal of said Court this Sept 25th 1862. [illegible] Judge of Probate

State of Alabama }
Jefferson County } In the matter of the Probate of the last will and testament of G. M. Blackburn Deceased. Before me, [illegible] Wilson, Judge of the Said County, personally appeared in open Court James Sarrant, who having been by me first duly sworn and examined, did and to depose and say on oath, that he is a subscribing witness to the instrument of writing now shown to him, and which purports to be the last will and testament of G. M. Blackburn deceased, late an inhabitant of this County who died in the Army in the State of Virginia

That said W. Abram have executed signed and executed said instrument on the day the same bears date, and deed and the same to be his last will and testament, and that at the request of said testator in the presence of said testator & each of them subscribing witnesses hereto, as subscribing witnesses to the same in the presence of said testator & that said testator was at the time of the execution of said will, about the age of twenty one years of age.

Sworn and sworn [illegible] Enos Sarrett

[illegible] Nov 21 1862 W. L. Wilson

[illegible] Wm H Edwards

In the Matter of the Probate of the Will of Wm H Glenn Deceased

State of Alabama
Jefferson County } ss

At a regular Term of the November Term of the Court of Probate held in and for said County and State at the Court House of said County in the Town of Elyton on the 15th day of November 1862 the following proceedings were had to wit

In the Matter of the Probate of the Will of Wm H Glenn deceased } Nov 15th 1862

Came the Petitioner & filed his petition in writing and under oath, therein & thereby praying and filing in this Court an instrument of writing purporting to be the last will and testament of said Wm H Glenn deceased, and praying for such orders decrees and proceedings as may be proper and requisite for the due probate and record of the same in this Court, which said instrument appears to be dated by John Edwards & Edward F Baird, of this County, and whose names are alleged to have signed the same as subscribing witnesses thereto, and it appearing to the Court that said petitioner is a friend to said deceased and that Abedick, David, Glenn, and the heirs of Johnny Glenn, and John Glenn deceased, whose names are not known to the petitioner nor the Court, & the widow of said deceased Esther Glenn are the heirs and next of kin to said deceased,

It is therefore ordered, by the Court, that the 15th day of November 1862, be set as a day for hearing testimony in proof of said instrument as such wills, that said Edward F Baird and John Edwards be subpoenaed to be and appear on said 15th day of November 1862, in and before this Court to testify and give evidence touching all and any facts touching the proper execution of said instrument as such will, and that said Sheriff do execute & return

[illegible] the full age of twenty one years [illegible] having such interest in this [illegible] said day of hearing [illegible] to act [illegible] and until said [illegible] be [illegible] said Minors appear [illegible] orders for [illegible] and [illegible] of said Minors [illegible] in the premises [illegible] and also [illegible] by [illegible]

State of Alabama
Jefferson County } In the Matter of the Probate of the Will of Wm H Glenn deceased

Probate Court & Said County the undersigned J. B. Glenn Esq & Said County, being duly sworn deposes & says that he is advised and believes, that the instrument of writing now shown to him that he herewith presents to the Court & purports to be the last will and Testament which it is said and he believes to be the last will and Testament of Wm H Glenn deceased late of Said County, further represents unto your Honor that Esther Glenn the widow of Said deceased and the other next of kin of Said deceased reside out of this State to wit in the State of Georgia & Tennessee & that Esther Glenn is the widow of Said deceased & that John Glenn & Abedick David Glenn are the heirs at law of Said deceased, he further asks your Honor to fix upon some proper day for the hearing of Said Will, and to order & direct the Sheriff of Said County to issue a subpoena for the witnesses to Said Will, and for such other & further orders in the premises as to your Honor may seem meet & proper

Sworn to & subscribed before me this 12th day of November 1862 J. B. Glenn

W. H. Wilson Judge of Probate

State of Alabama
Jefferson County }

To any lawful [illegible] of the State of Alabama

You are hereby commanded to summon Edward F Baird & John Edwards to appear in and before the Probate Court of said County to be held for Jefferson County at the Court House in the Town of Elyton on the 15th day of November 1862 to give evidence touching the execution of an instrument of writing purporting to be the last will and testament of Wm H Glenn deceased, and this you shall in no wise omit under the penalty prescribed by law therein, fail not and have you then this writ & the Officer of the Judge of said Court given under my hand as Judge of Probate this 12th day of November 1862

W. H. Wilson Judge of Probate

[illegible] Probate Court [illegible] 1862 [illegible] 2d Sheriff
John C Thomas Sheriff

State of Alabama
Jefferson County } Probate Court of said County
To any Sheriff of the State of Alabama greeting You are
hereby commanded to summon John C Woods to appear in
and before the Probate Court to be held in the 15th day of
November 1862 in the Court House in Elyton in said County
to give evidence touching the matter now pending in said
Court touching the will of T H Glenn and whereas Wm Glenn
has applied to be appointed Executor of the last will and
testament of T H Glenn and whereas it is necessary that
upon the hearing of said application the said John C Woods
should be present at the session of the Court of said
Court. Witness W L Wilson Judge of Probate of said Court
this 3rd Oct 1862 W L Wilson Judge of Probate

Sheriffs Return Rec'd in office Oct 3rd 1862 and executed
this 3rd day of Oct 1862 A F Gillespie Sheriff

Notices to Heirs of T H Glenn

State of Alabama
Jefferson County } Probate Court Oct 3 1862
To any Sheriff of the State of Alabama, Greeting
Whereas W Glenn has this day propounded for probate
and record a paper writing purporting to be the last
will and testament of T H Glenn late of said County
dec'd and it appearing that Ester Glenn is the widow
of said decedent you are therefore hereby commanded to
summon the said Ester Glenn to be and appear in and
before the Probate Court of said County on the 15th day of
November 1862 to show cause if any she can why said
instrument of writing should not be admitted to
probate and record Witness my hand Oct 3rd 1862
W L Wilson
Judge of Probate

Sheriffs Return Rec'd in office Oct 3rd 1862 and executed 15th
Nov 1862
A F Gillespie Sheriff

State of Alabama
Jefferson County } Probate Court Oct 3rd 1862
To any Sheriff of the State of Alabama Greeting Whereas
A J Waldrop has this day propounded for Probate and
record a paper writing purporting to be the last will
and testament of T H Glenn late of said County dec'd
and it appearing that Elias Glenn is amongst the next
of kin to said deceased you are therefore hereby comm
anded to summon the said Elias Glenn to be and
appear in and before the Probate Court on the 15th
day of November 1862 to show cause if any he can why
said instrument of writing should not be admitted to
probate and record Witness my hand Oct 3rd 1862
W L Wilson
Judge of Probate

Sheriffs Return Rec'd in office Oct 3rd 1862 and executed
within on the 3rd 1862 A F Gillespie Sheriff
State of Alabama
Jefferson County } Probate Court Oct 3rd 1862
To any Sheriff of the State of Alabama Greeting Whereas W Glenn
has this day propounded for probate and record a paper writing
purporting to be the last will and testament of T H Glenn late of
said County dec'd You are therefore hereby commanded to summon
Wm Glenn to appear in said Court to be held in the Court House
on the 15th day of November 1862 then and there to be and
show cause if any he can why said instrument of writing should
not be admitted to probate and record Witness my hand
this Oct 3rd 1862 W L Wilson
Judge of Probate

Sheriffs Return Rec'd same day and executed the same day
A F Gillespie Sheriff

State of Alabama
Jefferson County } Probate Court Oct 3rd 1862
To any Sheriff of the State of Alabama Greeting
Whereas A J Waldrop has this day propounded for probate and record
a paper writing purporting to be the last will and testament
of T H Glenn dec'd a copy of which is hereto annexed
and it appearing to the Court that Robert H Glenn
is amongst the next of kin to said deceased you are
therefore hereby commanded to summon the said Wm Glenn
and Martha E Glenn (which summons may be perfected
by serving the same on their Father with whom they
reside) to appear in and before the Probate Court
on the 15th day of November 1862 to show cause if any
they have why said instrument should not be admitted to probate and record as such will of T H Glenn
dec'd Witness my hand this Oct 3rd 1862 W L Wilson
Judge of Probate

Sheriffs Return Rec'd in office 3rd day Oct 1862 and executed
in my County on the 3rd day of Oct 1862 on John Glenn gone to the
War A F Gillespie Sheriff
State of Alabama
Jefferson County } Probate Court Oct 3rd 1862
To any Sheriff of the State of Alabama Greeting Whereas A
J Waldrop has this day propounded for probate and record

Notices to Heirs of F. M. Glenn

State of Alabama
Jefferson County } Probate Court Oct 3 1862
To any Sheriff of the State of Alabama Greeting Whereas W. L. Milner has this day propounded for probate and record a paper writing purporting to be the last will and testament of F. M. Glenn late of said County dec'd and it appearing that Elias Glenn is the heir of said deceased you are therefore hereby commanded to summon the said Elias Glenn to be and appear in and before the Probate Court of said County on the 15th day of November 1862 to show cause if any he can why said instrument of writing should not be admitted to probate and record Witness my hand Oct 3d 1862
W. L. Milner
Judge of Probate

Sheriffs Return Rec'd in office Oct 3d 1862 and executed Oct 4th 1862
A. Killough Sheriff

State of Alabama
Jefferson County } Probate Court Oct 3d 1862
To any Sheriff of the State of Alabama Greeting Whereas W. L. Muldrop has this day propounded for probate and record a paper writing purporting to be the last will and testament of F. M. Glenn late of said County dec'd and it appearing that Elias Glenn is amongst the next of kin to said Deceased you are therefore hereby commanded to summon the said Elias Glenn to be and appear in and before the Probate Court on the 15th day of November 1862, to show cause if any he can why said instrument of writing should not be admitted to probate and record Witness my hand this Oct 3d 1862 W. L. Milner
Judge of Probate

Sheriffs Return Rec'd in office Oct 3d 1862 and executed Oct 4th 1862 by leaving a copy of the within order this Oct 4th 1862 Elias Glenn
A. Killough Sheriff

State of Alabama
Jefferson County } Probate Court Oct 3d 1862
To any Sheriff of the State of Alabama Greeting Whereas W. L. Muldrop has this day propounded for probate and record a paper writing purporting to be the last will and testament of F. M. Glenn late of said County dec'd and it appearing that Elias Glenn is the heir of said deceased you are therefore hereby commanded to summon the said Elias Glenn to be and appear in and before the Probate Court on the 15th day of November 1862, to show cause if any he can why said instrument of writing should not be admitted to probate and record Witness my hand this Oct 3d 1862 W. L. Milner
Judge of Probate

Sheriffs Return Rec'd in office Oct 3d 1862 and executed Oct 4th 1862 by leaving a copy of the within order this Oct 4th 1862 Elias Glenn
A. Killough Sheriff

State of Alabama
Jefferson County } Probate Court Oct 3d 1862
To any Sheriff of the State of Alabama Greeting Whereas W. L. Muldrop has this day propounded for probate and record a paper writing purporting to be the last will and testament of F. M. Glenn late of said County dec'd and it appearing that Elias Glenn and Martha C. Glenn (whose summons may be perfected by serving the same on their Mother with whom they reside) to appear in and before the Probate Court on the 15th day of November 1862 to show cause if any they have why said instrument should not be admitted to probate and record as such will of F. M. Glenn dec'd Witness my hand this Oct 3d 1862 W. L. Milner
Judge of Probate

Sheriffs Return Rec'd in office 3d day Oct 1862 and executed in my County on the 4th Oct 1862 by delivering Elias Glenn one of the
A. Killough Sheriff

State of Alabama
Jefferson County } Probate Court Oct 3d 1862
To any Sheriff of the State of Alabama Greeting Whereas W. L. Muldrop has this day propounded for probate and record

a paper writing purporting to be the last will and Testament of F. M. Glenn late of said County Decd, and it appearing that the Children of Chas Glenn Decd are amongst the next of kin to said deceased, you are therefore hereby commanded to summon the said Minors which may be done by serving this notice on their father the having the custody & care of said Minors to appear in and before the Probate Court on the 3rd day of November inst to show cause if any they have why the said instrument of writing so proved should not be admitted to probate and record as the last will and testament of said F. M. Glenn Decd. Witness M. L. Wilson Judge &c Oct 3rd 1862

M. L. Wilson
Judge of Probate

I acknowledge the service of the within and waive all legal objections Oct 1862 Elizabeth Glenn

State of Alabama
Jefferson County } In the Probate Court said County
To any Sheriff of the State of Alabama greeting, You are hereby Warned & Whereas F. M. Walrop has this day made application to this Court to record an instrument of paper writing purporting to be the last will and testament of F. M. Glenn late of said County Decd, and it appearing that Obediah Glenn is amongst the next of kin to said Deceased. You are therefore hereby commanded to summon the said Obediah Glenn to appear at the office of the Judge of Probate in said County on the 3rd day of November 1862 to show cause if any he has why the prayer of said petitioner should not be granted. Given under my hand Oct 3rd 1862

M. L. Wilson
Judge of Probate

Sheriff's Return Rec'd in office the same day issued the within Glenn is gone to the War Nov 15th 1862

A. R. Vaughn Sheriff

State of Alabama
Jefferson County } In the Matter of the Probating of the will of F. M. Glenn in and for said County. Now Comes F. J. Waldrop the Guardian ad litem in said Cause and denies each and every allegation set forth in the application for the probating of the said will and asks that he may be held to strict proof this 4th November 1862

Signed by F. J. Waldrop

F. M. Glenn Decd } In the Matter
of the Probate of this last Will & Testament } Nov 4th 1862
This day having been regularly set & appointed for hearing the application of F. J. Waldrop which was heretofore filed in this Court for the Probate & record of an instrument of writing purporting to be the last Will and testament of said deceased now comes the said applicant and also comes Chas Glenn & Obediah Glenn Minors over 14 years of age & the said Chas Glenn who was heretofore duly appointed Guardian ad litem by an order of this Court and who now appears in behalf of the Minors in question and the said Minors having appeared to the satisfaction of the Court that notice of the said application and of the time & place of hearing the same has been given according to law and in strict accordance with the former order of this Court. Whereupon the said instrument of writing purporting to be the last will and Testament of said deceased, and which writing is now shown to them on the day of the date thereof, in the presence of said witnesses and at his request as subscribing witnesses to the same. The said testator then declaring that said instrument Constituted his last will and testament, and it being also shown that said testators was of the full age of twenty one years and upwards at the time of making said will. It seems to the Court that said application should be granted, it is therefore considered and decreed by the Court that said will of said F. M. Glenn deceased be received, and the same is hereby declared to be duly proven as the last will and testament of said deceased, and as such admitted to probate and ordered to be recorded together with the proof thereof and all other papers on file relating to this proceeding. It is further ordered that said estate pay the cost of this proceeding.

Will & Proof

In the name of God amen I Marion Glenn of the State of Alabama Jefferson County being weak of body tho sound and discriminating mind and know that it is

[illegible] [illegible] Heaven [illegible] [illegible] to make this
my last will and testament [illegible]
After [illegible] I wish to be buried [illegible] decent Christian
[illegible] without [illegible] or Splendor my flesh I give [illegible]
[illegible] for the [illegible] and [illegible] to [illegible] [illegible]
[illegible] [illegible] my [illegible] [illegible] [illegible] [illegible]
the following manner [illegible] namely.
In the first place I wish all my [illegible] debts paid.
Second my real Estate [illegible] quarter of the South
west quarter of Section 21 Township [illegible] Range 2 [illegible]
[illegible] [illegible] [illegible] [illegible] part [illegible] of Cunning
[illegible] Creek South [illegible] of the South west Quarter of Section
21 in Township 15 of Range 2 West 80 [illegible] acres of land
lying in north east corner of the South west Quarter
of Section 36 in Township 15 of Range two West I give
[illegible] [illegible] [illegible] [illegible] [illegible] wife Easter Glenn
In the 2d place I give unto my wife [illegible] [illegible]
and all my Stock house hold and Kitchen furni
ture Except one Mule and three small ox, it is
My will and desire that Benjamin Goodwin [illegible]
[illegible] [illegible] cultivate my farm and take care of Easter
and my Stock during her life and [illegible] Elias my
[illegible] of his [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
the [illegible] and benefit of my [illegible] [illegible] at my death and at her death
[illegible] half of the land the other part to be sold and di
vided equal between David & Obediah Glenns my
brother at Obediahs death all of that ½ to David Glenn
It is my will and desire that the mule and ox
above named should be sold twenty days after
my death, and that Elias Glenn Robert Glenn
Nancy Glenn [illegible] [illegible] Glenns heirs and James
J Glenn Receive of the proceeds of Sale of the mule
and Oxens one Dollar in fifty days after my
decease.
In testimony Whereof I have hereunto set my hand
and affixed my seal this twenty seventh day of
September in the year of our Lord 1862

Francis N Glenn (Seal)

Test
John Edwards
Edward J Baird

State of Alabama
Jefferson County } Probate Court of said County
In the Matter of the Probate of the last will and
testament of Francis N Glenn deceased.
Before me W.L. Wilson Judge of said Court
personaly appears in open Court John Edwards

[illegible] [illegible] [illegible] [illegible] [illegible]
duly sworn and examined, [illegible] [illegible] [illegible] [illegible]
oath, that they [illegible] [illegible] subscribing [illegible] [illegible]
instrument of writing [illegible] [illegible] [illegible] [illegible]
[illegible] to be the last will and testament of [illegible]
deceased. [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
that said Glenn, [illegible] deceased signed [illegible] [illegible]
said instrument [illegible] [illegible] [illegible] [illegible]
declaring the same to be [illegible] [illegible] [illegible]
and that affiant [illegible] their signature [illegible] [illegible]
the same bears date, [illegible] subscribing [illegible] in the presence
in the presence of [illegible] [illegible] [illegible] [illegible] [illegible]
of Sound mind, and [illegible] [illegible] [illegible] [illegible]
opinion of [illegible] [illegible] [illegible] capable of making [illegible]
will, at the time the same [illegible] [illegible] [illegible]
further State that [illegible] [illegible] [illegible] [illegible]
the date of said will [illegible] [illegible] [illegible] [illegible] [illegible]
years [illegible] [illegible] [illegible] [illegible] [illegible]
Subscribed & sworn to [illegible] John Edwards
this [illegible] [illegible] Edward J Baird
W.L Wilson Judge of Probate }

State [illegible]
Jefferson [illegible]
The [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] hereby certify that the within instrument [illegible]
[illegible] in this Court [illegible] [illegible] [illegible] [illegible]
of [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] will and testament of [illegible] [illegible]
deceased, [illegible] [illegible] [illegible] [illegible] with said [illegible]
thereof [illegible] [illegible] [illegible] in my office in Book [illegible]
Wills [illegible] Page 177 & [illegible] [illegible] of all which I have
hereunto set my hand and seal [illegible] [illegible] [illegible]
November [illegible] W L Wilson Judge of Probate

Martha Wood decd Ads probate of Will

State of Alabama }
Jefferson County }

To any Sheriff of the State of Alabama greeting

You are hereby commanded to summon William Pilkington to appear before the Judge of Probate at the Court House in Jefferson County on the 27th day of December 1862 at 10 o'clock A.M. to show cause if any he can why the petition of Thomas Woodrop as executor of the last will and testament of Martha Wood late of said County deceased praying for the probate of said will and the issuing of letters testamentary thereon should not be granted and why he should not be required to give bond as such executor and to do and perform all such acts as may be necessary to be done in the premises and have you then there and there to show cause if any you have why said petition should not be granted and have you then there this writ with your doings thereon

Witness my hand this 24th day of December 1862

Wm Wilson Judge of Probate

Executed this 24th day of December 1862 by reading the within writ to William Pilkington

Wm Wilson Judge of Probate

Petition for Probate of Will

State of Alabama }
Jefferson County }

To the Hon Wm Wilson Judge of the Probate Court in and for said County

Your Petitioner Thomas Woodrop respectfully represents unto your Honor that Martha Wood late of said County of Jefferson departed this life on or about the 18th day of November 1862 at her residence in this County leaving a last will and testament duly executed and published by her and attested by William Pilkington and A Pilkington who reside in this County in which Testament your petitioner is named executor thereof which said will is now with proper respect to your Honor presented for probate and record in the premises

Your petitioner would further represent unto your Honor that the heirs and next of kin are unknown to your petitioner and in consideration of all which your petitioner prays that a day may be set for the hearing of the matter of this petition that letters testamentary may be issued to him and that such other proceedings orders and decrees may be had and made in the premises as may be required and proper to effect the due probate & record of said will according to law

Thomas Woodrop

Subscribed & Sworn to this 24th day of December 1862

Wm Wilson Judge of Probate

Testimony

State of Alabama }
Jefferson County }

Personally came before me the undersigned Judge of Probate in and for said County and State Thomas Woodrop who being by me first duly sworn deposes and says that he is the executor named in the last will and testament of Martha Wood late of said County deceased and that he believes said will to be the last will and testament of said deceased and that he has no knowledge of any other will of said deceased and that he is not aware of any cause why said will should not be admitted to probate and record

Thomas Woodrop

Sworn to and subscribed before me this 24th day of December 1862

Wm Wilson Judge of Probate

State of Alabama }
Jefferson County }

To any Sheriff of the State of Alabama greeting

You are hereby commanded to summon [illegible] to appear before the Judge of Probate at the Court House in Jefferson County on the [illegible] day of December 1862 at 10 o'clock A.M. to show cause if any he can why the petition of [illegible] should not be granted and why he should not be required to give bond as such executor and to do and perform all such acts as may be necessary to be done in the premises and have you then there and there to show cause if any you have why said petition should not be granted and have you then there this writ with your doings thereon

Witness my hand this [illegible] day of December 1862

Wm Wilson Judge of Probate

Executed this [illegible] day of December 1862 by reading the within writ to [illegible]

Wm Wilson Judge of Probate

I Acknowledge the Service of the Within Dec 24 1862 Wm Pilkington

Martha Wood dec'd. Petition for
Probate of Will & for Last Will and Testament 3 Dec 1842

This day Wesley Ford personally appeared before the Probate Court of Jefferson County Alabama and Petitioned for the probate of the instrument of writing purporting to be the last will and testament of said deceased and comes the said Petitioner and prays to the Jurisdiction of this Court, the Probate of the last will and testament of the said deceased for the granting of Letters testamentary as per pursuance of law and in that behalf comes with the former order of this Court made and entered in the premises on the 29th day of November 1842 whereby the Probate of the instrument of writing aforesaid was continued for the purpose of having the witnesses thereto examined in open Court and it appearing to the satisfaction of the Court by the testimony of Wm Kellogg and Wm Kellogg Jr. subscribing witnesses thereto that the said instrument of writing purporting to be the last will and testament of Martha Wood deceased was executed and attested as required by law to pass real estate and that the said Martha Wood was of the full age of twenty one years at the time of making her said will and that she was of sound mind and memory and capable of making her said will. It seems to the Court that said application be granted. It is therefore ordered, adjudged and decreed by the Court that said will of said Martha Wood be received and the same is hereby declared to be duly proven as the last will and testament of said deceased and it is further ordered that said will be admitted to probate and ordered to be recorded together with the proof thereof, and all other papers on file relating to this proceeding. It is further ordered that said Petitioner pay the Costs of this proceeding and that it be allowed same out of said estate

Will and proof recorded.

In the name of God amen.

I Martha Wood of the County of Jefferson & State of Alabama knowing the uncertainty of human life but being of sound mind and disposing memory do hereby make publish and declair the following to be my last will and testament. at the same time revoking all other wills by me heretofore made, both Verbal and written

First I have my body to be buried as my friends may see fit and my soul I commit to a merciful God, trusting through the righteousness of Jesus Christ to have eternal life

John H Isaacs Acct as to Probate of Will

to the same in the presence of said testator, that said testator was of sound mind and disposing memory and, in the opinion of deponents fully capable of making her will at the time the same was made as aforesaid. Affiants further state that said testator was on the day of said date of said will of the full age of twenty one years and upwards

Subscribed and sworn to Decr 29th 1862 W. L. Wilson Judge of Probate

A. Waldrop
Geo. Killough

State of Alabama
Jefferson County } I W. L. Wilson Judge of the Court of Probate in and for said County and State, do hereby certify that the within instrument of writing was this day in said Court, and before me as the Judge thereof, been duly proven by proper testimony to be the genuine last will and testament of Martha Wood deceased, and that said will together with said proof thereof, have been recorded in my office in Book of Wills No. [illegible] Pages 176 to 178. In testimony whereof of all which I have hereunto set my hand and the seal of the said Court this Decr 29th 1862. W. L. Wilson Judge of Probate

John W Isaacs decd as to Probate of Will

[illegible] Estate of [illegible] June 25th 1863
as to the matter of the probate of said Will } This day came Nancy E Isaacs and filed her petition in writing verified under oath, therewith producing and filing in this Court an instrument of writing, purporting to be the last will and testament of said John W Isaacs deceased, and praying for such orders, decrees and proceedings as may be proper and requisite for the probate and record of said Will, in this Court, which said instrument appears to be tested by Joab Bagley and Minus Bagley, of this County, and who are alleged to have signed the same as subscribing witnesses thereto. And it appearing to the Court from said Petition that said petitioner is the widow of said deceased that Elizabeth J Isaacs, Sarah E Isaacs, Milly F Isaacs, Nancy M Isaacs, Jerusha O Isaacs, and Anna M Isaacs, Minors are children of said John W Isaacs decd, are heirs and the only heirs at law of said decedent, that they reside in the County of Jefferson that She is the widow of said decedent and mother of said minor children, It is therefore ordered by the Court, that the 13th day of July 1863, be set as a day for hearing testimony in proof of said instrument as such will, that said Joab & Minus Bagley, be subpoenaed to be and appear on said 13th day of July 1863, in and before this Court, to testify and give evidence of and concerning all and any facts touching the question of the validity of said instrument as such will, that said Elizabeth J Isaacs, Sarah E Isaacs, Milly F Isaacs, Nancy M Isaacs, Jerusha O Isaacs, & Anna M Isaacs, be notified of this proceeding and of the day above set, for hearing the matter by citation to be served upon their said Mother for them at least ten days before said 13th day of July 1863, that the appointment of a suitable person to act as Guardian ad litem for said Minors, be postponed until said citations shall have been duly served on said minors [illegible] [illegible] present orders for such a length of time as shall [illegible] be reasonable and sufficient for such of said minors [illegible] [illegible] [illegible] and [illegible] of [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] by Guardian, to [illegible] [illegible] to the Court [illegible] such question.

Petition for Probate of Will

The State of Alabama } To the Honorable Probate Court of said County
Jefferson County } The undersigned widow of John W Isaacs late of said County deceased on the day of June 1863 at [illegible] in the State of [illegible] [illegible] [illegible] shows that said decedent left at his death a last will and testament which she now presents for probate. She further represents unto your Honor that she and Elizabeth J Isaacs, Sarah E Isaacs, Milly F Isaacs, Nancy M Isaacs, Jerusha O Isaacs and Anna M Isaacs, Minors and Children of said John W Isaacs are [illegible] [illegible] [illegible] of said decedent that they reside in the County of Jefferson and therefore [illegible] [illegible] [illegible] to make all necessary orders in the premises. June 25th 1863 Nancy E Isaacs.

Subscribed and sworn to June 25th 1863 W. L. Wilson Judge

Subpoenas

State of Alabama } Probate Court of said County
Jefferson County } To any Sheriff of the State of Alabama Greeting
You are hereby commanded to summon Joab Bagley to appear in and before the Probate Court, of Jefferson County to be held on the 13th day of July 1863 at the Court house in the Town of Elyton, to give evidence in a certain matter now pending in said Court. Wherein Nancy E Isaacs has propounded for probate and record a paper writing purporting to be the last will and testament of John W Isaacs, late of said County deceased, and this you shall in no wise omit, under the penalty prescribed by law, Herein fail not, and have you then and there this writ at the office of the Judge of said Court.
Witness W. L. Wilson Judge of said Court, at office this June 25th 1863
W. L. Wilson Judge

Shffs Return Executed [illegible] July 1863
[illegible] Killough Shff

State of Alabama } Probate Court of said County
Jefferson County } To any Sheriff of the State of Alabama, Greeting
You are hereby commanded to summon Minus Bagley to appear in and before the Probate Court to be held for Jefferson County, at the Court House in the Town of Elyton on the 13th day of July 1863 to give evidence in a certain matter now pending in said Court, Wherein Nancy E Isaacs has propounded for probate and record a paper writing purporting to be the last Will and testament of John W Isaacs, late of said County deceased. and this you shall in no wise omit under the penalty prescribed by law, Herein fail not and have you then this writ at the office of the Judge of said Court.
Witness W. L. Wilson Judge of said Court at office this June 25th 1863
W. L. Wilson Judge

Shff Return Executed 9th July 1863.
[illegible] Killough Shff

James C Bagley dec'd to the Circuit of his Will

James C Bagley deceased
In the matter of the proof
of his Will

June 20th 1865

This day came Emmie Bagley and file her petition in writing and under oath proves up and files in this Court an instrument in writing purporting to be the last will and testament of said James C Bagley deceased, and praying an such order decree and proceedings as may be proper and requisite for the due probate and record of said will, in this Court, which said instrument of paper is attested by C B Bowen & Wm Wilson & Witnesses & the County, and are alleged to have signed the same as subscribing witnesses thereto. And it appearing to the Court from said petition and proof had & shown to the satisfaction of the Court that said deceased who resided in this County is the widow of said deceased, that said deceased left him surviving three children viz Wm C Bagley John M Bagley and Mary J Bagley who are under

Sept Term — Errors to Judge [illegible] 1865 [illegible]

State of Alabama } Probate Court
Jefferson County } January Term 1863

In the matter of the notarial writing of James Wilson deceased

This day came W. H. Wilson, and filed in the office of the Judge of Probate of said County, a writing purporting to be the last will and testament of James Wilson deceased, and praying for such orders, decrees and proceedings as may be proper and requisite for the due probate and record of said will. In this court, which said instrument appears to be attested by W. H. Wilson & John Ellard, of this County and they are desired and signed the same as subscribing witnesses thereto and it appearing to the court from said petition that said petitioner is the widow of said deceased, that said deceased left as children him surviving, Mary Thomas, Harriet, James, William H. and Robert T. Wilson, who are under the age of fourteen years and now in the care and custody of the said petitioner. It is therefore ordered by the court, that the 17th day of August 1863 be set as a day for hearing testimony in proof of said instrument as such will. That said W. H. Wilson, and John Ellard, be subpoenaed to be and appear on said day 17th of August 1863, in and before this court, to testify and give evidence as aforesaid concerning all and every facts touching the question of the validity of said instrument as such will. That said W. H. Wilson be notified of this proceeding and of the day above set for hearing the matter by Ex parte which is to be served on him

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James Wilson dec'd as to Probate of his Will

James Wilson dec'd Estate } July 8th 1863

In the matter of the notarial writing of said deceased. This day came W. H. Wilson, and filed in the office of the Judge of Probate, and offered for probate, a writing purporting to be the last will and testament of said James Wilson deceased, and praying for such orders, decrees and proceedings as may be proper and requisite for the due probate and record of said will. In this court, which said instrument appears to be attested by W. H. Wilson & John Ellard, of this County and they are desired to and signed the same as subscribing witnesses thereto and it appearing to the court from said petition that said petitioner is the widow of said deceased, that said deceased left as children him surviving, Mary Thomas, Harriet, James, William H. and Robert T. Wilson, who are under the age of fourteen years and now in the care and custody of the said petitioner. It is therefore ordered by the court, that the 17th day of August 1863 be set as a day for hearing testimony in proof of said instrument as such will. That said W. H. Wilson, and John Ellard, be subpoenaed to be and appear on said day 17th of August 1863, in and before this court, to testify and give evidence as aforesaid concerning all, and every facts touching the question of the validity of said instrument as such will. That said W. H. Wilson be notified of this proceeding and of the day above set for hearing the matter by Ex parte which is to be served on him

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State of Alabama } Probate Court
Jefferson County } January Term 1863

In the matter of the notarial writing of James Wilson deceased

This day came W. H. Wilson, and filed in the office of the Judge of Probate, and offered for probate, a writing purporting to be the last will and testament of said James Wilson deceased, and praying for such orders, decrees and proceedings as may be proper and requisite for the due probate and record of said will. In this court, which said instrument appears to be attested by W. H. Wilson & John Ellard, of this County and they are desired to and signed the same as subscribing witnesses thereto and it appearing to the court from said petition that said petitioner is the widow of said deceased, that said deceased left as children him surviving, Mary Thomas, Harriet, James, William H. and Robert T. Wilson, who are under the age of fourteen years and now in the care and custody of the said petitioner. It is therefore ordered by the court, that the 17th day of August 1863 be set as a day for hearing testimony in proof of said instrument as such will. That said W. H. Wilson, and John Ellard, be subpoenaed to be and appear on said day 17th of August 1863, in and before this court, to testify and give evidence as aforesaid concerning all, and every facts touching the question of the validity of said instrument as such will. That said W. H. Wilson be notified of this proceeding and of the day above set for hearing the matter by Ex parte which is to be served on him

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State of Alabama } Probate Court
Jefferson County } January Term 1863

In the matter of the notarial writing of James Wilson deceased

This day came W. H. Wilson, and filed in the office of the Judge of Probate, and offered for probate, a writing purporting to be the last will and testament of said James Wilson deceased, and praying for such orders, decrees and proceedings as may be proper and requisite for the due probate and record of said will. In this court, which said instrument appears to be attested by W. H. Wilson & John Ellard, of this County and they are desired to and signed the same as subscribing witnesses thereto and it appearing to the court from said petition that said petitioner is the widow of said deceased, that said deceased left as children him surviving, Mary Thomas, Harriet, James, William H. and Robert T. Wilson, who are under the age of fourteen years and now in the care and custody of the said petitioner. It is therefore ordered by the court, that the 17th day of August 1863 be set as a day for hearing testimony in proof of said instrument as such will. That said W. H. Wilson, and John Ellard, be subpoenaed to be and appear on said day 17th of August 1863, in and before this court, to testify and give evidence as aforesaid concerning all, and every facts touching the question of the validity of said instrument as such will. That said W. H. Wilson be notified of this proceeding and of the day above set for hearing the matter by Ex parte which is to be served on him

this you shall in no wise omit, under the penalty prescribed by law. Herein fail not and have you then at the office of the Judge of said Court this writ. Witness W. L. Wilson Judge of said Court at office this July 8th 1863

W. L. Wilson Judge

Sheriff's Return Executed by summoning the within [illegible] July [illegible] 1863

[illegible] Sheriff

State of Alabama } Probate Court of said County
Jefferson County } To any Sheriff of the State of Alabama, Greeting,
You are hereby commanded to summon [illegible] Wilson to appear in [illegible] before the probate Court to be held for Jefferson County at the Court House in the Town of Elyton on the [illegible] day of August 1863 to [illegible] certain matters now pending [illegible] whereas [illegible] Wilson has filed for Probate and [illegible] an instrument of writing purporting to be the last will and testament of James Wilson late of said County deceased, and this you shall in no wise omit under the penalty prescribed by law, herein fail not and have you then this notice at the office of the Judge of our said Court. Witness W. L. Wilson Judge of said Court at office in Elyton this 8th July 1863

W. L. Wilson Judge

I acknowledge service of the within [illegible]
July [illegible] 1863

W. L. Wilson

Notice to Parties

State of Alabama } In the Probate Court of said County
Jefferson County } To any Sheriff of the State of Alabama, Greeting,
Whereas [illegible] Wilson has this day filed her petition in writing and under oath, therewith producing and propounding for probate and record an instrument of writing purporting to be the last will and testament of James Wilson late of said County deceased, and it appearing that [illegible] Wilson is the widow of said dec'd, and that his children as follows are the next of kin of said James Wilson deceased, you are therefore hereby commanded to notify [illegible] Wilson, and Thomas A., Harriett, James, William H. and Robert E. Wilson that the 17th day of August 1863 has been appointed a day to hear said application and the proof which may be submitted in support of said instrument as such Will, and this you shall in no wise omit under the penalty prescribed by law, herein fail not.
Witness W. L. Wilson Judge of the said Probate Court at office July 8th 1863

W. L. Wilson Judge

Sheriff's Return Executed on [illegible] Wilson and all the within named Children July 22d 1863 A. Killough Sheff.

Appointment of Guardian ad litem

James Wilson dec'd } Aug 17th 1863
In the matter of his Will } And it being this day fully proved to the Court that publication has been made, and notices served on the

widow and next of kin of said deceased, as required by an order [illegible] the former order of this Court, [illegible] said Court [illegible] day of July [illegible] any of said minors nor any [illegible] any of them [illegible] to the Court [illegible] proper [illegible] by the Court that W. Earnest [illegible] appointed guardian ad litem in this proceeding for Thomas A., Harriett, James, William H. and Robert E. Wilson the [illegible] by the Court a fit and proper person to attend to and protect the interests of [illegible] It is further ordered that said Earnest have notice of his appointment and of the day set for hearing said application and the testimony and proof as to the [illegible] of said Will, that he may attend and be prepared to defend the same on behalf of said minors on said hearing.

Acceptance of Guardian ad litem

[illegible] W. Earnest [illegible] ad litem [illegible] the [illegible] Aug [illegible] 1863 [illegible] Earnest

James Wilson dec'd } Aug 17th 1863
In the matter of the Probate } This day having been [illegible]
of his last Will and Testament } application of [illegible] Wilson [illegible] the Court, in the [illegible] an instrument of writing purporting to be the last will and testament of said deceased, and [illegible] duly appointed by the order of this Court [illegible] to act as guardian ad litem for Thomas A., Harriett, James, William H. and Robert E. Wilson [illegible] and children of said deceased, [illegible] of said application, and [illegible] pursuance of law [illegible] accordance with the provisions of [illegible] and entered on the minutes [illegible] day of July [illegible] the widow and next of kin [illegible] process to hear said application [illegible] appearing [illegible] the testimony of John Ellard that he [illegible] instrument of writing purporting to be the last will and testament of said decedent, [illegible] shown to him, on the day of the date thereof, in the presence of said testator [illegible] the other subscribing witness and at the request of said decedent as subscribing witness to the same, the said testator then declaring that said instrument [illegible] his last will, and it being also shown by proof which is satisfactory to the Court, that said testator was of the full age of twenty one years and upwards at the time of making his said will [illegible] adjudged and decreed by the Court, that said Will of said James Wilson deceased, be received, and the same is hereby declared to be duly proved as the last will and testament of said deceased, and as such admitted to probate and ordered to be recorded, together with the proof thereof, and all other papers on file relating to this proceeding. It is further ordered that said applicant pay the cost of this proceeding.

Will & Decree of James Wilson

The State of Alabama } I James Wilson [illegible] in the [illegible] City [illegible] a Citizen
Dallas County } of Jefferson County Alabama, being of sound mind and mindful of the uncertainty of life having but little property which little I [illegible] to be left together for the benefit of my family do make publish and declare this my last will and testament,

Item 1st I appoint my wife [illegible] R Wilson executrix of this my last will and testament,

Item 2nd I will and bequeath to my wife [illegible] Wilson all my property of every kind and description with [illegible] to hold during her life [illegible] full control and ownership selling what she may desire to sell and buying what she may desire [illegible] which is [illegible] [illegible]

Item 3rd [illegible] my property to be [illegible] [illegible] to the [illegible] of [illegible] in the State of Alabama, [illegible] this 8th day of February 1863

James Wilson [Seal]

Signed sealed published and declared as and for his last will and testament by the testator the above named James Wilson in the presence of us who have [illegible] our names as witnesses in the presence [illegible] at the request of the testator and in the presence of each other

W L Wilson [Seal]
John Ellard [Seal]

State of Alabama } Probate Court of Said County
Jefferson County } In the matter of the Probate of the last will and testament of James Wilson deceased.

Before me W L Wilson Judge of said Court personally appeared John Ellard who having been by me first respectfully duly sworn & examined doth depose & say on oath, That he was a subscribing witness to the instrument of writing now shown to him & which purports to be the last will & testament of James Wilson deceased late an inhabitant of this County, that said James Wilson since deceased signed & executed said instrument on the day the same bears date, and declared the same to be his last will and testament and that affiant set his signature thereto on the day the same bears date as a subscribing witness to the same in the presence of said testator, that said testator was of sound mind & disposing memory and in the opinion of deponent fully capable of making his will at the time the same was so made as aforesaid, Affiant further states that said testator was at the day of the said date of said Will of the full age of twenty one years & upwards

John Ellard

Subscribed and sworn to before me }
this 17th August 1863 W L Wilson }
Judge of Probate }

State of Alabama }
Jefferson County } I W L Wilson Judge of the Court of Probate [illegible] [illegible] certify that the within [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] the last will and testament of James Wilson [illegible] [illegible] said proof thereof have been recorded in my office in Book [illegible] of Wills [illegible] Pages [illegible] [illegible] [illegible] [illegible] Said Court [illegible] Aug 17th 1863

W L Wilson Judge of Probate

Charles J Jordan decd As to the Probate of his will &c

Charles J Jordan decd Estate }   Oct 2nd 1863
In the matter of the Probate of his will } [illegible] day came [illegible] [illegible] [illegible] [illegible] petition in writing and under oath, [illegible] producing and [illegible] [illegible] instrument of writing purporting to be the last Will and testament of said Charles J Jordan, decd, and praying for such orders decrees and proceedings as may be necessary and requisite for the due probate and record of said will [illegible] this Court, [illegible] said instrument appears to be attested by [illegible] [illegible] Huffman and [illegible] of this County, [illegible] who are alleged to have signed the same as subscribing witnesses thereto, and it appearing to the Court [illegible] said petition that said petitioner is the Father in law of said deceased, [illegible] [illegible] W Jordan who resides in this County is the widow of said decedent, that said decedent left him surviving one child [illegible] Margaret C W Jordan who is under the age of fourteen years and now in the care and custody of her Mother, Margaret W Jordan, It is therefore ordered by the Court that the 7th day of November 1863 be set as a day on hearing testimony in proof of said instrument as such will, that the said [illegible] Huffman and [illegible] [illegible] be summoned to be and appear on said 7th day of November 1863 in and before this Court, to testify and give evidence of and concerning all [illegible] facts touching the question of the validity of said instrument as such Will, that said Margaret W Jordan widow of said decedent have notice of the time above set as a day for hearing the matter, and that said Margaret C W Jordan Minor have notice of this proceeding and the day above set for hearing the matter, by citation to be served on her said mother for her at least ten days before said 7th day of November 1863 that the appointment of a suitable person to act as guardian ad litem be postponed until said citation be served on said Minor, agreeable to the foregoing terms of this present order, for persons to be nominated to the Court as a proper person to act as guardian ad litem for her in this proceeding,

Petition

The State of Alabama } To the Honl W L Wilson Judge of Probate,
Jefferson County } Your Petitioner Isaac W Sadler would respectfully

Continuance

State of Alby } Dec 30th 1864
County }

This being the day set to hear the application of James M. Story for the due probate and record of the will of Isaac deceased and the alleged witnesses not appearing the same was continued to Jany 18th 1865.

State of Tennessee Probate Court said county
Jefferson County to the Clerk said county, greeting
Whereas James W. Story has this day filed for Probate and Record
an instrument writing purporting to be the last will and

Thomas W. Earle decd. Will &c.

Thomas W Earle decd. Estate of } July [illegible] 1863
In the matter of Probate of his Will } This day came Lucinda W. Earle, and filed her petition in writing and under oath, therewith producing and filing in this Court an instrument of writing purporting to be the last will and testament of said Thomas W. Earle deceased, and praying for such orders, decrees and proceedings as may be proper and requisite for the due probate and record of said will in this Court, which said instrument appears to be attested by George W. Ayres and [illegible] Langford of this County, and who are alleged to have signed the same as subscribing witnesses thereto, and it appearing to the Court from said petition that said Lucinda is the widow of said deceased, that said decedent left besides said widow brothers and sisters as follows, to wit: Florence Mudd [illegible] Ala. aged about fifty years, W. Earle [illegible] Ala. aged about thirty eight years, Samuel Earle Smith County Texas aged about [illegible] years, Sarah [illegible] Jefferson County Ala. aged about thirty four years, Joseph Earle Jefferson County Ala. aged about thirty years, Harriett Perkins of Tuscaloosa County Ala. aged about 28 years, Paul Earle resident of Jefferson County Ala. now a soldier in the [illegible] Army in the State of Tennessee, aged about twenty [illegible] years, and James Earle of Jefferson County Ala. aged about 26 years who is of unsound mind, [illegible]. It is therefore ordered by the Court that the third day of August 1863 be set as a day for hearing testimony in proof of said instrument as such will, that subpoenas be issued to bring in the [illegible] [illegible] Chamblee John Haney W. J. Burnell and [illegible] Haney & J. C. Wright, to [illegible] the hand writing of said Thomas W. Earle decd. and the witnesses to said will, who are G. W. Ayres & [illegible] Langford now out of the State in the Army of the Confederate States. That the said widow L. W. Earle, Florence Mudd, W. Earle, Sarah [illegible] Joseph Earle Harriett Perkins and Paul Earle, James Earle, who is of unsound mind and whose custodian is [illegible] Earle, be notified of this proceeding and the day above set for hearing
the matter, by citations to be served on them at least ten days before the said 3rd day of August, that said Paul & Samuel Earle be notified and [illegible] [illegible] a party to this proceeding by publication continued for three successive weeks, in the Selma Reporter a newspaper published in Dallas County Ala. that the appointment of a suitable person to act as Guardian ad litem for said James Earle who is of unsound mind, be postponed until said citation be served on said James Earle agreeable to the foregoing terms of these presents, [illegible] for such length of time as shall be deemed and adjudged by the Court to be reasonable and sufficient for the friends and custodian of said James Earle, to come in and nominate to the Court a suitable person to act as such Guardian ad litem,

Petition for Probate of Will

State of Alabama }
Jefferson County } To the Honorable W. [illegible] Judge of the Court of Probate of
said County. Your Petitioner would respectfully represent unto your Honor that the late Thomas W. Earle (who was an inhabitant of this County at the time of his death) departed this life on the [illegible] day of May A.D. 1863 in the State of [illegible]

[illegible] in the Army of the Confederate States of America, leaving a last will and testament duly signed and published by him, and attested by G. W. Ayres & [illegible] Langford, residents of this County [illegible] now [illegible] in the Army of the Confederate States, [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] which will is herewith produced [illegible] [illegible] in this Court. Your Petitioner further states that she is the widow of said decedent and is a resident of this County, and that the next of kin of said decedent Thomas W. Earle are his brothers and sisters as follows, to wit: Florence Mudd [illegible] Ala. aged about 50 years, W. Earle [illegible] Ala. aged about 38 years, Samuel Earle Smith County Texas aged about [illegible] [illegible] Sarah [illegible] Jefferson County Ala. aged about [illegible] years, Joseph Earle Jefferson County Ala. aged about [illegible] years, Harriett Perkins of Tuscaloosa County [illegible] about 28 years, Paul Earle residence [illegible] [illegible] now in the Army of the Confederate States [illegible] [illegible] aged about 22 years, James Earle Jefferson County aged about 26 years who is of unsound mind. In consideration of all which your Petitioner prays that a day be set for the hearing of this petition, that subpoenas be issued to bring in [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] to testify to the hand writing of said decedent and subscribing witnesses, as to testify or such [illegible] [illegible] [illegible] [illegible] [illegible] next of kin of said decedent and that such other proceedings [illegible] [illegible] [illegible] [illegible] the premises as may be requisite and proper to [illegible] the due probate and record of said will according to law. And as in duty bound.

Sworn to and subscribed before me
July [illegible] 1863 W. Wilson Judge of Probate } Lucinda W. Earle

[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] according to law
[illegible] [illegible] [illegible] [illegible]

[illegible] [illegible]

State of Alabama } Probate Court of said County
Jefferson County } To any Sheriff of the State of Alabama, Greeting
Whereas L. W. Earle has this day filed her petition in writing and under oath therewith producing and filing in this Court an instrument of writing purporting to be the last will and testament of Thomas W. Earle, late of said County deceased, and praying for such orders, decrees and proceedings as may be proper and requisite for the due probate [illegible] [illegible] [illegible] [illegible] that Paul Earle is one of the next of kin of said decd. You are therefore hereby commanded to notify said Paul Earle that the 3rd day of August 1863 has been appointed a day to hear the said application for the probate of said instrument as such will. Herein fail not and have you then & there this notice and how you have executed the same. Given under my hand this July [illegible] 1863

W. Wilson Judge of Probate

Sheffs Return Not found in my County July [illegible] 1863 [illegible] Sheff

State of Alabama } Probate Court of said County
Jefferson County } To any Sheriff of the State of Alabama, Greeting
Whereas L. W. Earle has this day filed her petition in writing and under oath therewith producing and filing in this Court an instrument of writing purporting to be the last will and testament of Thomas W. Earle late of said County deceased, and praying for such orders decrees and proceedings as may be proper and requisite for the due probate and record of the

State of Alabama } Probate Court of said County
Dallas County } To the Sheriff of the State of Alabama Greeting

You are hereby commanded to summon J. T. Rodgers to appear in said Probate Court to be holden in and for said County on the 3rd day of August inst at the Court House in the Town of Elyton to give evidence touching the matter now pending in said Court wherein M. L. Earle applies for Letters Testamentary on the last will and testament of Thomas H. Earle late of said County deceased and this you shall in no wise omit under the penalty prescribed by law. Herein fail not and have you then and there this writ with the doings thereon.

Witness Wm. L. Wilson Judge of Probate at office this 29th day of July 1863.

Wm. L. Wilson Judge.

State of Alabama } Probate Court of said County
Dallas County } To any lawful Constable of the State of Alabama Greeting

You are hereby commanded to summon J. T. Rodgers to appear in said Probate Court to be holden in and for said County on the 3rd day of August inst to give evidence touching the matter now pending in said Court wherein M. L. Earle applies for Letters Testamentary on the last will and testament of Thomas H. Earle late of said County deceased and this you shall in no wise omit under the penalty prescribed by law. Herein fail not and have you then and there this writ with the doings thereon.

Witness Wm. L. Wilson Judge of Probate at office this 29th day of July 1863.

Wm. L. Wilson Judge.

State of Alabama } Probate Court of said County
Dallas County } To any lawful Constable of the State of Alabama Greeting

You are hereby commanded to summon J. T. Rodgers to appear in said Probate Court to be holden in and for said County on the 3rd day of August inst at the Court House in the Town of Elyton to give evidence touching the matter now pending in said Court wherein M. L. Earle applies for Letters Testamentary on the last will and testament of Thomas H. Earle late of said County deceased and this you shall in no wise omit under the penalty prescribed by law. Herein fail not and have you then and there this writ with the doings thereon.

Witness Wm. L. Wilson Judge of said Court at office in Elyton July 29th 1863.

Wm. L. Wilson Judge.

State of Alabama } Probate Court of said County
Dallas County } To any lawful Constable of the State of Alabama Greeting

You are hereby commanded to summon J. T. Rodgers to appear in said Probate Court to be holden in and for said County on the 3rd day of August inst at the Court House in the Town of Elyton to give evidence touching the matter now pending in said Court wherein M. L. Earle applies for Letters Testamentary on the last will and testament of Thomas H. Earle late of said County deceased and this you shall in no wise omit under the penalty prescribed by law. Herein fail not and have you then and there this writ with the doings thereon.

Witness Wm. L. Wilson Judge of said Court at office in Elyton July 29th 1863.

Wm. L. Wilson Judge.

State of Alabama } Probate Court of said County
Dallas County } To any lawful Constable of the State of Alabama Greeting

You are hereby commanded to summon J. T. Rodgers to appear in said Probate Court to be holden in and for said County on the 3rd day of August inst at the Court House in the Town of Elyton to give evidence touching the matter now pending in said Court wherein M. L. Earle applies for Letters Testamentary on the last will and testament of Thomas H. Earle late of said County deceased and this you shall in no wise omit under the penalty prescribed by law. Herein fail not and have you then and there this writ with the doings thereon.

Witness Wm. L. Wilson Judge of said Court at office in Elyton July 29th 1863.

Wm. L. Wilson Judge.

State of Alabama } Probate Court of said County
Dallas County } To any lawful Constable of the State of Alabama Greeting

You are hereby commanded to summon J. T. Rodgers to appear in said Probate Court to be holden in and for said County on the 3rd day of August inst at the Court House in the Town of Elyton to give evidence touching the matter now pending in said Court wherein M. L. Earle applies for Letters Testamentary on the last will and testament of Thomas H. Earle late of said County deceased and this you shall in no wise omit under the penalty prescribed by law. Herein fail not and have you then and there this writ with the doings thereon.

Witness Wm. L. Wilson Judge of said Court at office in Elyton July 29th 1863.

Wm. L. Wilson Judge.

State of Alabama } Probate Court of said County
Dallas County } To any lawful Constable of the State of Alabama Greeting

You are hereby commanded to summon J. T. Rodgers to appear in said Probate Court to be holden in and for said County on the 3rd day of August inst at the Court House in the Town of Elyton to give evidence touching the matter now pending in said Court wherein M. L. Earle applies for Letters Testamentary on the last will and testament of Thomas H. Earle late of said County deceased and this you shall in no wise omit under the penalty prescribed by law. Herein fail not and have you then and there this writ with the doings thereon.

Witness Wm. L. Wilson Judge of said Court at office in Elyton July 29th 1863.

Wm. L. Wilson Judge.

Will Recorded

Will of Thomas M Earle

Know all men by these presents, that I Thomas M Earle of Shelby County in the State of Alabama being in good health and of sound mind and memory and being entitled to make my last Will & Testament do make and publish this my last will and testament hereby revoking all former wills by me at any time heretofore made.

1st My will is that all my just debts shall by my Executor hereinafter named be paid out of my estate as soon after my decease as the same shall be ascertained.

I give and bequeath to my dear and affectionate wife Lucinda M Earle all of my property both real and personal and do constitute and appoint my said wife Lucinda M Earle Executrix of this my last and only Will and Testament. And after the proving of my

Will by the said Executrix hereinafter
my property real & personal

Thomas J Wright deceased concerning his Will

Thomas J Wright dec'd. } August 1st 1865

In the Matter of the Estate of his late } This day came J. B. Earle and filed his
in writing and under oath, therewith presenting and proving in this Court,
an instrument of writing purporting the last Will and Testament of Thomas
J Wright deceased, and praying for such orders decrees and proceedings as
may be proper and requisite, for the due probate and record of the said
Will and testament, upon due notice to be executed by Nathaniel Hawkins
and Alberto Martin one of the Justices of the Peace of this County, and whereof
one Alberto Martin, of this County, and whereof are alleged to have signed
the same as a witness, & witnesses thereto. And it appearing to the Court from
said petition and affidavit filed in the cause, that Harriett Williams wife of
Thomas Williams, and Martha Wilcox wife of Samuel Wilcox
are residents in this County, and that said Thomas Williams
wife of William Wilcox and James Wilcox all of whom are children & heirs
at law of James Wilcox deceased, whose last residence was in this County, and
who was the Brother of said testator, and it appearing to the satisfaction
of the Court, that the notice of this application and the time appointed
for hearing the same, has been given in pursuance of law, and in strict
accordance with the former order of this Court, made and entered in
the premises on the 31st day of August inst. by advertisement for three weeks
in the Court records and proof by Affidavits for record of the publication
as directed by former order, now on Motion of J. B. Earle the Counsel
for the said application. And it appearing to the Court from
the testimony of Nathaniel Hawkins and Alberto Martin that
they respectively signed the said instrument of writing purporting to be
the last will and testament and codicil thereto of the said deceased,
and which writing is now shown to them in Court, and
in the presence of said testator, and at his request, and they believing at
the same time the said testator then believing and declaring the instrument
executed to be his last will and testament, and it being also shown by proof
upon oath to the Judge of this Court, that said testator was of the age of
twenty one years and upwards, at the time of making said will and that
he was of sound mind and fully capable of making his said will, and
codicil. It seems to the Court that said application should be granted,
It is therefore ordered, adjudged and decreed by the Court, that said
will and codicil of said Thomas J Wright dec'd, be received and the
same is hereby declared to be duly proven as the last will and testa-
ment of said deceased, and said will and codicil admitted to probate and record
and ordered to be recorded together with the proof thereof and
all other proceedings on file relating to this proceeding.
It is further ordered that said applicant pay the costs of this proceeding

appointed Guardian ad litem in the proceedings to prosecute and defend the
interests of Thomas Jefferson Harriett Williams and James Wilcox and all
minor children of James Wilcox deceased, whose last residence was in this
County, and that the Clerk issue Writs of Summons to the Sheriff of
the Counties in every respect as per said application to attend the hearing of
said petition and the issue & Writ thereof being ordered to be issued
upon the same.

Thomas J Wright dec'd. } August 3rd 1865

In the matter of the Estate } This day having been regularly appointing
of the last will and testament } by the application of J. B. Earle counsel for the petitioner
Thomas J Wright deceased } and proof of the instrument of writing purporting to be the last will and testament and
codicil thereto of said deceased, now comes the said applicant and the sheriff
G W Hewitt, who was heretofore duly appointed Guardian ad litem for the minor
children of the said deceased, whose names are Thomas Jefferson Harriett
Wilcox William Wilcox and James Wilcox all of whom are children & heirs
at law of James Wilcox deceased, who was said Brother to said testator, and it appearing to the satisfaction
of the Court, that the notice of this application and the time appointed
for hearing the same, has been given in pursuance of law, and in strict
accordance with the former order of this Court, made and entered in
the premises on the 31st day of August inst. by advertisement for three weeks
in the Court records and proof by Affidavits for record of the publication
as directed by former order, now on Motion of J. B. Earle the Counsel
for the said application. And it appearing to the Court from
the testimony of Nathaniel Hawkins and Alberto Martin that
they respectively signed the said instrument of writing purporting to be
the last will and testament and codicil thereto of the said deceased,
and which writing is now shown to them in Court, and
in the presence of said testator, and at his request, and they believing at
the same time the said testator then believing and declaring the instrument
executed to be his last will and testament and codicil thereto, upon proof
upon oath to the Judge of this Court, that said testator was of the age of
twenty one years and upwards, at the time of making said will and that
he was of sound mind and fully capable of making his said will, and
codicil. It seems to the Court that said application should be granted,
It is therefore ordered, adjudged and decreed by the Court, that said
will and codicil of said Thomas J Wright dec'd, be received and the
same is hereby declared to be duly proven as the last will and testa-
ment of said deceased, and said will and codicil admitted to probate and record
and ordered to be recorded together with the proof thereof and
all other proceedings on file relating to this proceeding.
It is further ordered that said applicant pay the costs of this proceeding

[illegible] the issues and [illegible] by the [illegible] may [illegible]
on Record, or may be done by the [illegible]

Thomas J Wright decd
Substitution of Testament
a copy of will &c

May 29th 1865

This day came J B Earle and filed his petition in writing and under oath, herewith presenting and filing in this Court, an instrument of writing purporting to be a copy of the will of Thomas J Wright deceased, heretofore probated in this court but destroyed by the Federal army [illegible] [illegible] the [illegible] of the [illegible] [illegible] praying that a day may be appointed for hearing testimony as to the correctness of said copy, which said instrument appears to be attested by Alberto Martin and Nathaniel Hawkins [illegible] [illegible] [illegible] [illegible] the same, as subscribing witnesses thereto, and it appearing that the petitioner [illegible] [illegible] [illegible] of said will, and that Harriet Earle [illegible] [illegible] [illegible] [illegible] of said deceased [illegible] residents of this County. It is therefore ordered by the Court that Monday the [illegible] day of June [illegible] be set [illegible] for hearing testimony as to said instrument [illegible] of said will, that Alberto Martin & Nathaniel Hawkins be summoned to be and appear on said 5th day of June 1865 to testify and give evidence concerning all and any facts touching the question of the correctness of the copy of said will, that said Harriet Earle have personal notice served [illegible] of the [illegible] of said hearing and day appointed for hearing said [illegible] [illegible]. It is further ordered that said petition be recorded.

Petition

The State of Alabama } To the Honorable W S Wilson Judge of Probate of
Jefferson County } said County. The petition of J B Earle respectfully sheweth unto your Honor. that heretofore, to wit on the 31st day of May 1866. The will of Thomas J Wright late of said County deceased was admitted to probate in this Honorable Court, of which will petitioner was duly qualified as Executor & promptly entered upon the discharge of his duties. & continued to discharge the same until on or about the 1st of April 1865 when said will was destroyed by the federal Army, under the command of General Wilson with other papers then on file in your office.
Petitioner alleges further that said will previous to its destruction had not been recorded & respectfully submits that it was necessary to substitute in lieu of the same a copy thereof, in substance and as near as may be in the language of the original,
therefore petitioner files herewith a paper writing Marked "A" which he verily believes & alleges to be a copy in substance of said original Will, and prays your Honor that a day may be set for the hearing of this application and that Harriett H Earle who is except petitioner the only legatee under said will may be notified to attend & contest said application if she sees fit to do so & that Alberto Martin & Dr Nathaniel Hawkins be summoned as witnesses in behalf of this application And petitioner further prays that if on the hearing of this application it appears to the Court, that the paper herein submitted, is a copy in substance of the said original will that the same may be received and admitted to record as the last will

and testament of the said Thomas J Wright. And as in duty bound petitioner will ever pray. J B Earle
Sworn to & subscribed before me this 29th
day of May 1865 W S Wilson Judge of Probate

Subpoena

State of Alabama } Probate Court of said County
Jefferson County } To any Sheriff of the State of Alabama Greeting
You are hereby commanded to summon Nathaniel Hawkins to appear in and before the Probate Court, to be held for said County at the Court House in the Town of Elyton on the 6th day of June 1865. to give evidence in a certain matter now pending in said Court. Wherein J B Earle has filed a copy of the last will and testament of T J Wright deceased in lieu of the original heretofore Probated and since destroyed by the Federal Army, Herein fail not and have you then and there this writ, at the office of the Judge of said Court.
W S Wilson Judge of Probate

I acknowledge service of the within May 29th 1865 Nathaniel Hawkins.

State of Alabama } Probate Court of said County
Jefferson County } To any Sheriff of the State of Alabama Greeting
Whereas J B Earle has this day filed his petition in writing & under oath therewith presenting [illegible] copy of the last will and testament of T J Wright decd you are therefore hereby commanded to notify Harriet Earle that the 6th day of June 1865 has been appointed [illegible] to hear evidence as to said copy of said Will, at which time she may appear and contest the same if she thinks proper. Given under my hand at office May 29th 1865
W S Wilson Judge of Probate
I acknowledge service of the within & waive all legal objections May 29th 1865
Harriett Earle

Order on hearing Petition

Thomas J Wright deceased
In the Matter of Substituting a copy of his last will and Testament } June 5th 1865
This day having been regularly set to hear the petition of J B Earle Executor of the last will and testament and codicil of said decedent, which was heretofore filed in this Court, for the substitution of a copy of the last will and testament of said decedent, which will was destroyed by the Federal Army of the United States before the same was put to record in the Month of April 1865. Now comes the said J B Earle there being no minor legatees or heirs interested and moves the Court that his said application be granted. And appearing that notice of the said application and of the time set for hearing [illegible] given to Harriett Earle wife of Samuel L Earle, the only heir [illegible] [illegible] in said will, in strict accordance with the former order of this court, and pursuant to law, [illegible] [illegible] [illegible] [illegible] [illegible] on the 29th day of May 1865 by the citation personally served on her said [illegible] order, The Court proceeds to hear the said Application.

Copy of Will &c

A

I Thomas J Wright do make publish and declare this to be my last Will & Testament
after the payment of my just debts I give devise and bequeath to my Sister Harriet
A Earle wife of Solomon Earle all my property real and personal to have & to hold to her & her heirs forever. Provided that should the said Harriet
A Earle die without issue then it is my will that all of my said property be equally
divided between the children of the said Harriet A Earle

And I do nominate constitute & appoint the said Earle my executor & executor of this
my last will and testament.

In testimony whereof I have hereunto set my hand and seal this day
of March 1865. Signed T J Wright

Attest A Hawkins

Signed sealed published and declared as & for his last will and testament. by the said Testator in the presence of us who have hereunto set our
names as witnesses in the presence presence of each other at the request of said
testator. T J Wright

Albert Master
A Hawkins

Codicil

I Thomas J Wright do make publish and declare this to be a codicil
and Codicil to my foregoing last will and testament
I give and devise to my Nephew Joseph A Earle all of my interest in
the Brick Storehouse and Lot in the Town of Elyton heretofore occupied
by him and myself, except twenty feet east of the East line of the
Shop heretofore occupied by Thomas M Earle & Jo Earle and of the
width of said offices to build a chimney upon to have and to hold
the same to him and his heirs forever. In testimony whereof I have hereunto set my hand and seal, this day of April 1865. Signed T J Wright.

State of Alabama }
Jefferson County }

Before me

Clerk of the Probate Court

Copy of Will & Codicil

I Thomas J Wright do make publish & ordain this to be my last Will & Testament
After the payment of my just debts I devise & bequeath to my sister Harriet
H Earle Lewis & Samuel S Earle all my property real & personal to
have & to hold to her & their heirs forever. Provided that should the said Harriet
H Earle die before I do then it is my will that all of my said property be equally
divided between the children of the said Harriet H Earle.
I do hereby constitute & appoint the Earle my nephew Executor of
my last will & testament.
In testimony whereof I have hereunto set my hand & seal this day
of March 1864. Signed T J Wright

Attest. A Hawkins

Signed sealed published & declared as & for his last will & testament. By the said Testator in the presence of us who have hereunto set our names as witnesses in the presence presence of & at the request of said Testator. T J Wright.

Alberto Martin
A Hawkins

Codicil

I Thomas J Wright do make publish & declare this to be a supplement & Codicil to my foregoing last will & testament
I give & devise to my Nephew Joseph H Earle all of my interest in the Brick Storehouse & Lot in the Town of Elyton heretofore occupied by him & myself, except twenty feet east of the Law office & Store heretofore occupied by Thomas H Earle & J H Earle & of the width of said offices to build a chimney upon to have & to hold the same to him & his heirs forever. In testimony whereof I have hereunto set my hand & seal this day of April 1864. Signed T J Wright.

Signed sealed published & declared as & for a codicil to the last will & testament of T J Wright in the presence of us who have hereunto set our names as witnesses in the presence & at the request of the said Testator

Alberto Martin
A Hawkins

State of Alabama } In Probate Court
Jefferson County } In the Matter of the Probating & Registering of the foregoing instrument which has been left with the Register of Probate & Thomas J Wright deceased.

Personally appeared in open Court before me Alberto Martin & A Hawkins a subscribing witness whose name is subscribed to the foregoing instrument of writing & who being first duly sworn deposes & says that Thomas J Wright was at the time of executing the same of sound mind & memory & was not under any restraint to the best of this deponents knowledge & belief & that deponent saw the said Thomas J Wright sign the said instrument & heard him publish & declare the same to be his last will & testament & that deponent & the other subscribing witness signed the same as witnesses in the presence & at the request of the said Thomas J Wright & that deponent believes the said Thomas J Wright to be of sound mind & memory at the time of executing the same.

Alberto Martin
A Hawkins

Sworn to & subscribed before me this 5th day June 1865
W D Jones Judge

State of Alabama } I Wm Jones Judge of Probate in & for said
Jefferson County } County and State aforesaid do hereby certify that the within instrument of writing was this day duly presented in open Court & upon the oath of A Hawkins a subscribing witness thereto was duly proved to be the genuine act & deed of the testator therein named & ordered to be recorded. Given under my hand this 5th day June 1865

Wm Jones
Judge of Probate

Hosea Kelly deceased Estate of } September 20th 1813
Proof of his will }

This day came Bayless & Brown & G & Walker and filed their petition in writing and on the 10th instant presenting and giving in this Court an instrument in writing purporting to be the last will and testament of said Hosea Kelly deceased and praying for such orders and directions and proceedings as may be proper and requisite for the probate and record of said will in this Court which instrument appears to be attested by Thomas Simpson Samuel Thompson and Gil Hartt of this County and who are alleged to have signed the same as subscribing witnesses thereto, and it appearing to the Court from said petition that said petitioners are the Executors named in said last will and testament that Miss Diza Kelly the widow in this County is the widow of said deceased that said deceased left no kin surviving but Hosea Kelly an infant over the age of fourteen years whose residence is unknown and it is therefore ordered by the Court that the 6th day of October 1813 be and the same is appointed for hearing testimony in proof of said instrument of writing as such will that Samuel Thompson Thomas Simpson and Gil Hartt be subpoenaed to be and appear on the 6th day of October 1813 in and before this Court to testify and give evidence touching and concerning all and any facts touching the question of the validity of said instrument as such will that said Miss Diza Kelly and Hosea Kelly be notified of this proceeding and of the day above set forth in hearing the matter by citation to be served upon the said Diza Kelly and that the said Hosea Kelly be notified and bound to appear as a party to this proceeding by posting up one of the same at the Court House door in the said County

The State of Alabama } To the Honorable John C Moore
Jefferson County } Judge of Probate for said County

The petition of Bayless & Brown and G & Walker respectfully represents unto your Honor that the late deceased Hosea Kelly who was an inhabitant of this County at the time of his death departed this life on the 23rd of September 1813 in this County having a last will and testament duly signed and published by him and attested by Thomas Simpson Esq Samuel Thompson and Gil Hartt all of whom reside in this County in which your petitioners are named as executors thereof as they verily believe which said will herewith produced to your Honor and propounded for Probate and recorded in this Court your petitioners further state that the widow decedent is Miss Diza Kelly who resides in this County and that the next of kin of said decedent is his son Hosea Kelly who is full age and whose residence is unknown to your petitioners. Your petitioners pray that day may be set for a hearing of the matter of this petition that subpoenas may be issued to bring all such witnesses to testify on such appointed day that due notice of this application may be given to the said widow and next of kin of said deceased and that such other proceedings and orders may be had and made in the premises as may be proper and requisite to effect the probate and record of said will according to law

Sworn to and subscribed
before me this 20th day of Sept 1813
John C Moore
Judge of Probate

Bayless & Brown
G & Walker

The State of Alabama } To any Sheriff of the State
Jefferson County }

You are hereby commanded to summon Miss Diza Kelly & Hosea Kelly to appear before the Probate Court of said County to be holden on Monday the 6th day of October next then and there to answer to an application filed in the Court by Bayless & Brown & G & Walker as the executors named in the last will and testament of Hosea Kelly deceased for the purpose of proving the same pursuant to the statute in such case made and provided and have you then and there this writ with your endorsement thereon

Given under my hand this 20th day of September A.D. 1813
John C Moore
Judge of Probate

Returned & acknowledge the legal service of the within summons and made all the payments as to law appertains 20th September 1813
Samuel Thompson

The State of Alabama } To any Sheriff of the State
Jefferson County }

You are hereby commanded to summon
Wm Powell to be and appear before the Court of Probate
of said County on the 11th day of Sept 1865 then and there to
testify and give evidence of and concerning all and any fact tend-
ing the validity of the will of Mrs Polly Powell dec'd
Herein fail not and have you then and there this writ with
your endorsement thereon Witness my hand this 28th day of Sept 65.

Geo W Morris
Judge of Probate

Returned Executed by reading the within summons and waiving
all objections to same Sept 28th 65

Wm Powell

Alias Writ of Attachment

The State of Alabama } To any Sheriff of the State
Jefferson County }

You are hereby commanded to summon
Gilt Howell to be and appear before the Court of Probate
of said County on the 11th day of Sept 1865 then and there to testify
and give evidence of and concerning all and any fact touching
the validity of the will of Mrs Polly Powell dec'd
Herein fail not and have you then and there this writ with your
endorsement thereon Witness my hand this 28th day of Sept. 1865

Returned executed by reading the within summons
and waiving all objections to same Sept 28th 65

G W Howell

Copy of Will

In the name of God amen.

I Mrs Polly Powell of the County of Jefferson and
State of Alabama being of sound mind and disposing
memory and reflecting the uncertainty of life and the certainty of death
and wishing to direct how my property should be disposed of after my
death do therefore make ordain and publish the following paper as my last
will and Testament. I first commit my spirit to God who gave it and
my body to the dust from whence it sprung And I wish my Executors hereinafter
appointed to inter it decently in the Upper grave yard. And as to such property
as it has pleased God to bless me with in this life I will and bequeath unto my wife Eliza Polly my home where I now live
with all my household and kitchen furniture all of my Crop and stock
Corn and fodder potatoes and provisions of all kinds in fee
2nd I give unto my niece Nelia A Wilcox I give and bequeath my gray mare
in fee And I desire and do direct my Executors hereinafter appointed to pay
all my just debts and the expenses of Administration and if my personal
property and effects be necessary to sell it or any part thereof for that

purpose I do hereby authorize my Executors to sell as much as may be necessary
for the purpose aforesaid And I do hereby give and devise unto my wife Eliza Polly
in fee all my Real Estate which I may die seized and possessed of and
wish my wife Eliza Polly to have all Rents and profits arising from my
estate until my children arrive at the age of twenty one years
I do hereby appoint my friend Wm Powell and my son in law Gilt Howell
Executors of this my last will and testament and I do hereby revoke all
former wills by me made and declare this to be my last will and testament
In witness whereof I have hereunto set my hand and seal this
twenty eighth day of September in the year of our Lord one thousand
eight hundred and sixty five

Mrs Polly Powell (Seal)

Signed sealed published and declared by the said Mrs Polly Powell as her last will and testament in the presence of us who at her request and in her presence have subscribed our names as witnesses thereto

Wm Powell
Gilt Howell

Alabama Jefferson County

I Geo W Morris Judge of Probate in and for said County do hereby certify that the foregoing is a true and correct copy of the last will and testament of Mrs Polly Powell dec'd as the same appears of record in my office

Given under my hand this 28th day of Sept 1865

Geo W Morris
Judge of Probate

Alabama Jefferson County

I Geo W Morris Judge of Probate in and for said County do hereby certify that the foregoing is a true and correct copy of the last will and testament of Mrs Polly Powell dec'd as the same appears of record in my office

Given under my hand this 28th day of Sept 1865

Geo W Morris
Judge of Probate

and in the presence of the subscribing witnesses who attested the same in [illegible] [illegible] and at my request this September 15th 1860 Moses Kelly

Signed sealed and published in the presence of the undersigned who attested the same in the presence of the testator and at his request

Samuel Thompson
Thomas Sanford
G. H. Hewitt

Recorded

State of Alabama }
Jefferson County } Probate Court of said County

In the matter of the Probate of the last will and testament of Moses Kelly deceased

[illegible] me John C. Moore Judge of the said Court personally appeared in open Court Samuel Thompson Thomas Sanford and G. H. Hewitt who having been by me first [illegible] duly sworn and examined [illegible] and [illegible] depose and say on oath that they are each subscribing witnesses to the instrument of writing [illegible] shown to them and which purports to be the last will and testament of Moses Kelly deceased late an inhabitant of this County that said Kelly [illegible] signed and executed said instrument on the day the same bears date and declared the same to be his last will and testament and that affiants set their signatures thereto on the day the same bears as subscribing witnesses to the same in the presence of said testator that [illegible] testator was of sound mind and disposing memory and in opinion of deponents fully capable of making his will at the time the same was so made as aforesaid. Affiants further state that said testator was on the day of the said date of said will of the full age of twenty one years and upward.

Subscribed and sworn to
this 16th day of Oct 1865
J. C. Moore Judge

Samuel Thompson
T. Sanford
G. H. Hewitt

Moses Kelly deceased }
In the matter of the Probate } October 16th 1865
of his last will and testament }

This day having been regularly appointed for hearing the application of [illegible] and [illegible] which was heretofore filed in this Court for the Probate of an instrument of writing purporting to be the last will and testament of said deceased now comes the said applicants and it appearing to the satisfaction of the Court that the notice of the said application and of the time appointed for the hearing of the same has been given in pursuance of law and in strict accordance with the former order of this Court made and entered in the premises on the day of 1865 by posting the same at the Court House Door and three other public places

in the County [illegible] [illegible] [illegible] in said County and [illegible] [illegible] [illegible] said [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] the [illegible] [illegible] [illegible] said [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] Samuel Thompson Thomas Sanford and G. H. Hewitt [illegible] [illegible] [illegible] signed the said instrument of writing purporting to be the will and testament of the said deceased and which writing is now shown [illegible] on the day of the date thereof in the presence of said testator as the subscribing witnesses to the same [illegible] [illegible] the [illegible] said instrument [illegible] [illegible] [illegible] [illegible] [illegible] which is satisfactory to the Court that said testator [illegible] [illegible] [illegible] [illegible] and [illegible] [illegible] [illegible] [illegible] said will and that he was of sound mind and fully capable of making said will. It is therefore ordered [illegible] and decreed [illegible] [illegible] said will of said Moses Kelly deceased [illegible] [illegible] and the same is [illegible] [illegible] [illegible] [illegible] as the last will and testament of said [illegible] [illegible] admitted to probate and [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] and that said applicants pay the costs of the proceeding.

The State of Alabama }
Jefferson County } I John C. Moore Judge of Probate of said County [illegible] [illegible] Court [illegible] [illegible] do hereby certify that the within instrument of writing [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] the proper testimony to be the last will and testament of Moses Kelly deceased and that [illegible] together with said proof thereof [illegible] [illegible] [illegible] [illegible] [illegible] Book of wills [illegible] Pages [illegible] to 223

In witness whereof I have hereunto set my hand and the seal of the said Court this [illegible] [illegible] 1865

J. C. Moore Judge

Thomas B Spencer deceased Estate of

Thomas B Spencer deceased
In the matter of the Probate of his will

Oct 24th 1865

This day came Jennie D Spencer and filed her petition in writing and under oath: therewith producing and filing in this Court an Instrument in writing, purporting to be the Last Will and testament of said Thomas B. Spencer deceased and praying for such orders and decrees and proceedings as may be necessary proper and requisite for the due Probate and record of said will in this Court, which said Instrument appears to be attested by William S. Earnest and George W. Cliff of this County, and who are alledged to have signed the same as subscribing witnesses thereunto.
And it appearing to the Court from said petition that said petitioner is the widow of said decedent that said decedent left no children surviving him, and that the next of Kin of said decedent are his brothers and Sisters following, towit. Hezekiah Spencer who resides in Miss. whose Post office is Salem. John Spencer and Alfred Spencer who resides in this County, Clarence Spencer Infant Son of A J Spencer deceased, minor under the age of 14 years and resides in this County under her mother Emeline Mc Spencer Octavius Spencer brother of said decedent, who resides in the State of Texas, and whose Post office is unknown. The heirs of Williams Spencer deceased towit, Fannie Grey wife of John G. Grey, who resides in the State of Miss. and William F Spencer who resides in Miss whose Post office is Scotts Miss F. A Spencer who resides in Miss. and whose post office is Scotts, Harriet Ann wife of Henry Jones, who resides in Miss and whose Post Office is Scotts, and Charles Spencer Son of James Spencer deceased who resides with his mother Martha Agnes wife of William Agnes who is under the age of twenty one years and whose Post Office is Salem Miss. It is therefore ordered by the Court that the 16th day of November 1865

be set as a day for hearing testimony in proof of said instrument that said William S Earnest and G.W. Cliff be subpoenaed to be and appear on the 16th day of November 1865 in and before this Court to testify touching the execution of said Instrument as such witnesses and that notice of said proceeding all and any persons touching the question of the validity of said Instrument as such will and that said John Spencer and Alfred Spencer be notified of this proceeding and of the day above set for hearing the matter by citations to be served on them personally, and that Clarence Spencer a minor under the age of 14 years have the same notice by citation on his mother Emeline Mc Spencer at least ten days before the hearing thereof. That said Hezekiah Spencer Octavius Spencer Fannie Grey and John G. Grey William F Spencer F. A. Spencer Harriet Agey wife of Henry Jones and the said Charles Jones and Charles B Spencer be notified and brought in as parties to this proceeding by posting notices at the Court House door for the space of 30 days above being the proper publication that shall be appointment of a suitable person by this Court to act as Guardian ad Litem for said minors, until citations shall have been duly served on said minors agreeable to the foregoing terms of this present order for such a length of time as shall be deemed and adjudged by the Court to be reasonable and sufficient for such of said minors as are over the age of fourteen years and for the friends and heirs to the sons of others who are interested and who should be represented by Guardian to come in and come unto the Court & prefer one to act as such Guardian

Petition to Probate Will

The State of Alabama } To the Hon John G Moore Judge of Probate
Jefferson County } of said County

The petition of Jennie D Spencer respectfully shows unto your Honor that the late Thomas B Spencer who was an inhabitant of this County at the time of his death departed this life in the Confederate Army on the March of June 1864 in the State of Kentucky having effects in this County, the place of his residence, leaving a last will and testament duly signed and published by him and attested by William S Earnest and George W Cliff who reside in this County, in which your petitioner as she verily believes, is named as Executrix thereof which said will is herewith presented to your and for proved and for Probate and record in this County. Your petitioner further states that she is the widow of said Thomas B Spencer and that she resides in this County. And that the next of Kin of said decedent are his brothers and Sisters towit. Hezekiah Spencer who resides in Miss. whose Post office is Salem, John Spencer who resides in this County, Alfred Spencer who resides in this County, Clarence Spencer infant son [illegible] under the age of fourteen years of A. J. Spencer, who resides in this County with his mother Emeline Mc Spencer and Octavius Spencer a brother who resides in the State of Texas whose Post office is unknown.
The heirs of William Spencer deceased towit. Fannie Grey wife of John

The State of Alabama } To any Sheriff of the State of Alabama
Jefferson County }

You are hereby commanded to Summon
Spencer to be and appear before the Probate Court of said County
On the 2nd day of November 1865 then and there to answer to a
petition filed in this Court by Fannie D Spencer to Probate the
will of Thomas B Spencer deceased when and where you can
& you to make proper return of this writ

Witness my hand this 24th day of November 1865

John C Morron
Judge of Probate

Executed on the 24th day of November 1865

W F Manly Sheff
Per Wm Fields Dep

The State of Alabama } I Judge of the County Court and
Jefferson County } Court of Probate in and for said County
desiring to make and dispose of my property & do
before I leave for the army Now Know Ye that I Thomas B Spencer
of the County and State aforesaid being of sound mind and disposing
do make this my last will and testament

1st My body if I die at home is to be disposed of by Executors
& if I die in the service of my Country I leave it to my Comrades in
arms

2nd I write that all my just debts be paid out of any moneys
I may have or if not enough be paid out that my Executors
sell such property as they may think best to pay the same

3rd All property left after the payment of my debts I write & devise
to my beloved wife Fannie Spencer both real and personal and there
on & during her natural life and at her death by will she has
to dispose of one half as she may please that should she fail
or neglect to dispose of the same by will I write that one half of
the property and its increase is to be then hers and the
other to go to my heirs

4th I hereby appoint my wife Fannie Spencer my Executrix of
this my last will and testament

In testimony whereof I have hereunto & set my hand and
Seal this 2nd day of February 1865

Thomas B Spencer
Seal

The State of Alabama } I John C Morron judge of the
Jefferson County } Court of Probate in and for said County
do hereby certify that the written instrument of writing has
this day in said Court and before me, as the Judge thereof been
duly proven by the proofes testimony to be the Pennon last will
and testament of Thomas B Spencer deceased and that said will

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The State of Alabama } To any Sheriff of the State of Alabama
Jefferson County }

You are hereby Commanded to Summon
Spencer by Service of this Summons upon Emeline M Spencer
his Wife and Next of Kin to be and appear before the Probate Court
of said County On the 2nd day of November 1865 then and there
to answer to a petition filed in this Court by Fannie D Spencer
to Probate the will of Thomas B Spencer deceased & when and
when you can appear & you to make proper and Contest the
same

Witness my hand this 24th day of November 1865

John C Morron
Judge of Probate

Executed on the 24th day of November 1865

W F Manly Sheff
Per Wm Fields Dep

The State of Alabama } To any Sheriff of the State of Alabama
Jefferson County }

You are hereby Commanded to Summon
John Spencer to be and appear before the Probate Court of
said County on the 2nd day of November 1865 then and there
to answer to a petition filed in this Court by Fannie D Spencer
to Probate the will of Thomas B Spencer deceased when and
when you can appear & you to make proper and Contest the same
Witness my hand this 4th day of November 1865

John C Morron
Judge of Probate

John Spencer not found in my County Nov 24th 1865

W F Manly Sheff Per Wm Fields Dep

for other and said proof thereof have been recorded in my office in Book of Wills No 1 Pages 227 & 228

In witness whereof I have hereunto set my hand and the Seal of said Court this November 27th 1865

John G Morrow
Judge of Probate

The State of Alabama } Probate Court of said County
Jefferson County } In the matter of the Probate of the last will and testament of Thomas B Spencer deceased

Before me John G Morrow Judge of the said Court personally appeared in open Court William B Comer and George W Bligh the having been by me first respectively duly Sworn did each on oath depose and say on oath that they are each acquainted with the Instrument of writing now shown to them and which purports to be the last will and testament of Thomas B Spencer deceased Each on his oath on of his Oath that said Spencer was of sound and disposing mind at the time he signed and executed the said Instrument on the day the same bears date and declared the same to be his last will and testament and that affiants set their Signatures thereto on the day the same bears date as Subscribing witnesses to the same in the presence of said Testator That said Testator was of sound mind and disposing mem ry and in the opinion of Affiants fully capable of making his will at the time the same was made as affiants further state that said Testator on the day of the said date of said will of the full age of twenty one years and upwards

Wm B Comer
Geo W Bligh

Sworn to and Subscribed before me this 27th November 1865

John G Morrow
Judge of Probate

Thomas B Spencer deceased } November 16th 1865
Estate of

This day the day appointed to hear application to Probate the will of said deceased for good Causes Shown to the Court this Cause is Continued until the 27th day of November 1865

Thomas B Spencer deceased } November 23 1865
Application Guardian ad Litem

This day came Lucy Jones in the Court that Publication has been made and Notice given, in all respects as the law requires

to the next of Kin of said deceased, as required by a former order of this Court heretofore made and entered in this Proceeding now none of said minors nor any for them having appeared or filed any objection to this Court a cause for any objection for said minors to be appointed now and to attend to their interests in this Proceeding it is therefore ordered by the Court that C McDonald Esquire be and he is hereby appointed Guardian ad Litem in this proceeding for said minors this said Court being considered by the Court as in every respect a fit and proper person to attend to and protect the interests of said minors in the matter of the Probate of said will It is therefore ordered that said Guardian be forthwith notified of his said appointment and of the day set for the hearing of the testimony and proofs to the validity of said will that he may attend and be prepared for opposing to contest the same on behalf of said minors

Thomas B Spencer deceased } Order of
On the matter of the Probate of the last will } November 27th 1865
and testament

This being the day to which the cause was continued the matter of the Petition for the hearing of the application of Lucy D Spencer in which was heretofore filed in this Court for the Probate of an instrument of writing purporting to be the last will and testament of said deceased Came the said applicant and also Came C W Howell who was heretofore duly appointed by an order of this Court, and who now consents to act as Guardian ad Litem for Clarence Spencer minor who is a Petition of said deceased and also Charles Spencer, and it appearing to the Satisfaction of the Court, that due notice of the application and the time appointed for hearing the same has been given in pursuance of Law and in strict accordance with the former order of this Court made and entered on the Premises on the 25th day of October 1865, by Publication Posted at the Court House Door there being no Newspaper Published in this County and by Citations personally served as directed in said former order, now on motion of said Lucy D Spencer the Court proceeds to hear the application And it appearing to the Satisfaction of the Court from the testimony of William B Comer and Geo W Bligh two disinterested Witnesses that said Instrument of writing purporting to be the last will and testament of the said deceased and which writing is now shown to them on the day of the date thereof in the Presence of said Testator and at his request as Subscribing witnesses to the same the said Testator then declaring that said Instrument Contained his

and it being also shown by proof which is satisfactory to the Court that said testator was of full age of Twenty one years and upwards and that he was of sound mind and fully capable of making his last will and Testament. It is therefore ordered and adjudged and decreed that said will of said Thomas B. Spencer deceased be received and the same is hereby declared to be duly proven as his last will and testament of said decedent and as such admitted to Probate and ordered to be recorded together with the Proof and all other papers on file relating to this Proceeding. It is ordered that said applicants pay the Costs of this Proceeding.

Edgar C. Garnett deceased Estate of

Edgar C. Garnett dec'd Estate of } July 28th 1869
In the matter of the Probate of Will }

This day came W. T. Mims and filed his petition in writing and under oath praying and filing in the Court an instrument of writing purporting to be the last will and testament of said Edgar C. Garnett deceased and praying for such order decree and proceeding as may be proper and requisite for the due Probate and record of said will in this County which said instrument appears to be executed by W. H. Jordan and W. W. Barksdale of this County and who are alleged to have signed the same as subscribing witnesses thereto and it appearing to the Court from said petition and record thereof is one of the next of kin of said deceased or one to whom decedent's said deceased left four children her surviving viz: Maurice W. McLean who resides in the County of Robertson in said State Mrs Mary L. Mims who resides with her husband R. C. Mims of Milam in the County of Bragg State of Texas James T. Depernette and Mrs Katharine L. Mims who reside in this County all of whom are of full age, It is therefore ordered by the Court that the 21st day of August 1869 be set as a day for hearing testimony in proof of said Instrument as such will. That said W. H. Jordan and W. W. Barksdale be required to be and appear on said 21st day of August 1869 in and before this Court to testify and give evidence of and concerning all and every facts touching the execution of the validity of said instrument as such will. That said Maurice W. McLean James T. Depernette and Mrs Katharine L. Mims be notified of this proceeding and of the above ord

for hearing the matter by citation to be issued in due form of law returnable [illegible] days after said 21st day of August 1869 That said Mrs Mary L. Mims wife of R. C. Mims be notified and brought in as a party to this proceeding by publication ordered to be made in the Union Record a newspaper published in said County a copy of which shall be sent [illegible] publication and by mailing a copy of [illegible] Mims at Milam Bragg County Texas the County of Bragg State of Texas as within [illegible] after the first day of publication aforesaid.

Petition for Probate of Will

[illegible]

To the Honorable [illegible] County Court of the County of Robertson and State of Texas. Your petitioner W. T. Mims of the County of Robertson and State of Texas would respectfully represent unto your Honor that on the [illegible] day of June 1869 near the City of [illegible] in said County of Robertson departed this life Edgar C. Garnett deceased leaving a last will and testament duly signed and executed by him on or about the [illegible] day of [illegible] 1869 in the presence of W. H. Jordan and W. W. Barksdale who subscribed their names as witnesses thereto in the presence of said testator and at his request and by his direction and in the presence of each other. That your petitioner is informed and believes that said will has been duly proved and recorded in the County of Bragg State of Texas where said deceased resided at the time of his death and that he left surviving him four children to wit Maurice W. McLean who resides in the County of Robertson in said State Mrs Mary L. Mims who resides with her husband R. C. Mims in the County of Bragg State of Texas James T. Depernette and Mrs Katharine L. Mims who reside in this County all of whom are of full age. That your petitioner is informed and believes that said deceased left no debts to be paid by his estate and that no administration will be necessary upon his estate. That your petitioner is one of the next of kin of said deceased and is interested in said will and desires that the same may be admitted to probate and recorded as the last will and testament of said deceased. Your petitioner therefore prays that a day may be set for the hearing of the matter of this petition at which time all persons may be required to appear in said court and contest said will if they see proper and that notice by citation to be published for ten days in the Union Record a newspaper published in said County may be given to the next of kin of said deceased and that upon the hearing hereof such proceedings orders and decrees may be made and had as the nature of the case may require and as may be necessary and proper to admit the same to probate and record of said will according to law, and your petitioner will ever pray &c.

W. T. Mims.

Subscribed and sworn to this 23rd July 1869

[illegible]
Judge of Probate

Notice to Resident Heirs

The State of Alabama } Probate Court August 6th 1869
Jefferson County } To any Sheriff of the State of Alabama
Whereas W J Mims has propounded in this Court for Probate a paper writing purporting to be the last will and testament of Elizabeth DeJarnette deceased and it appearing to the court that James St. D. DeJarnette is one of the next of kin of said decedent.

You are therefore hereby commanded to summon the said James St D DeJarnette to appear in this court on the 21st day of August 1869 to show cause if any he has why said paper writing so propounded as aforesaid should not be admitted to Probate and recorded as the last will and testament of the said Elizabeth DeJarnette

Witness my hand at office this 6th August 1869

Jno C Morrow
Judge of Probate

Executed 10th August 1869 By delivering a copy of the within summons

M A May Shff
By W C Eubanks depty

The State of Alabama } Probate Court August 6th 1869
Jefferson County } To any Sheriff of the State of Alabama
Greeting

Whereas W J Mims has propounded to this Court for Probate a paper writing purporting to be the last will and testament of Elizabeth DeJarnette deceased and it appearing to the court that Mrs W J Mims is one of the next of kin of said decedent

You are therefore hereby commanded to summon the said Mrs W J Mims to be and appear before the Probate court on 21st August 1869 then and there to contest the Probate of said instrument as the last will and testament of said decedent: if she think proper

Witness my hand at office this 6th day of August 1869

John C Morrow
Judge of Probate

Executed by delivering a copy to Mrs J W Mims 7th August 1869.

M A May Shff
By W C Eubanks Deputy

The State of Alabama } Probate Court August 5th 1869
Jefferson County }
Elizabeth DeJarnette deceased as to Probate of her will
To Murdock M McQueen

You are hereby notified that W J Mims did on the 23rd July 1869 file and propound for Probate a paper writing purporting to be the last will and

testament of said decedent. It was then upon ordered by the court that the 21st day of August 1869 be set as the day for hearing the Probate of said instrument. You are further notified to appear in this court on said day and contest the Probate of said instrument if you think proper. Dated 5th August 1869

Jno C Morrow
Judge of Probate

I accept service of the within notice August 13th 1869

M M McQueen

Will and Proof

The State of Alabama } In the name of God Amen
Jefferson County } I Eliza W DeJarnette of said county being of sound mind but feeble & rapidly declining health do make declare & publish this my last will & testament

1st It is my will & I do direct that my just & lawful debts and burial expenses be paid by my Executor hereinafter named out of any moneys that may come into his hands as such Executor

2nd After the discharge of said claims & the necessary expenses of Administration I give bequeath & devise my property as follows to my daughter Mrs Mary E Rogers of Texas and Mrs W J Mims of Jefferson County Alabama and to my son M M McQueen of Autauga County State of Alabama in trust however for the use & benefit of his wife & children each one sixth part of the monies that may result from rents or sale of my real estate as hereinafter provided As also one fourth part of any other monies that may come in to the hands of my Executor

The remaining three sixths or one half of proceeds of rents or sale of said real estate as hereinafter provided as also the remaining one fourth part of monies that may come into the hands of my Executor from other sources I give and bequeath to my son in law W J Mims of said County of Jefferson in trust however for the use and benefit of my son James St D DeJarnette of said County of Jefferson his wife & children and it is my will & I so direct that said Trustee without qualifying as such and without being required to give any bond or surety for the performance of the duties growing out of said trust shall have full & absolute control of said trust funds with full power to invest said funds at such times and in such manner as in his opinion the good of his cestui que trusts may demand and to dispose of the property in which such funds may be invested I have heretofore distributed my personal effects such as watch, guns household & kitchen furniture among my children and have also in consideration of of the love and affection. I have my

daughter Mrs Sam L Myers and Mrs W A Wilder and their heirs and respectively L L Myers W A Wilder and Alice in consideration of the fact that the property sold this became my estate by virtue of the emancipation proclamation released and forever from all and every claim check and against them on account of a note to them of my respective date bearing date some time during the year A D 1865

For the faithful execution of this my last will and testament I hereby name appoint and constitute my son in law W A Wilder as my Executor And I order direct and require that such Executor shall take full complete and absolute control over my whole business named & all my property & effects real and personal not disposed of during my life as above set forth and manage the same as in his judgement the best interest of my said estate may require And it is my will above named which consists of One hundred and sixty two and a half acres and lies situate in the county of Autauga State of Alabama two & one miles from the town of Autaugaville one & north & adjoining section and is bounded by lands belonging to the estate of W P Caldwell on the east to Luther Rose on the south Mrs Lucas and on the west by J & J London nine & Gipson and known as the Hills place & I also direct that my said Executor have charge of the farms and rent or sell the same either at public outcry or privately as to him may seem best and at such times and in such manner and upon such terms as he may think for the interests of my said Legatee may require And it is my further wish and I do direct that no bond or security whatever be required of my Executor for the performance of his duties as such Executor

In witness whereof I hereto set my hand & seal this 5th day of June A D 1869 Eliza E Dejarnette (as to said Signed and sealed by Mrs Eliza E Dejarnette in our presence who at the same & her request & in her presence and in the presence of each other

M L Jordan
W W Brookdale.

The State of Alabama } In the County Court
Autauga County } of said County

I Wm L Morrow Judge of Probate in and for said County and State do hereby certify that the within instrument of writing has this day in said court and before me as the Judge thereof been duly proven by the proper testimony to be the true and last will and testament of Eliza E Dejarnette deceased and that said will together with said proof thereof have been recorded in my office in Book No [illegible] Page [illegible] &c

Witness my hand as Judge of Probate this 23rd day of September 1869

Wm L Morrow
Judge of Probate.

Notice to Witness

The State of Alabama } In the County Court August 6th 1869
Autauga County } In the matter of the last will & testament of Eliza E Dejarnette deceased

Upon the hearing ordered to be had upon the proof of the last will and testament of Eliza E Dejarnette deceased it is ordered that you be and appear before the Probate Court of said county on the 23rd day of August 1869 at the hour of ten o'clock A M then and there to testify touching the execution of the said will and testament and the mental capacity of the testatrix at the time of the execution thereof and to do and perform such other and further matters and things touching the premises as may be required by the court

Witness my hand as Judge of Probate this 6th day of August 1869

Wm L Morrow
Judge of Probate.

The State of Alabama } In the County Court August 23rd 1869
Autauga County } In the matter of the last will & testament of Eliza E Dejarnette deceased

Upon the hearing ordered to be had upon the proof of the last will and testament of Eliza E Dejarnette deceased it is ordered that you be and appear before the Probate Court of said county on the 23rd day of August 1869 at the hour of ten o'clock A M then and there to testify touching the execution of the said will and testament and the mental capacity of the testatrix at the time of the execution thereof and to do and perform such other and further matters and things touching the premises as may be required by the court

Witness my hand as Judge of Probate this 23rd day of August 1869

Wm L Morrow
Judge of Probate.

Executed 23rd August 1869

The State of Alabama } In the County Court of said County
Autauga County } In the matter of the last will and testament of Eliza E Dejarnette dec'd

Upon my motion Wm L Morrow Judge of the said County personally appeared in open Court W W Brookdale who being by me first respectively duly sworn and examined did on his oath depose and say that they saw Eliza E Dejarnette sign the within instrument of writing now shown them and which purports to be the last will and testament of the said Eliza E Dejarnette deceased and that they saw the said Eliza E Dejarnette sign the said will and testament in their presence and that they signed the same as witnesses in the presence of the said Eliza E Dejarnette and in the presence of each other and that at the time of the execution thereof the said Eliza E Dejarnette was of sound mind and memory and not under the influence of any undue influence or restraint to the best of their knowledge and belief and that they were requested by the said Eliza E Dejarnette to become witnesses to the execution thereof

Sworn to and subscribed before me this 23rd day of August 1869

Wm L Morrow
Judge of Probate.

Isaac Ebers deceased Estate of

Isaac Ebers deceased Estate of } June 11th 1869
In the matter of the Probate of his will }

And it appearing to the satisfaction of the Court from the affidavit of W. W. Barksdale that the instrument of writing purporting to be the last will and testament of said Isaac Ebers deceased and produced on such order and decree and proceedings as may be proper and requisite for the due probate and record of said will in this Court which said instrument appears to be attested by Oliver W. Smith and Nancy J. Smith of this County and who are alleged to have signed the same as subscribing witnesses thereto and appearing to the Court from said petition that said petitioner is one of the children of said deceased and that said decedent left five children with four additional live descendants and no spouse Starling Ebers Isaac Franklin wife of Isaac Franklin Mary Eaton wife of [illegible] Elizabeth Roberts all of whom reside in this County as set forth in said petitioner

It is therefore ordered by the Court that the 21st day of June 1869 be and is hereby appointed for hearing testimony in proof of said instrument as such will that said Oliver W. Smith and Nancy J. Smith be subpoenaed to attend at said 21st day of June 1869 in and before this Court to testify and give evidence of and concerning all facts and things touching the question of the validity of said instrument as such will that said Starling Ebers Isaac Franklin wife of Isaac Franklin Mary Eaton wife of A. A. Watson & Elizabeth Roberts have notice of this proceeding by citation to be served on them ten days before the hearing of said petition.

Petition to Prove the Will

The State of Alabama } To the Hon Geo. E. Morron
Jefferson County } Judge of Probate in and for said County

The petition of Byrd Roberts represents unto your honor that Isaac Roberts late of said County of Jefferson as the time of his death resided thereon about the 20th day of May 1860 leaving a last will and testament duly signed by him and attested by Oliver M Smith and Lucy A Smith who reside in this County in which your petitioner is named as Executor which said will is herewith presented with the request that the same may be proved and recorded in the Court.

Your petitioner states further that the heirs at law of said decedent are as follows to wit: Sterling Roberts Judah Franklin wife of Isaac Franklin Mary Morton wife of [illegible] Morton Elizabeth Roberts & your petitioner all of whom except petitioner reside in this county and are all upwards of twenty one years old (Decemus not a resident) In consideration of all which your petitioner prays that a day may be set for the hearing of this petition & that all such orders may be made proceedings had & due process issue as may be necessary to effect the Probate & Record of said will, and as in duty bound &c

Byrd Roberts
mark

Sworn to and subscribed
before me this 11th day of June 1869
Geo. E. Morron

Notice to witness & heirs

The State of Alabama } Probate Court
Jefferson County } June 2nd 1869

Whereas Byrd Roberts on the 11th day of June 1869 filed in the Office of the Judge of Probate a paper writing purporting to be the last will and testament of Isaac Roberts late of said county deceased and whereas the 3rd day of July 1869 is set to hear proof of said instrument as such will

You are therefore commanded to summon Judah Franklin wife of Isaac Franklin to appear on said 3rd day of July 1869 and contest the Probate of said paper writing as such will if she thinks proper

Witness Geo. E. Morron Judge of Probate
at office 12th June 1869 Geo. E. Morron
Judge of Probate

Executed by delivering a copy of the within Summons to Judah Franklin on the 12th day of June 1869 [illegible] Sheriff

The State of Alabama } Probate Court
Jefferson County } June 12th 1869

Whereas Byrd Roberts on the 11th day of June 1869 filed in the Probate office a certain paper writing purporting to be the last will and testament of Isaac Roberts late of said County deceased and whereas the 3rd day of July 1869 is appointed to Probate said

Executed by delivering a copy of the within Summons to Sterling Roberts on the 12th day of June 1869 [illegible] Sheriff

The State of Alabama } Probate Court
Jefferson County } June 12th 1869

Whereas Byrd Roberts on the 11th day of June 1869 filed in the Probate office a certain paper writing purporting to be the last will and testament of Isaac Roberts late of said County deceased and whereas the 3rd day of July 1869 is appointed to Probate said

paper writing as such will.
You are therefore hereby commanded to summon Elizabeth Roberts to appear on the 3rd day of July 1869 and contest said paper writing as such will if she thinks proper. Herein fail not and have you then and there this summons.
Witness Wm. G. Morris Judge of Probate Court 12th June 1869
Wm G. Morris
Judge of Probate

Executed by delivering a copy of the within summons to Elizabeth Roberts on the 21st day of June 1869
M. A. May Shff
By [illegible] Deputy

Will and Proof

In the name of God amen
I Isaac Roberts of the County of Jefferson and State of Alabama being of sound and disposing mind and memory and knowing the great uncertainty of this life do make ordain publish and declare this to be my last will and testament so far this world I make no [illegible] my soul I commit unto God who gave it
1st I wish all my just debts paid owing out [illegible] it may
2nd I give bequeath and devise unto my two single daughters Elizabeth & Melissa the following described land (viz) the South East quarter of the South East ¼ Sec 17 T 18 R 6 West and the N E ¼ of the S E ¼ Sec 17 T 18 R 6 West. I also give and devise unto my single daughters as aforesaid all my stock household and kitchen furniture also all my farming utensils also all my corn fodder & meat on hand. the property hereby bequeathed unto my two daughters as set forth in the 2nd section of said last will and testament I give solely and exclusively to them to have and hold use & dispose of as their own
3rd
I give & bequeath unto my son in law E. G. Franklin the following lands viz the N ½ of the N E ¼ Sec 20 T 18 R 6 West
4th I give unto my son Bird Roberts all my Round Bottom tract of land lying on both sides of Mud Creek

5th I do hereby give & devise unto my son in law J. J. Hinton all my land lying in the 16th Section (viz) the S W ¼ Sec 16 T 18 R 6 West

6th I give and devise unto my son Starling Roberts the sum of one Dollar (having heretofore given him what I do

honestly believe to be his equal share with the balance of my said heirs

7th I do hereby nominate constitute and appoint [illegible] Executor of this my last will and testament and I do hereby [illegible] him from giving bond as such Executor
Signed and sealed in presence
of this January 1st 1868
his
Isaac + Roberts (Seal)
mark
J. J. Smith
Henry E. Smith

Codicil

Being still of sound mind & memory owing to the recent death of my beloved daughter Melissa I wish the 2nd Section of my said last will and testament supplemented which was made and executed on the 1st day of January 1868 the property real personal or mixed devised in the 2nd Section of my said last will & testament [illegible] to my two daughters Elizabeth & Melissa I wish my daughter Elizabeth to receive Melissa's share I wish my Executor to carry out the provisions of this supplement as faithfully and as effectually as he does the balance of my said will and testament March 16th 1869
his
Isaac + Roberts
mark
Witness J. J. Smith
Henry E. Smith

The State of Alabama } I Wm. G. Morris Judge of Probate
Jefferson County } in and for said County and State do hereby certify that the within instruments of writing have this day [illegible] said [illegible] before me as the Judge thereof [illegible] proven by the proper testimony to be the genuine last will and testament and codicil thereto of Isaac Roberts deceased. and that said will and said codicil together with said proof thereof have been recorded in my office in Book [illegible] Book of Wills No 1 Pages 240 & 241
In witness of all which I have hereunto set my hand and the seal of the court this October 8th 1869

Notice to witness

The State of Alabama } Probate Court of said County
Jefferson County } To any Sheriff of said State Greeting
You are hereby commanded to summon Henry E. Smith to be and appear before the Probate Court of said County on 3rd July 1869 to give evidence in a certain matter now pending in said Court, as to the Probate of a certain paper writing purporting to be the last will and testament of Isaac Roberts late of said County. And this you shall in no wise omit under the

personally provided by law

Which fail not and have you then and there this writ
Witness the Hon J. Morris Judge of Probate at
Office the 12th June 1869
By J. Morris
Judge of Probate

Executed by delivering a copy of the within Summons to Nancy
E Smith on the 19th day of June 1869

A. F. Ray Esq
as Deputy Sheriff

The State of Alabama } Probate Court of said County
Greene County } The Sheriff of Greene County Greeting

You are hereby commanded to summon Andrew M. Smith
Nancy E. Smith to appear before the Probate Court of said County on the
1st Monday after the 1st Monday in July next to show cause if any they can
why a certain instrument now pending in said Court as the Will and Testament of Isaac Roberts late of said
County deceased should not be admitted to Probate as the last will and testament of said deceased and
have you then and there this writ

Witness my hand this 12th day of June 1869

John J. Morris
Judge of Probate

Executed by delivering a copy of the within Summons to
Nancy E Smith on the 21st day of June 1869

A. F. Ray Sheriff
By A. F. Ray Deputy

The State of Alabama } Probate Court of said County
Greene County } In the matter of the Probate of
last will and testament of Isaac Roberts

Before me John J. Morris judge of the said
Court personally appeared in open Court A M Smith and
Nancy E Smith who being by me first respectively duly
Sworn and examined did each for himself and herself on oath
that they are each Subscribing witnesses to the instruments
of writing now shown them and which purports to be the last
will and testament of Isaac Roberts deceased late an inhabi-
tant of this State and County, that said Roberts deceased
signed and executed said instruments on the day the same bear
date and declared the same to be his last will and testament
and that affiants set their signatures thereto on the day the
same bears date as Subscribing witnesses to the same in the presence
of said testator that said testator was of sound mind and
disposing memory and in the opinion of deponents fully com-

of making his will at the time the same was made as aforesaid
Affiants further State that said testator died on the 12th day of the date
of said will and codicil of the year age of twenty one years and
upwards

Subscribed and Sworn to A M Smith
before me this 6th day of Nancy E Smith
June 1869

John J. Morris
Judge of Probate

The State of Alabama } In Probate Court of said County July 12th 1869
Greene County }

Continuance

Petition for hearing the application of Isaac Roberts late of Greene County
deceased for the Probate of an instrument of writing purporting
to be the last will and testament of said deceased and for Letters
Testamentary thereon this cause coming on to be heard and the hearing of said application continued until the
1st Monday in August 1869.

The State of Alabama } In Probate Court of said County July 12th 1869
Greene County }

Continuance

This cause coming on to be heard upon the application of Isaac Roberts late of Greene County deceased
for the Probate of an instrument of writing purporting to be the last will and testament of said deceased and for
Letters Testamentary thereon and the hearing of said application continued until the 1st Monday in August 1869.

The State of Alabama } In Probate Court of said County August 2nd 1869
Greene County }
In the matter of the Probate of
last will and testament of Isaac Roberts deceased

This cause coming on to be heard upon the application of Isaac Roberts late of Greene County deceased for the Probate of an instrument of writing purporting to be the last will and testament of said deceased and for Letters Testamentary thereon and the hearing of said application continued until the 1st Monday in August 1869 and it appearing to the satisfaction of the court that due notice of the time appointed for hearing the same has been given in pursuance of said order and in accordance with the former order of the court made and entered on the minutes on the 1st June 1869 by publication continued for three successive weeks in the Eutaw Herald a newspaper published in said County and by citations personally served as directed in said former order more than ten days before the first day of this term of this court and it appearing to the satisfaction of the court from the testimony of A M Smith and Nancy E Smith two of the subscribing witnesses

[illegible] signed the said instruments of writing purporting to be the last will and testament and codicil thereto of the said decedent and which writing is now shown to them on the day of the date thereof in the presence of said testator and at his request as subscribing witness to the same the said testator then declaring that said instruments of writing constituted his last will and codicil and it being also shown by proof which is satisfactory to the court that said testator was of the full age of twenty one years and upwards at the time of making said will and that he was of sound mind and fully capable of making his said will

It is therefore ordered adjudged and decreed by the court that said will and codicil of said Isaac Roberts deceased be received and the same is hereby declared to be duly proven as the last will and testament of said decedent and as such admitted to probate and ordered to be recorded together with the proof thereof and all other papers on file relating to this proceeding. It is further ordered that said applicant pay the costs of this proceeding.

[illegible] Smith [illegible]

[illegible] March [illegible] 186[illegible]

This day came [illegible] Smith [illegible] petition in writing and under oath therewith producing and filing in this court an instrument of writing purporting to be the last will and testament of [illegible] Smith deceased and praying for such other decrees and proceedings as may be proper and requisite for the due probate and record of said will [illegible] which said instrument appears to be attested [illegible] Smith [illegible] Smith [illegible] of this county and who are alleged to have signed the same as subscribing witnesses. And it appearing to the court from said petition that said petitioner is the [illegible] of said deceased [illegible] deceased left [illegible] child [illegible] Susan M. Smith is under the age of [illegible] years and [illegible] in the care and custody of the said [illegible] Smith her mother. It is therefore ordered by the court that the 21st March 1868 [illegible] for hearing testimony in proof of said instrument as such will. That said [illegible] Smith John Smith and [illegible] be subpoenaed to be and appear on said 21st day of March 18[illegible] in and before the court to testify and give evidence of and concerning all and any facts touching the question of the validity of said instrument as such will. That said [illegible] M. Smith be notified of this proceeding and of the day above set for hearing the matter by citation to be served on her said mother for her at least ten days before said 21st March 1868 that the appointment of a suitable person [illegible] to act as guardian ad litem

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[illegible] said minor be notified with said citation [illegible] hearing [illegible] said minor [illegible] to the [illegible] [illegible] and [illegible] be signed and [illegible] reasonable and sufficient for said [illegible] [illegible] of such [illegible]

[illegible]

Notice to [illegible]

State of Alabama [illegible]
Jefferson County [illegible]

[illegible] Smith on the [illegible] day of March 186[illegible] filed in the office of the Judge of Probate a paper writing purporting to be the last will and testament of [illegible] Smith

date of said Estate deceased and whereas the 21st March 1868 is
set by law Court to said instrument as the time
You are therefore Commanded to Summon Miranda M Smith the heirs
& the Legatees in the written W Alonzo D Smith to appear on
said 23d day of March 1868 and contest the Probate of said paper writ-
ing if they see proper if the Heirs proper
Witness Jno E Moore Judge Probate Court at office this 14th
day of March 1868.

Jno E Moore
Judge of Probate.

Will and Proof

The State of Alabama } I Jno E Moore Judge of the State and county
Jefferson County } aforesaid hereby certify in the last of sound
mind & memory and declare this my last will and testament in manner and form following (to wit)
Item 1st It is my will and desire that all my property real and
personal of whatsoever kind or description be equally divided between
my wife M Alonzo D Smith and my daughter Ora M Smith the division not to take place until my daughter Ora M Smith shall have
majority
Item 2nd It is my will and desire that there shall be no sale of any
of my property after my death except such things as my wife Miranda
may wish to dispose of in so to be the sole judge and to be used
by her privately
Item 3rd It is my will and desire that my wife Miranda pay
all my just debts and have the entire management of all my
affairs
Item 4th It is my will and desire that there shall be no administration on my estate but that my wife Miranda do as she sees
proper
Item 5th It is my will and desire that my wife Miranda
my Executrix to this my last will and testament without
giving bond or security
Given under my hand and seal this 23rd January
in the year of our Lord 1866 D Smith Seal
Signed in presence of
W D Myers
W D Smith
John Smith.

The State of Alabama } I Jno E Moore judge of the court of Probate
Jefferson County } in and for said County and State do hereby certify
that the written instrument of writing has this day in said Court exhibited
me as the deed thereof has duly proven by the proper testimony to be
the genuine last will and testament of D Smith deceased and

that said will together with the proof thereof have been recorded in my office
in Book A Wills Vol 1 Page 246 & 247
In witness of all which I have hereunto set my hand and the seal of the said
Court This March 21st 1868
Jno E Moore
Judge of Probate

The State of Alabama } I Jno E Moore Judge of said County
Jefferson County } of the State of Alabama
You are hereby Commanded to Summon Miranda M Smith to be
and appear before the Probate Court of said County on 2nd March 1868 to
give evidence in a certain matter now pending in said Court as to the
Probate of a certain paper writing purporting to be the last will and testament
of D Smith late of said County and that you have it in your power
to be then and there
Witness Jno E Moore Judge of Probate at office
this 21st March 1868
Jno E Moore
Judge of Probate.

Executed by delivering a copy of the within summons to Miranda M Smith on
the 21st March 1868
Jno E Moore
Sheriff
by J. Lawrence Deputy

The State of Alabama } I Jno E Moore Judge of Probate
Jefferson County } of said County
You are hereby Commanded to Summon Ora M Smith to be
and appear before the Probate Court of said County on 2nd March 1868 to
give evidence in a certain matter now pending in said Court as to the Probate
of a certain paper writing purporting to be the last will and testament
of D Smith late of said County and that you have it in your power to be then
and there
Witness Jno E Moore Judge of Probate at office
this 21st March 1868
Jno E Moore
Judge of Probate

Executed by delivering a copy of the within summons to Ora M Smith on
the 21st March 1868
Jno E Moore
Sheriff
by J. Lawrence Deputy

The State of Alabama } I Jno E Moore Judge of Probate Court of said County
Jefferson County } of the State of Alabama
You are hereby Commanded to Summon John Smith to be
and appear before the Probate Court of said County on 2nd March 1868 to
give evidence in a certain matter now pending in said Court as to the Probate
of a certain paper writing purporting to be the last will and testa-

[illegible] of L S Smith late of said County deed has been duly made no one [illegible] under the penalties prescribed by law

Given under [illegible] this [illegible] day of [illegible] A D 1869

[illegible]
Clerk

Executed by delivering a copy of the within Summons to [illegible] on the [illegible] day of March 1869

W A Walker Sheriff
By [illegible] Deputy

Territory of Montana
County of Lewis & Clarke } Probate Court of said County

In the matter of the Probate of the last will and testament of L S Smith deceased

Before me the undersigned Judge of the said Court personally appeared in open Court William A Smith [illegible] C P Ryan the witness whose name is subscribed to the annexed and foregoing instrument of writing and each of them on their oaths severally depose and say that they saw the testator L S Smith deceased sign the said instrument of writing and heard him declare that it was his last will and testament and that he executed the same freely and voluntarily for the purposes therein mentioned and that at the time of so executing the same the said testator was of sound mind and memory to the best of the knowledge belief and opinion of these deponents and that they severally subscribed their names to the said will as witnesses at the request of the said testator and in his presence

Subscribed and sworn to before me this 21st day of March 1869

[illegible]
Judge of Probate

W A Smith
C P Ryan

In the matter of the Estate of L S Smith deceased
In the matter of the Probate of his last will and testament

March 21st 1869

This day having been regularly appointed for hearing the application of Malinda L Smith which was heretofore filed in this Court for the Probate of an instrument of writing purporting to be the last will and testament of said deceased and Comes the said Applicant and also comes William A Walker [illegible] who was heretofore duly appointed by the order of this court and who now consents to act as the Guardian and Attorney for Lee M Smith who is a minor under 14 years of age and who is the child and heir of said deceased and it appearing to the satisfaction of the Court that the notice of the said application and of the time appointed for hearing the same has been given in pursuance of law and in strict accordance with the former order of this court made and entered in the premises on the 2nd of March 1869 by publication personally served as directed in said former order and proof thereof being filed and the said Malinda L Smith the executrix named in said application and the said William A Walker the Attorney for the said Executrix and the said Lee M Smith the minor heir at law of said deceased appearing in Court and the said instrument of writing purporting to be the last will and testament of the said deceased and such writing is now shown to them and the hand writing of the said deceased and each of the witnesses thereto and the circumstances of the execution thereof and the said witnesses being duly sworn and examined touching the same and it appearing to the Court that the said instrument of writing was executed and attested with all the formalities required by law to make a valid will of real and personal estate and that the said deceased was of sound mind and memory at the time of executing the same and not under any restraint or undue influence and that no fraud was practiced upon him in the execution thereof and that the said deceased was a resident of the County of Lewis & Clarke Territory of Montana at the time of his death and left property in said County and Territory and that the said Court has jurisdiction of the matter and of the parties interested therein and that the said instrument of writing is the last will and testament of the said deceased

It is therefore ordered and decreed that the same be admitted to Probate as the last will and testament of said deceased and that Letters Testamentary thereon be issued to the said Malinda L Smith executrix named in said will and that Letters of Guardianship and Attorney be issued to the said William A Walker for the said Lee M Smith minor heir at law of said deceased

It is further ordered and decreed that the said Executrix before entering upon the duties of her office as such executrix enter into and acknowledge a bond in the sum of Two Thousand Dollars with sufficient sureties to be approved by the Judge of this Court conditioned as the law directs and that the said Guardian enter into and acknowledge a bond in the sum of Two Thousand Dollars with sufficient sureties to be approved by the Judge of this Court conditioned as the law directs

It is further ordered that said Application be and the same is hereby granted

David Davis Deceased Estate of.

David Davis Deceased Estate
In the matter of the Estate of said
Will and testament

} Order for Hearing

This day came Ralph Davis and filed his petition in writing and under oath therein ordering and filing in this Court an instrument of writing purporting to be the last will and testament of said David Davis deceased and praying for such order decree and proceedings as may be proper and requisite for the due probate and record of said one of the same and thereof as forming a part of said petition to be attached by W. C. Eastman J. H. Huffman and L.L. Ellis of the county and who was allowed to have signed the same as subscribing witness thereto and it appearing to the Court from said petition that said petitioner is one of the heirs at law of said deceased, that said decedent left children him surviving and the following grand children of deceased and who are residents to wit: Elisha Davis John H. Davis Mary E. Davis Sarah J. Davis Wm. Davis Elizabeth A. Davis wife of J. H. Davis and Emma Davis wife of E. J. Marshall and children of Eliza Davis and reside with their mother in this county, John Davis Frank Davis Elizabeth Davis Charles Davis all under 21 years of age excepting 6 mo. Davis who is 1 year of age all of whom reside in Ellis County Texas. H. B. Davis a Grand Child of said dec'd upon whom J. H. Davis and residents in State of Texas and under 21 years of age all the said of dec't reside in this State.

It is therefore ordered by the court that the 2nd Monday in Sept. 1869 be set as a day for hearing testimony in Probate of said Instrument at which time proof of W. C. Eastman J. H. Huffman and L.L. Ellis subscribing witnesses thereto be had and taken and that said W. H. Davis John H. Davis Mary E. Parham J. B. Bell wife of Wm. Bell E. J. Marshall wife of E. H. Marshall have notice of this proceeding and of the day above set for hearing the matter by citation to be served on them at least ten days before the said 2nd day of August 1869. That said John H. Davis and H. B. Davis have notice of this proceeding and of the day above set by citation to be served upon them

said petition for them at least ten days before the said 2nd day of August 1869 [illegible] and that the [illegible] have notice of the same and of the day above set for hearing [illegible] Ordered that the Clerk issue [illegible] to the Sheriff of Ellis County Texas commanding him to cite all persons interested in said estate to appear at the next regular term of this Court to be holden at the Court House in Waxahachie in said County on the 2nd Monday in August 1869 then and there to contest the probate of said instrument of writing if they see proper so to do. Witness my hand and seal of office this 9th day of July A.D. 1869.

Attest: [illegible] Clerk

Petition to Probate Will

State of Alabama [illegible] County.

To the Hon. [illegible] Judge of said County.

The Petition of [illegible] respectfully shows unto your Honor that [illegible] and has been for [illegible] a resident of this County and State and on the 9th day of July 1869 [illegible] at said [illegible] and that he left at the time of his death a certain [illegible] and Testament which is now in the possession of [illegible] and that your petitioner is informed and believes that said [illegible] is the last will and testament of the said deceased [illegible] Your petitioner further shows that said deceased left him surviving the following heirs at law to wit: John H. Davis over twenty one years of age and residing in Ellis County Texas, Elisha Davis over twenty one years of age and residing in Ellis County Texas, Mary E. Parham over twenty one years of age and residing in Ellis County Texas, Sarah J. Davis over twenty one years of age and residing in Ellis County Texas, Wm. Davis over twenty one years of age and residing in Ellis County Texas, Elizabeth A. Davis wife of J. H. Davis over twenty one years of age and residing in Ellis County Texas, Emma Davis wife of E. J. Marshall over twenty one years of age and residing in Ellis County Texas, J. B. Bell wife of Wm. Bell all of full age and residing in Ellis County Texas, E. J. Marshall wife of E. H. Marshall who resides in [illegible] County Alabama, Charles Davis who resides in Ellis County Texas a Grandchild of said deceased being a son of H. B. Davis and [illegible]

[illegible] and wife and wards in the State of Texas
That the defendants Whitaker & Ford will on [illegible]
Coffman & Co & Coffman and [illegible] Ellis all of
[illegible] made in the County of Jefferson and State of Ala
bama That said [illegible] Davis
[illegible] Jefferson County
To the Honorable Court of All & Each your petitioner
pray [illegible] may be [illegible] the matter of this
[illegible] be given & the same and [illegible]
said publication be given and made as the Statute
requires in such cases That subpoenas be issued to
bring said Defendants Whitaker & Ford said
writ and that [illegible] Davis Attorney
[illegible] be received & admitted and will be [illegible]
[illegible] and your petitioner pray for all [illegible]
such decree as may be found meet and proper
& effect That Oath according to law. And your
[illegible]

Subscribed and sworn to
before me this 27th 1869
John C Morrow
Judge of Probate

Note to Resident Heir

The State of Alabama } To any Sheriff of the State of Ala
Jefferson County } bama

Greeting We command you to summon John
Davis Frank Davis Elizabeth Davis & Sarah E Davis by delivering
to them or each of them personally or by leaving a copy of
this writ at the usual place of abode of each of them with some
adult member of their respective families and if neither of them
can be found within your County then by posting a copy of this
writ at the Court House door of your County at least ten days
before the return day hereof to appear before the Probate Court
of said County on the 2nd Monday in August 1869 then and there
to answer a petition filed in said Court by R Davis to Probate
the will of Daniel Davis dec'd a copy of which is hereto annexed &
make known to them that unless they appear before the Probate Court
of said County on the 2nd Monday in August 1869 then and there to answer
said petition the same will be heard & determined in their absence
& they will be bound by the decree of said Court in the premises
Witness my hand as Sheriff of said County this 29th day
of July 1869

Executed August 9th 1869 by delivering a copy of the
within to Mrs E Davis & Miss Sarah Davis by W Thomas
Deputy.

The State of Alabama } To any Sheriff of the State of Ala
Jefferson County } bama

You are hereby commanded to
Summon Lancy Davis and M E Davis to be and

[illegible] Court of said County on the 2nd Monday
[illegible] 1869 then and there to answer a petition filed in said
Court by R Davis to Probate the will of Daniel Davis dec'd
at this time upon
Witness my hand as office in Clayton this 29th day of
August 1869

John C Morrow
Judge &c.

Executed on both writs 2nd day of Sept 1869

By J H Comstock Deputy

The State of Alabama } To any Sheriff of the State of Alabama
Jefferson County }

You are hereby commanded to summon John D
Davis Frank Davis Elizabeth Davis & Sarah E Davis to be and ap
pear before the Probate Court of said County on the 2nd Monday in
August 1869 then and there to answer a petition filed in said
Court by R Davis to Probate the will of Daniel Davis dec'd a copy
of which is hereto annexed & make known to them that unless they
appear before the Probate Court of said County on the 2nd Monday in
August 1869 then and there to answer said petition the same will be heard
& determined in their absence & they will be bound by the decree of said
Court in the premises
Witness my hand as Sheriff of said County this 29th day
of July 1869

Executed August 9th 1869 by delivering a copy of the
within to Mrs E Davis & Miss Sarah Davis by W Thomas
Deputy.

Will And Proof

The State of Alabama } Know all men by these presents that
Jefferson County } I David Davis of the County and
State above written on this 2nd day of August 1866 being of
sound mind do make this my last and only will & Testament I do
will and bequeath in the presence of three witnesses all of

my property was personal and mixed in the following manner
Namely as follows to wit I do appoint my Son Edward Davis
my Son Calvin Davis both of Shelby County State of Alabama
the Executors of this my will and it is my desire for them
to carry out the intention of the same as written (to wit) First
that all my debts & my property shall be sold as will be
to pay my debts. 2d that all my personal property shall as
first sold as will be necessary & required & then enough of
my real estate shall be sold to pay the balance of the debts
3d I give unto & bequeath to my wife Lamy Davis
& my daughter Mandaline F Davis all & my property & effects
real personal & mixed after paying my debts in the manner & way as
stated First my personal property shall all be sold only such
as my wife Lamy F Davis & my daughter Mandaline F Davis
will want to have for their use & support & comfort which shall be
left entirely with them to choose and determine. Then as much
of my real estate as will take to much paying my debts my
real estate known as my upper plantation must be sold first
& if this does not pay all my debts then as much of my home plan
tation must be sold as it will require & after paying the debts
& care the portion of my home place if to be sold to the discre
tion & my Executors after having five hundred & seventy in
cluding homestead & taxed off as my wife Lamy Davis &
daughter Mandaline F Davis shall desire After my debts
are provided for as before stated I will that my wife Lamy
Davis & my daughter Mandaline F Davis shall hold possession
& enjoy the balance of my property & equally during their
natural lives & not subject for any debt of personal property
under & subject to the following condition, that if my
daughter Mandaline F Davis should marry & all remain
& live with my wife Lamy Davis she shall have & enjoy her
portion of the property set forth in this will provided
further that it shall be managed & controlled as my wife Lamy
Davis shall direct & that nothing shall be removed by my
daughter Mandaline F Davis in case she should marry
only such as my wife Lamy Davis shall give to her provided
further that if my Daughter Mandaline F Davis should
survive my wife Lamy Davis then in that case she
shall take possession & hold & use all the property set forth
in this will during her natural life not liable for any
debts of personal property.
After the death of my wife Lamy Davis & daughter
Mandaline F Davis I will that my Executors will act
ording to Statute in such case all of my property real
personal & mixed and divided per capita among my
Children or their representatives equally after deducting

(Seal)

Notice to Witness

The State of Alabama } To any Sheriff of the State
Jefferson County } of Alabama
Greeting
You are hereby Commanded to
to Summon D J Huffman & M Huffman & L L Elliott

to appear before this Probate Court on the 23rd day of August 1869 then and there to testify in relation to the will of Daniel Davis dec'd
Witness my hand this 21st Aug 1869
Jno C Morrow
Judge &c

Executed on D L Huffman and P M Huffman on 21st day 1869 and on L L Ellis Executed on L L Ellis the 21st day of Aug 1869 by delivering a copy of this Summons to each of them
M P Gray Sh by
M Eustace Dep.

Testimony of witnesses

State of Alabama } Probate Court of said County
Jefferson County } In the matter of the Probate of the last will and testament of Daniel Davis dec'd

Before Jno C Morrow Judge of the said Court personally appeared in open court D L Huffman P M Huffman and L L Ellis who having been by me first respectively duly sworn and examined and do depose and say on oath that they are each subscribing witnesses to the instrument of writing or writing now shown them and which purports to be the last will and testament of Daniel Davis deceased late an inhabitant of this County that said Davis since deceased signed and executed said instrument on the day the same bears date and declared the same to be his last will and testament and that affiants their signatures thereto on the day the same bears date as subscribing witnesses to the same in the presence of the said testator that said testator was of sound mind and disposing memory and in the opinion of deponents fully capable of making his will at the time the same was made as deponents further state that said testator was on the day of the said date of said will of the full age of twenty one years and upwards
Subscribed and sworn to this 23rd August 1869
Jno C Morrow
Judge &c

L L Ellis
D L Huffman
P M Huffman

Daniel Davis dec'd Estate of } August 23rd 1869
In the matter of the probate of the last will and testament

The case coming on to be heard upon the application of D L Huffman and P M Huffman executors named in the last will and testament of Daniel Davis dec'd late of said County deceased for the probate of said will and testament and for the issuing of letters testamentary thereon to them the said applicants and the proof of the due execution of said will by the subscribing witnesses thereto and it appearing to the satisfaction of the Court that notice of said application and of the time appointed for hearing the same was given as required by law and in strict accordance with the requirements of the order of this Court made and entered in the premises on the 21st day of August 1869 by publication continued for three successive weeks in the Union Herald a newspaper published in this County, and no objections having been filed to said application and the Court having heard the proof adduced in support thereof and examined said will and being satisfied that the said Daniel Davis died on the 20th day of August 1869 at the age of seventy years and upwards and was at the time of his death a resident of this County and left property in this County to be administered upon and that the said D L Huffman & P M Huffman & L L Ellis the subscribing witnesses to the said instrument of writing purporting to be the last will and testament of the said deceased and which writing is now shown to them on the day of the date thereof in the presence of said testator and at his request and subscribing attested it in due form the said testator then declaring that said instrument contained his last will and it being also shown by proof that at the time of the execut. thereof said testator was of the full age of twenty one years and upwards and of sound mind and memory and that he was of sound mind and fully capable of making his said will. It is therefore ordered that the said application should be granted

It is therefore ordered adjudged and decreed by the Court that said will of said Daniel Davis dec'd be and the same is hereby declared to be duly proven as the last will and testament of said deceased and do admitted to Probate and ordered to be recorded together with the proof thereof and all other papers

[illegible] Petition ordered [illegible] said Applicant pay the Costs of this proceeding.

Wm Smithson Deceased Estate of

Wm Smithson Deceased Estate of
In the matter of the Probate of his will } March 18th 1867

This day came Thomas J Crow and also his petition in writing and under oath thereto produces and files in this court an instrument of writing purporting to be the last will and Testament of said Wm Smithson dec'd and prays an order and decree and proceedings may be proper and required for the probate and Record of said will in this court which said instrument appears to be attested by Thos J Jones & D Thomas John R Henry & two witnesses and who are alleged to have signed the same as subscribing witnesses thereto. And it appearing to the Court from said petition that said petitioner is one of the Executors named in said writing and that said decedent left no widow and left him surviving the following children to wit: Benjamin F Smithson Julia Hall wife of John A Hall Tolitha A Massey wife of James P Massey and Susan P Smithson all of whom are of sound mind and twenty one years of age the children of Wm Smithson deceased whose names and residences are unknown to said petitioner except Rebecca Smithson the children of Eliza Jones deceased of the said Counties but whose residences and names are unknown to your petitioner and Rebecca Smithson Priscilla Smithson Andrew Jackson Smithson and George Washington Smithson who are under the ages of twenty one years and whose residences are unknown to said petitioner except Rebecca Smithson who resides in said County with John A Hall. It is therefore ordered by the Court that the 30th day of March 1867 be set as a day for hearing testimony in proof of said instrument as such will. That said Benjamin F Smithson Julia Hall wife of John A Hall Tolitha A Massey wife of James P Massey and Susan P Smithson be notified of this proceeding and of the day above set for the hearing of the same by citation to be served upon them at least ten days before said 30th day of March 1867 and that Rebecca Smithson have the same notice by service of citation upon John A Hall her custodian. That the appointment of a suitable person to act as Executor at

time for said minors be postponed until citation shall have been served on said minors agreeable to the foregoing terms of this present order or such a time as the [illegible] shall be deemed and adjudged [illegible] and necessary to effect said [illegible] to you and for the [illegible] and costs thereof be granted and the [illegible] as directed and the [illegible] to come and [illegible] to be exercised by [illegible] as executors.

Estate of [illegible]

Estate of [illegible] } [illegible] March [illegible] 1867

[illegible] petitioning [illegible] of the Court [illegible] of said deceased [illegible] the [illegible] day of [illegible] 1867 [illegible] County aforesaid leaving a last will and testament [illegible] and published by [illegible] and annexed [illegible] and [illegible] requested [illegible] upon [illegible] which said will [illegible] and [illegible] ordered for probate and record in this Court.

[illegible] that [illegible] than [illegible] relatives [illegible] and the [illegible] of [illegible] deceased [illegible] Smith [illegible] Hall [illegible] Tolitha [illegible] [illegible] of [illegible] and [illegible] A Smithson all [illegible] of sound mind and [illegible] of age [illegible] children of [illegible] Smithson deceased [illegible] whose names are unknown to your petitioner [illegible] Rebecca Smithson [illegible] may be [illegible] in the County aforesaid [illegible] Smithson all of whose ages [illegible] Rebecca Smithson Priscilla Smithson Andrew Jackson Smithson and George Washington Smithson who are under the ages of twenty one years and whose residences are unknown to said petitioner except Rebecca Smithson who resides in said County with John A Hall [illegible] to your petitioner.

[illegible] prays that a day may be set for the hearing of the matter of this petition that subpoenas may be issued to [illegible] subscribing witnesses to said [illegible] such appointed day that due notice of this application may be given to the said respondents of said deceased and that such other proceedings orders and decrees may be had and made in the premises as may be requisite and proper to effect the due probate and [illegible]

Will and Proof

Jefferson County } ss.

In the matter of the Probate of the
last will and testament of Anson Smith son dec.

Before me the Hon Morrow Judge of the said court
personally appeared in open Court John K George Thomas
J Jones who having been by me first duly sworn
& examined did depose and say on
oath that they are each subscribing witnesses to the instrument
of writing now shown to them and which purports
to be the last will and testament of Anson Smithson
dec'd late an inhabitant of the county. That said Smith-
son duly signed sealed and executed said instrument
on the day the same was dated and declared the same to be
his last will and testament and that at the
[illegible] time he was of sound mind and do
[illegible] the same bear date as subscribed
[illegible] to the same in the presence of said testator
[illegible] said testator was of sound mind and do
[illegible] memory and in the opinion of deponents fully
capable of making his will. at the time the same was
[illegible] as aforesaid. deponents further say that they
[illegible] at the day of the date hereof
[illegible] of twenty one years and upwards.

Sworn and subscribed
before me this 20th day of
March 1867.

John K George
Thomas J Jones

Hon O Morrow
Judge of Probate.

Jefferson County } ss.

To any Sheriff of the State
of Alabama Thomas H Aron has presented in
the Probate Court of said County a paper writing pur-
porting to be the last will and testament of Anson
Smith late of said County dec'd. These are therefore com-
manded to summon Thomas J Jones John K George and
[illegible] who are subscribing witnesses to said will
to appear before a Court of Probate to be held for said co.
at the Court House in Birmingham on the 8th day of April 1867 to testify in relation
to said paper writing purporting to be the last will
and testament of the said Anson Smith son dec'd.
Given under my hand this 20th day of March
1867.

Hon O Morrow
Judge &c.

I hereby acknowledge the service of the within [illegible]

Jefferson County } ss.

In the matter of the Probate of the last will
and testament of Anson Smithson dec'd.

Be it remembered that on the 20th day of March 1867 before me Hon O Morrow Judge of Probate in and for said County personally appeared John K George and Thomas J Jones who being by me first duly sworn and examined did depose and say on oath that they are each subscribing witnesses to the instrument of writing now shown to them and which purports to be the last will and testament of Anson Smithson dec'd late an inhabitant of the county. That said Smithson duly signed sealed and executed said instrument on the day the same was dated and declared the same to be his last will and testament and that at the time he was of sound mind and do the same bear date as subscribed to the same in the presence of said testator and said testator was of sound mind and do memory and in the opinion of deponents fully capable of making his will. at the time the same was as aforesaid. deponents further say that they were at the day of the date hereof of twenty one years and upwards.

Sworn and subscribed
before me this 20th day of
March 1867.

John K George
Thomas J Jones

Hon O Morrow
Judge of Probate.

Jefferson County } ss.

To any Sheriff of the State
of Alabama Thomas H Aron has presented in
the Probate Court of said County a paper writing pur-
porting to be the last will and testament of Anson
Smith late of said County dec'd. These are therefore com-
manded to summon Thomas J Jones John K George and
[illegible] who are subscribing witnesses to said will
to appear before a Court of Probate to be held for said co.
at the Court House in Birmingham on the 8th day of April 1867 to testify in relation
to said paper writing purporting to be the last will
and testament of the said Anson Smith son dec'd.
Given under my hand this 20th day of March
1867.

Hon O Morrow
Judge &c.

I hereby acknowledge the service of the within [illegible]

Jefferson County } ss.

In the matter of the Probate of the last will
and testament of Anson Smithson dec'd.

Be it remembered that on the 20th day of March 1867 before me Hon O Morrow Judge of Probate in and for said County personally appeared John K George and Thomas J Jones who being by me first duly sworn and examined did depose and say on oath that they are each subscribing witnesses to the instrument of writing now shown to them and which purports to be the last will and testament of Anson Smithson dec'd late an inhabitant of the county. That said Smithson duly signed sealed and executed said instrument on the day the same was dated and declared the same to be his last will and testament and that at the time he was of sound mind and do the same bear date as subscribed to the same in the presence of said testator and said testator was of sound mind and do memory and in the opinion of deponents fully capable of making his will. at the time the same was as aforesaid. deponents further say that they were at the day of the date hereof of twenty one years and upwards.

Sworn and subscribed
before me this 20th day of
March 1867.

John K George
Thomas J Jones

Hon O Morrow
Judge of Probate.

State of Alabama
Jefferson County

To any Sheriff of the State of Alabama

Whereas Mary Parsons has propounded a paper writing purporting to be the last will and testament of John Parsons deceased. And it appearing to the Court that upon service of the Summons in case of said paper writing

You are therefore hereby Commanded to summon C. T. Parsons to appear in this Court on the 10th day of August 1868 and show Cause if he can why said paper writing so propounded should not be admitted to Probate and recorded as the last will and testament of said John Parsons dec

Given under my hand this 21st July 1868

[illegible]
Judge of Probate

State of Alabama
Jefferson County

To any Sheriff of the State of Alabama

Whereas Mary Parsons has propounded as the paper writing purporting to be the last will and testament of John Parsons dec. And it appearing to the Court that upon service of the Summons in case of said paper writing

You are therefore hereby Commanded to Summon E. Pollard to appear in this Court on the 10th day of August 1868 and show Cause if he can why said paper writing so propounded should not be admitted to Probate and recorded as the last will and testament of said deceased

Given under my hand this 21st day of July 1868

John C. Thorneton
Judge of Probate

State of Alabama
Jefferson County

To any Sheriff of the State of Alabama

Whereas Mary Parsons has propounded as the paper writing purporting to be the last will and testament of John Parsons dec. And it appearing to the Court that upon service of the Summons in case of said dec

You are therefore hereby Commanded to Summon William Bell to appear in this Court on the 10th day of August 1868 and show Cause if he can why said paper writing so propounded as aforesaid should not be admitted to Probate and recorded as the last will and testament of said deceased

Given under my hand this 21st day of July 1868

John C. Thorneton
Judge of Probate

State of Alabama
Jefferson County

To any Sheriff of the State of Alabama

Whereas Mary Parsons has propounded as the paper writing purporting to be the last will and testament of John Parsons dec. And it appearing to the Court that upon service of the Summons in case of said dec

You are therefore hereby Commanded to Summon Elias Canada to appear in this Court on the 10th day of August 1868 and show Cause if he can why said paper writing so propounded should not be admitted to Probate and recorded as the last will and testament of said deceased

Given under my hand this 21st day of July 1868

John C. Thorneton
Judge of Probate

State of Alabama
Jefferson County

To any Sheriff of the State of Alabama

Whereas Mary Parsons has propounded as the paper writing purporting to be the last will and testament of John Parsons dec. And it appearing to the Court that upon service of the Summons in case of said dec

You are therefore hereby Commanded to Summon Elias Canada to appear in this Court on the 10th day of August 1868 and show Cause if he can why said paper writing so propounded should not be admitted to Probate and recorded as the last will and testament of said deceased

Given under my hand this 21st day of July 1868

John C. Thorneton
Judge of Probate

State of Alabama
Jefferson County

To any Sheriff of the State of Alabama

Whereas Mary Parsons has propounded as the paper writing purporting to be the last will and testament of John Parsons dec. And it appearing to the Court that upon service of the Summons in case of said dec

You are therefore hereby Commanded to Summon Elias Canada to appear in this Court on the 10th day of August 1868 and show Cause if he can why said paper writing so propounded should not be admitted to Probate and recorded as the last will and testament of said deceased

Given under my hand this 21st day of July 1868

John C. Thorneton
Judge of Probate

State of Alabama
Jefferson County

To any Sheriff of the State of Alabama

Whereas Mary Parsons has propounded as the paper writing purporting to be the last will and testament of John Parsons dec. And it appearing to the Court that upon service of the Summons in case of said dec

You are therefore hereby Commanded to Summon William Bell to appear in this Court on the 10th day of August 1868 and show Cause if he can why said paper writing so propounded as aforesaid should not be admitted to Probate and recorded

ted to the Court for Probate a paper writing purporting to be the last will and testament of John Parsons dec^d.
And it appearing to the court that Clarinda Parsons is amongst the heirs of said dec^d.
You are hereby commanded to summon Clarinda Parsons to appear in this court on the 10^th day of August 1868 and show cause if any why the said paper writing should not be probated and recorded as the last will and testament of John Parsons Deceased.
Given under my hand this 21^st July 1868
[illegible] Morrow
Judge of Probate

State of Alabama } To any Sheriff of the State of Ala
Jefferson County }
Whereas Mary Parsons has propounded in this court a paper writing purporting to be the last will and testament of said deceased and it appearing to the court that W. J. Parsons is a son and heir of said John Parsons deceased.
You are therefore hereby commanded to summon W. J. Parsons to appear in this court on the 10th day of August 1868 and show cause if he can why the said paper writing should not be probated and recorded as the last will and testament of John Parsons Deceased.
Given under my hand this 21^st day of July 1868
[illegible] Morrow
Judge of Probate

Will and Proof

In the name of God Amen.
I John Parsons of the County of Jefferson in the State of Alabama being of sound and disposing memory and mind do make and publish this my last will and testament in manner and form following viz.
1^st I will advise that all my just debts and legal liabilities be discharged by my executors herein after named.
2^nd I will and it is my request that all my personal property after paying my debts remain in the possession of my beloved wife Mary Parsons on the plantation on which I live for the purpose of enabling her to raise and educate my children and also the real estate or land that I own in the county of Jefferson in the State aforesaid [illegible] and [illegible] property [illegible] not like after her decease to be equally divided amongst my heirs after deducting what some of them have [illegible] by way of advancement from me [illegible] Alexander George [illegible] Joseph [illegible] Hold[illegible] [illegible] Mary [illegible] Parsons [illegible] Marion Parsons [illegible] wife Mary [illegible] die before my youngest son Francis M[illegible] Parsons arrive at the age of twenty one years it is my request that the said [illegible] then sold and divided [illegible]
I hereby appoint my beloved wife Mary Parsons Executrix to this my last will and testament hereby revoking all [illegible] made
Signed sealed and acknowledged by John Parsons as his last will and testament in the presence of us who have subscribed our names in the presence of the testator } John Parsons (Seal)

The State of Alabama } I [illegible] Morrow Judge of the Jefferson County } Court of Probate in and for said County and State do hereby certify that the within instrument of writing was this day in said court and before me as the Judge thereof [illegible] proven by the proper [illegible] to be the genuine last will and testament of John Parsons deceased and said will together with the proof thereof have been recorded in my office in Book of wills [illegible] Pages 274 275 276
In testimony of which I have hereunto set my hand and the seal of the said Court this [illegible] August 1868
[illegible] Morrow
Judge of Probate

The State of Alabama } The Probate Court of said County
Jefferson County } To any Sheriff of the State of Alabama
Whereas Mary Parsons has propounded to this court a paper writing purporting to be the last will and testament of John Parsons deceased.
You are hereby commanded to summon [illegible] who is a subscribing witness to said instrument to appear before a court of Probate to be held for said County on the 10th day of August 1868 to testify in relation to said paper writing purporting to be the last will and testament of said John Parsons dec^d.
Given under my hand this 21^st July 1868
John C. Morrow
Judge of Probate

State of Alabama } In Probate Court of said County
Jefferson County } To any Sheriff of the State of Alabama

Whereas Mary Parsons has presented to the Court of Probate a paper writing purporting to be the last will and testament of John Parsons decd
You are therefore hereby Commanded to Summon S A Parsons who is a subscribing witness to said Instrument to appear before a Court of Probate to be held for said County on the 10th day of August 1868 to testify in relation to said paper writing purporting to be the last will and testament of said John Parsons decd
Given under my hand this 21st July 1868
[illegible]
Judge of Probate

State of Alabama } In Probate Court of said County
Jefferson County } To any Sheriff of the State of Alabama

Whereas Mary Parsons has presented to the Court of Probate a paper writing purporting to be the last will and testament of John Parsons decd
You are therefore hereby Commanded to Summon J W Sadler who is a subscribing witness to said Instrument to appear before the Probate Court to be held for said County the 10th day of August 1868 to testify in relation to said paper writing purporting to be the last will and testament of said John Parsons deceased
Given under my hand this 21st July 1868
[illegible]
Judge of Probate

State of Alabama } Probate Court of said County
Jefferson County } In the matter of the Probate of the last will and testament of John Parsons decd

Before me John C Morrow Judge of the said Court personally in Open Court James A McAdory who having been by me first duly sworn and examined did and do depose and say on oath that he together with Sam Parsons and J W Sadler are each subscribing witnesses to the instrument of writing now shown to him and which purports to be the last will and testament of John Parsons deceased late an inhabitant of said County that said Parsons since deceased signed and executed said instrument many years ago and declared the same to be his last will

and testament that affiant and their signatures [illegible] ~~said Instrument~~ the other subscribing witnesses [illegible] same bear date [illegible] subscribing witnesses to the same in the [illegible] presence [illegible] of said testator that said testator [illegible] sound and [illegible] his will at the [illegible] of [illegible] further states that said testator [illegible] the day of the [illegible] of said will of the [illegible] of sound mind and [illegible]
Sworn to and subscribed before me this 10th day of Aug 1868
John C Morrow } James McAdory
Judge of Probate }

[illegible] In the matter of the Probate of the last will and testament } August 10th 1868

The day having been set to [illegible] The Application of Mary Parsons which was heretofore filed in this court for the Probate of an instrument of writing purporting to be the last will and testament of said deceased. Now comes the said applicant and also comes [illegible] Watkins who was heretofore duly appointed by the order of the court and who now consents to act as Guardian ad litem for Mary Parsons & Eliza [illegible] who are minors both of whom are grand children [illegible] of said decd and it appearing to the satisfaction of the court that the notice of said Application and of the time appointed for hearing the same has been given [illegible] in accordance with the former order of the court made and entered in the [illegible] on the [illegible] day of July 1868 by publication continued for three weeks [illegible] in the [illegible] a newspaper published in the ~~[illegible]~~ County and by citations personally served as directed in said former order. now on motion of said Mary Parsons the court proceeds to hear said application
And it appearing to the satisfaction of the court from the testimony of James McAdory that the [illegible] signed the said Instrument of writing purporting to be the last will and testament of the said ~~[illegible]~~ deceased and which writing is now shown to [illegible] on the last [illegible] in the presence of said testator and at his request as a witness to the same [illegible] said testator [illegible] that said instrument [illegible] his last will and it being also shown by proof which is satisfactory to the court that said testator was of the full age of twenty one years and upwards at the time of making said will and that he was of sound mind and fully capable of making his said will
It is therefore ordered adjudged and decreed by the Court that said will of said John Parsons deceased be received, and the

deceased to be duly proven as the last will and testament of said deceased and to be admitted to Probate and record to be recorded together with the proof thereof and all other papers relating to this proceeding and it is further ordered that said Executrix pay the costs of this proceeding.

Sarah E Simmons Dec'd Estate of

Sarah E Simmons Dec'd Estate of
In the matter of the Probate of her will } Mch 29th 1868

This day came William Eubank and files his petition in writing and together with this petition producing and filing in this court the instrument of writing purporting to be the last will and testament of Sarah E Simmons deceased and praying for such order and decree and proceedings as may be proper and requisite for the due probate and record of said will in due form which said instrument appears to be attested by Benjamin F Worthington and Mitchell J Porter of the County and State aforesaid and to have signed the same as witnesses thereto. And it appearing to the court from said petition that the said William L Eubank is named as executor therein but that Mrs Sarah Ann Springfield who resides in the County of St Clair and is a sister of said deceased that a sister of said deceased who lives in the State of Georgia and the children of brother and sister of said deceased to wit Simmons Smith in the State of Georgia, one in the State of Mississippi and one in the State of South Carolina whose names are unknown, it is therefore ordered by the court that the 27th day of April 1868 be set as a day for hearing testimony and proof of said instrument as such will, that said Benjamin F Worthington and M J Porter be subpoenaed to be and appear on the said 27th day of April 1868 in and upon this court to testify and give evidence of and concerning all and any facts touching the question of the validity of said instrument as such will. That said Mrs Sarah Ann Springfield be notified of any of the day above set for hearing the same by citation to be served on her personally at least ten days before said 27th day of April 1868 That the unknown heirs and next of kin of said be notified and brought as parties to this proceeding by publication continued for three successive weeks in the Elyton Enterprise a newspaper published in said County.

Petition to Probate Will

The State of Alabama } In the Matter of the Estate of
Jefferson County } Sarah E Simmons Dec'd
Said County

Your petitioner William L Eubank respectfully represents unto your Honor that Sarah E Simmons late of said County departed this life on the 27th day of March A D 1868 at her residence in this County leaving a last will and testament duly signed and published by her and attested by Benjamin F Worthington and Mitchell J Porter the witnesses thereto. Your petitioner is named as executor therein and he now offers said instrument as and for the last will produced to you for probate and record in said County.

Your petitioner further states that the next of kin of said deceased is Mrs Sarah Ann Springfield widow of one of the brothers of said deceased who resides in St Clair County in the State of Alabama and the children and the sons and daughters of brothers and sisters of said deceased who live in Georgia and the children of brothers and sisters of said deceased who live in the State of Georgia, Simmons Smith the same in the State of Mississippi and one in the State of South Carolina as petitioner is informed & believes whose names are unknown to petitioner. In consideration of all which your petitioner prays that a day may be set for the hearing of this petition for such proof as may be deemed to bring in said subscribing witness to testify upon such appointed day and that notice of the time and place of hearing be given to the next of kin of said deceased and that such other proceedings orders and decrees may be had and made in the premises as may be meet and proper to effect the probate of said will and the record thereof.

Sworn to and subscribed
this 28th day of March 1868
Geo E Morrow
Judge of Probate

William L Eubank

Notice to Resident Heirs

State of Alabama } Probate Court of said County
Jefferson County }

Whereas Wm L Eubank has this day presented in this court a paper writing purporting to be the last will and testament of Sarah E Simmons deceased in which he is named as the Executor and it appearing that Rose Simmons (a feme woman) is mentioned as a Legatee in said will you are

therefore truly commanded to summon the said Rose Timmons to appear at the Probate Court of said County on the 27th day of April 1868. then and there to show cause if any [illegible] why said last will and testament should not be probated and recorded

Given under my hand this 21st day of M[arch] 1868

Geo C Morrow,
Judge of Probate

Executed 10th April 1868 W F [illegible] for David Hickman Deputy

State of Alabama } Probate Court of County
Jefferson County }

Whereas W C Eubank has this day propounded in this court a paper writing purporting to be the last will and testament of Sarah Timmons Deceased in which he is named as executor and it appearing that Lydia Timmons wife of David E ~~Timmons~~ Hickman is mentioned as a Legatee in said will You are therefore truly commanded to summon the said Lydia A ~~Timmons~~ Hickman to appear at the Probate office of said County on the 27th day of April 1868 then and there to show cause if any they have why said last will and testament should not be probated and recorded Given under my hand 21st of Mch 1868

Executed 10th April 1868 W F Hanby Shff By David Hickman Depty

State of Alabama } Probate Court of said County
Jefferson County }

Whereas W C Eubank has this day propounded in this court a paper writing purporting to be the last will and testament of Sarah Timmons Decd in which he is named as executor and it appearing that Cath-arine Springfield is mentioned as a Legatee in said will You are therefore truly commanded to summon the said Catharine Springfield to appear at the Probate Office of said County on the 27th day of April 1868 then and there to show cause if any they can why said will and testament should not be probated and recorded

Given under my hand this 21st day of Mch 1868

John C Morrow
Judge of Probate

Executed 10th April 1868 W F Hanby Shff per David A Hickman Depty

Will and Proof

Know all men by these presents that I Sarah Timmons of the County of Jefferson and State of Alabama [illegible] of the [illegible] of life and being of sound mind and memory do make declare and publish this my last will and testament My husband [illegible] Timmons [illegible] by his last will and testament gave me all of his property [illegible] and [illegible] the [illegible] of disposing of the same and provided that [illegible] of said property as remained at my death [illegible] should be sold and appropriated to missionary [illegible] therefore it is my will and desire that so much of the property left me by my said husband and other property that I may have not otherwise disposed of in this my last will and testament as may be necessary shall be sold and the proceeds applied to the payment of my just debts and of my funeral expenses and the expenses of executing this will and my other necessary expenses

Second — It is my will that the proceeds of the five notes which I hold on [illegible] for my said [illegible] amounting in all to one thousand [illegible] be equally divided between Lydia A Hickman wife of David E Hickman of said County and State and Sarah McL[illegible] of State of Mississippi

Third — I give to the said Lydia A Hickman one bedstead bed and bed clothing to go with it.

Fourth I give to Rose Timmons [illegible] my "Loom"

Fifth I nominate and appoint William C Eubank of said County of Jefferson to be the executor of this my last will and testament

In testimony whereof I have ~~[illegible]~~ to this my last will and testament subscribed my name and set my seal this the [illegible] day of Mch A D 1868

Sarah X Timmons (Seal)
mark

Signed sealed declared and published by the said Sarah Timmons as and for her last will and testament in presence of us who at her request and in her presence and in presence of each other have subscribed our names as witnesses [illegible]

[illegible] Porter
B F Worthington

The State of Alabama } I John C Morrow Judge of the
Jefferson County } Court of Probate in and for said County and State do hereby certify that the within instrument of writing has this day in said court and before me as the Judge

thereof been duly proven by the proper testimony to be the genuine last will and testament of Lydia Simmons Deceased and that said will together with said proof thereof have been duly recorded in my office in Book of wills [illegible] Pages 281 & 282 In witness of all which I have hereunto set my hand and the seal of the said Court this 27th day of April 1868

Jno C Morrow
Judge of Probate

State of Alabama } Probate Court of said County
Jefferson County } To any Sheriff of the State of Alabama
Greeting

Whereas Wm C Eubank has propounded to this court for Probate and record a paper writing purporting to be the last will and testament of Sarah Simmons late of said County Decd. You are therefore hereby Commanded to Summon W. T. Porter who is a subscribing witness to said will to appear before the Probate Court of said County of Jefferson County on the 27th day of April 1868 to testify as to said paper writing purporting to be the last will and testament of said Sarah Simmons Decd

Herein fail not and have you then this writ
Given under my hand at office this 31st day of Mch 1868
Jno C Morrow
Judge of Probate

Executed 2nd April 1868 W F Canty Shff
by [illegible] McMillion Deputy

State of Alabama } Probate Court of said County
Jefferson County } To any Sheriff of the State of Alabama
Greeting

Whereas Wm C Eubank has propounded to this court for Probate and record a paper purporting to be the last will and testament of Sarah Simmons late of said County decd. You are therefore hereby Commanded to Summon B. P. Worthington who is a subscribing witness to said will to appear before the Probate Court of said County of Jefferson on the 27th day of April to testify as to said paper writing purporting to be the last will and testament of said Sarah Simmons Decd

Herein fail not and have you then this writ
Given under my hand at office this 31st day of Mch AD 1868
John C Morrow
Judge of Probate

Executed 2nd April 1868 W F Canty Shff by H L McMillion Deputy

The State of Alabama } Before me John C Morrow Judge
Jefferson County } of said Court in and for said county personally appeared in open court W. T. Porter and Benjamin P Worthington who being known to me and duly sworn and examined did each depose and on oath say that they are the subscribing witnesses to the instrument of writing now shown to them and which purports to be the last will and testament of Sarah Simmons deceased late an inhabitant of said County that said Sarah Simmons since deceased signed and published said instrument on the day the same bears date and declared the same to be her last will and testament and that deponents set their signatures thereto on the day the same bears date as subscribing witnesses in the presence of said testator That said testator was of sound mind and disposing memory and in the opinion of deponents fully capable of making her said will at the time it was so made as aforesaid affiants further state that said testator was on the day of the said will of the full age of twenty one years and upwards

Sworn to and subscribed before me this 27th day of April 1868
John C Morrow
Judge of Probate

B P Worthington

Sarah Simmons Deceased Estate } In the matter of the Probate of the last will and testament } April 27th 1868

This day having been regularly appointed for hearing the application of William C Eubank which was heretofore filed in this Court for the Probate of an instrument of writing purporting to be the last will and testament of said decd. now comes the said applicant and it appearing to the satisfaction of the Court that the notice of the said application and of the time appointed for hearing the same has been given in pursuance of law and in strict accordance with the former order of this court made and entered in the premises on the 30th of Mch 1868 by publication continued for three successive weeks in the Baptist watchman a newspaper published in said County and by citation personally served as directed in said former order, now on motion of said ~~former~~ W C Eubank the court proceeds to hear said application and it appearing to the satisfaction of the court from the testimony of W. T. Porter and B P Worthington that they respectively signed the said Instrument of writing purporting to be the last will and testament of said decedent and which writing is

[illegible] from on the day of the date thereof in the presence of said Justice and at his request as subscribing witness to the same the said Malon Tyler declaring that said instrument constituted his last will.

It is therefore ordered adjudged and decreed by the Court that said will of said deceased Simmons dec'd be allowed and the same is hereby decreed to be duly proven to be the last will and testament of said deceased and that same be admitted to Probate and ordered to be recorded together with the proof thereof and all other papers filed relating to this proceeding. It is further decreed that said Office do issue all the Costs of this proceeding.

William Tyler Deceased Estate of

William Tyler Deceased Estate of } January 18 1869
In the matter of the Probate of his will }

Now day came Marquis D Tyler and filed his petition in writing and under the benefit of oath and filing in his own behalf as heir at law of said Wm Tyler dec'd and praying for such orders decrees and proceedings as may be requisite for the due Probate and record of said will as the Court shall find said instrument of writing to be [illegible] Esqr. P. Mason of the County and State aforesaid and was signed by the same as subscribing witness thereto and it appearing to the Court from said petition that said testator is the widow of said deceased and resides in the County that said decedent left five children him surviving to Elizabeth Holmes wife of William Holmes Matilda Tyler and William Tyler all of whom are full age and reside in Jefferson County Ala Joshua Spencer Tyler minor Joshua & Spencer under the age of fourteen and reside in the County with their mother Mrs Margaret Tyler

It is therefore ordered by the court that the 18th day of January 1869 be set as a day for hearing testimony in proof of said instrument as such will that said P.M. Mullins and Sam P. Mason be subpoenaed to be and appear on said 18th day of January 1869 in and before the Court to testify and give evidence of and concerning all and any facts touching the question of the validity of said instrument as such will. That said Spencer be notified of this proceeding and of the day above set for hearing the matter by citation to be served on said mother for him at least ten days before said day of hearing that said Elizabeth Holmes wife of William Holmes Matilda Tyler & Joshua Spencer Tyler be cited by such process & notice of this proceeding as the Court may direct to appear at the time of hearing and by such process & notice be brought of him before the said day of hearing. It is further ordered that the Clerk of this Court issue all the process necessary to the prosecution of this proceeding. And it is further ordered that said petitioner pay the costs of this proceeding. And it is further ordered that said will be duly recorded when proven and returned to the proper owner as soon as the same is proven and recorded by Clerk & Court in and returned to the proper owner as soon as the same is proven and recorded by Clerk & Court in and [illegible] for Jefferson County Ala.

Petition to Probate Will

State of Alabama } In the County Court of the
Jefferson County } [illegible] Term thereof of said County
A.D. 1869 of January Term Marquis D Tyler respectfully represents unto your honor that the late Wm Tyler who was an inhabitant of this County at the time of his death departed this life on the [illegible] day of December 1868 in said County leaving a last will and testament, duly signed & executed by him and attested by P.M. Mullins and Sam P. Mason & [illegible] as witnesses in this County [illegible] of Alabama who is the widow of testator as the records will show as reference thereto. Which will your petitioner is informed & believes is entitled to be admitted to probate as the last will and testament of said deceased.

Your petitioner further states that [illegible] decedent and that the [illegible] are said testator and the children to wit: Elizabeth Holmes wife of William Holmes Matilda Tyler and William Tyler All of whom are of full age and reside in this County Joshua and Spencer Tyler minor Joshua [illegible] and Spencer under the age of fourteen years & reside in this County with their mother Mrs Margaret Tyler All of whom reside in this County All of whom petitioner believes to be of sound mind. In consideration of the premises your petitioner prays that a day may be set for the hearing of the matter of this petition that subpoenas may be issued & citing all interested & parties to be by such process & notice as this Court may direct to appear at the time of hearing that the notice of the application may be given to the said next of kin of said deceased and that such the proceedings order and decree may be had and made in the premises as may be requisite and proper to effect the due Probate and record of said will according to law

And as in duty bound &c

M. D. Tyler

Subscribed and Sworn to before me January 18th 1869 [illegible]

The State of Alabama } To any Sheriff of the State
Jefferson County } of Alabama

You are hereby Commanded to Summon Elizabeth Coleman to be and appear before the Honorable the Probate Court of said County on the 18th day of January 1869 then and there to answer a petition filed in said Court by W. Morgan & Tyler for the purpose of probating and Establishing a writing purporting to be the last Will and Testament of Wm Tyler dec'd. If they shall so

Witness my hand this 11th January 1869

Pat C Herron
Judge of Probate

The State of Alabama } To any Sheriff of the State
Jefferson County } of Alabama

You are hereby Commanded to Summon H. C. Tyler to be and appear before the Honorable Court on the 18th day of January 1869 then and there to answer a petition filed in said Court by W. Morgan & Tyler for the purpose of probating and establishing a writing purporting to be the last Will and Testament of William Tyler dec'd. If they shall so

Witness my hand this 11th January 1869

Pat C Herron
Judge of Probate

The State of Alabama } To any Sheriff of the State
Jefferson County } of Alabama

You are hereby Commanded to Summon Matilda Tyler to be and appear before the Probate Court on the 18th day of January 1869 then and there to answer a petition filed in said Court by M. Tyler for the purpose of probating an instrument of writing purporting to be the last will and testament of Wm. Tyler dec'd. If they shall so

Witness my hand this 11th January 1869

Pat C Herron
Judge of Probate

The State of Alabama } To any Sheriff of the State
Jefferson County } of Alabama

You are hereby Commanded to Summon H. C. Tyler to be and appear before the Honorable Court on the 18th day of January 1869 then and there to answer a petition filed in said Court by W. Morgan & Tyler for the purpose of probating an instrument of writing purporting to be the last will and testament of William Tyler dec'd. If they shall so

Witness my hand this 11th January 1869

Pat C Herron
Judge of Probate

The State of Alabama } To any Sheriff of the State
Jefferson County } of Alabama

You are hereby Commanded to Summon Elizabeth Coleman to be and appear before the Honorable Court on the 18th day of January 1869 then and there to answer a petition filed in said Court by W. Morgan & Tyler for the purpose of probating an instrument of writing purporting to be the last will and testament of William Tyler dec'd. If they shall so

Witness my hand this 11th January 1869

Pat C Herron
Judge of Probate

The State of Alabama } To any Sheriff of the State
Jefferson County } of Alabama

You are hereby Commanded to Summon Matilda Tyler to be and appear before the Probate Court on the 18th day of January 1869 then and there to answer a petition filed in said Court by M. Tyler for the purpose of probating an instrument of writing purporting to be the last will and testament of Wm. Tyler dec'd. If they shall so

Witness my hand this 11th January 1869

Pat C Herron
Judge of Probate

Will and Prof

The last will and testament of William Tyler of Jefferson County Alabama. H. C. Tyler considering the circumstances

Petition to Probate will

The State of Alabama } In Emanuel Pro & Morrow
Jefferson County } Judge of the Court of Probate
of said County

The petitioner of Thomas X Trip respectfully represents unto your Honor that the late Robert Worthington who was an inhabitant of this County at the time of his death departed this life on the day of 18 in said County having a last will and testament duly signed & published by him and attested by J B Taylor & George Taylor who resides in this County that said Decedent left at the time of his death property in this County to the amount of Dollars and that the names residence & the ages of the heirs at law of said Decedent are as follows to wit Benjamin Worthington & W B Worthington who reside in this County James Reed wife of Jackson Reed residing in this County Amelia B Trip wife of petitioner who resides with petitioner in this County Rufus Trip over 21 years old Jno Trip & under 21 yrs old & Wm H Trip over 14 & under 21 years old Thomas Trip & Samuel Trip over 14 & under 21 years old all of whom reside in Cass Co Ala with their mother Jno Trip over 14 & under 21 years old & Amanda Ann wife of Elias Cross & the children of both of whom reside in this County. Also the children of Jno Trip dec'd who reside in Talladega Co Ala viz Jno Trip & petitioner the children of Lucien Smith & wife Mary Ann late Mary Ann Trip over 21 years old & under 14 years old & Thomas Trip over 14 & under 21 years old who are known & designated in the will of said Decedent as Jno Trip Morgan & Thomas Trip & Lucien Smith & Thomas Trip & Mary & Emanuel & Thomas Trip & Mary Ann Trip & Petitioner knows that said Decedent left no other heirs at law or next of kin than those above named he does not know their names & residence & therefore cannot state the same further to said Petitioner knows that said Decedent left no other heirs at law or next of kin than those above named he does not know their names & residence & therefore cannot state the same further to said

Sworn to and subscribed before me this 26th day of February 1866

Thos X Trip

Judge of Probate

Petitioner & Benjamin & Worthington & Worthington which said will is herewith presented & prayed to be recorded & proved for & as the last will & testament of said Decedent & that letters testamentary may be issued to the said Petitioner & Benjamin & Worthington & Worthington & that a citation may be issued to the Sheriff of Jefferson County commanding him to cite all persons interested in the estate of said Decedent to appear before this Court at the Court House in Jefferson County on the first Monday in March 1866 & show cause if any they can why said will should not be recorded & proved & letters testamentary issued to the said Petitioner & Benjamin & Worthington & Worthington & that the time & location may be given to the widow and next of kin of said deceased and that such other proceedings orders and decrees may be had and made in the premises as may be requisite & such proper to effect the due probate & record of said will according to law

Upon petition proper Letter that the widow & next of kin of said Decedent & to the Sheriff of said County that said Decedent left at the time of his death property in this County to the amount of Dollars & that the names residence & the ages of the heirs at law of said Decedent are as follows to wit Benjamin & W B Worthington who reside in this County James Reed wife of Jackson Reed residing in this County Amelia B Trip wife of petitioner who resides with petitioner in this County Rufus Trip over 21 years old Jno Trip & under 21 yrs old & Wm H Trip over 14 & under 21 years old Thomas Trip & Samuel Trip over 14 & under 21 years old all of whom reside in Cass Co Ala with their mother Jno Trip over 14 & under 21 years old & Amanda Ann wife of Elias Cross & the children of both of whom reside in this County. Also the children of Jno Trip dec'd who reside in Talladega Co Ala viz Jno Trip & petitioner the children of Lucien Smith & wife Mary Ann late Mary Ann Trip over 21 years old & under 14 years old & Thomas Trip over 14 & under 21 years old who are known & designated in the will of said Decedent as Jno Trip Morgan & Thomas Trip & Lucien Smith & Thomas Trip & Mary & Emanuel & Thomas Trip & Mary Ann Trip & Petitioner knows that said Decedent left no other heirs at law or next of kin than those above named he does not know their names & residence & therefore cannot state the same further to said

Sworn to and subscribed before me this 26th day of February 1866

Pro Judge

Judge of Probate

Notice to Resident Heirs

State of Alabama } Probate Court of said County
Jefferson County }

Whereas Thomas E Jones has this day produced in this court a paper writing purporting to be the last will and testament of Robert Worthington deceased in which he is named as one of the Executors and it appearing that Mortimer D Herring is one of the heirs of said deceased You are therefore hereby commanded to Summon the said Mortimer D Herring to appear at the Probate Office of said County on the 16th day of March 1866 then and there to Show Cause if any he has why the said last will and Testament should not be proved and recorded

Given under my hand this 20th day of January 1866

Wm G Morrow
Judge of Probate

To Thomas Coroner of the within named County

[illegible] Coroner Deft

State of Alabama } Probate Court of said County
Jefferson County

Whereas Thomas E Jones has this day produced in this court a paper writing purporting to be the last will and testament of Robert Worthington deceased in which he is named as one of the Executors and it appearing that Morrison Southern is one of the next of kin of said Deceased You are therefore hereby Commanded to Summon the said Morrison Southern to appear at the Probate office of said County on the 16th day of March 1866 then and there to Show Cause if any he has why the said last will and Testament should not be proved and recorded

Given under my hand this 20th day of January 1866

Wm G Morrow
Judge of Probate

State of Alabama } Probate Court of said County
Jefferson County }

Whereas Thomas E Jones has this day produced in this court a paper writing purporting to be the last will and testament of Robert Worthington deceased in which he is named as one of the Executors and it appearing that Henrietta Worthington one of the next of kin of said deceased You are therefore hereby Commanded to Summon the said Henrietta Worthington to appear at the Probate office of said County on the 16th day of March 1866 then and there to Show Cause if any she has why said last will and

[illegible] should not be proved and recorded
Given under my hand this [illegible] day of [illegible] 1866
Wm G Morrow
Judge of Probate

Executed on the 2nd day of [illegible] 1866
[illegible]
[illegible]

State of Alabama } Probate Court of said County
Jefferson County }

[illegible] produced in this court a paper writing purporting to be the last will and testament of Robert Worthington deceased in which he is named as one of the Executors and it appearing that M B Worthington one of the next of kin of said deceased You are therefore hereby Commanded to Summon the said M B Worthington to appear at the Probate office of said County on the 16th day of March 1866 then and there to Show Cause if any he has why said last will and Testament should not be proved and recorded

Given under my hand this [illegible] day of [illegible] 1866
[illegible]

Executed on the [illegible] day of [illegible] 1866
[illegible]

State of Alabama } In the Court of
Jefferson County } said County

Whereas Thomas R Jones has
this day presented in this Court a paper writing purporting
to be the last will and testament of Robert Worthington deceased
in which he is named as one of the Executors and it appearing
that James Clare Smithson is one of the next of kin of said
deceased You are therefore hereby Commanded to Summon the
said James Clare Smithson to appear at the Probate Office
of said County on the 1st day of March 1866 then and there to
show cause if any he have why said last will and testament
should not be proved and recorded

Given under my hand this 12th day of
February 1866

Wm C Morris
Judge of Probate

Executed on James on the 12th day of March 1866
H F Kaufy Sheff

State of Alabama } In the Court of said County
Jefferson County }

Whereas Thomas R Jones has this day
presented in this Court a paper writing purporting to be
the last will and testament of Robert Worthington deceased
in which he is named as one of the Executors and it appearing
that Benjamin F Smithson and the other children of Anson
Smithson are of the next of kin of said deceased You are hereby
Commanded to Summon the said Benjamin Smithson
to appear at the Probate Office of said County on the 1st
day of March 1866 then and there to show cause if any he
have why said last will and testament should not be proved
and recorded

Given under my hand this 12th day of January 1866

Wm C Morris
Judge of Probate

Executed on James on the 12th day of March 1866
H F Kaufy Sheff.

State of Alabama } Probate Court of said County.
Jefferson County }

Whereas Thomas R Jones has this
day presented in this Court a paper writing purporting
to be the last will and testament of Robert Worthington deceased
in which he is named as one of the executors and it appearing

that James Clare Smithson is one of the next of kin of said
deceased You are therefore hereby commanded to Summon the
said James Clare Smithson to appear at the Probate Office
of said County on the 1st day of March 1866 then and there to
show cause if any he have why said last will and testament
should not be proved and recorded

Given under my hand this 12th day of February
1866

Wm C Morris
Judge of Probate

State of Alabama } Probate Court of said County
Jefferson County }

Whereas Thomas R Jones has this day
presented in this Court a paper writing purporting to be the
last will and testament of Robert Worthington deceased in
which he is named as one of the Executors and it appearing
that James P Massey and Talitha F Massey are of the next of
kin of said deceased You are therefore hereby Commanded to Summon the
said James P Massey and Talitha F Massey to appear at the Probate Office
of said County on the 1st day of March 1866 then and there to Show Cause
if any they have why said last will and testament should not be
proved and recorded

Given under my hand this 12th day of February
1866

Wm C Morris
Judge of Probate

Executed by Reading Summons to James P Massey and Talitha F Massey on this
15th day of March 1866 H F Kaufy Sheff

State of Alabama } Orphans Court of said County
Morgan County }

Whereas Thomas J. Bibb has this day produced in this Court a paper writing purporting to be the last will and Testament of Robert Worthington deceased in which he is named as one of the Executors and it appearing that Thomas Bibb one of the Executors named in said will resides without the limits of this State and is now absent from this County Commanded to Summon the said Thomas Bibb to appear at the next Term of this Court to be held for said County on the 1st Monday in March next and then & there shew cause if any he has why the said last will and Testament should not be proved and recorded

Given under my hand this 20th day of February 1860

Jno. G. Morrow
Judge of Probate

The execution of this Summons is acknowledged this 20th February 1860

Jno. G. Morrow

State of Alabama } Orphans Court of said County
Morgan County }

Whereas Thomas J. Bibb has this day produced in this Court a paper writing purporting to be the last will and Testament of Robert Worthington deceased in which he is named as one of the Executors and it appearing that Thomas Bibb one of the Executors named in said will resides without the limits of this State and is now absent from this County Commanded to Summon the said Thomas Bibb to appear at the next Term of this Court to be held for said County on the 1st Monday in March next and then & there shew cause if any he has why the said last will and Testament should not be proved and recorded

Given under my hand this 20th day of February 1860

Jno. G. Morrow
Judge of Probate

State of Alabama } Orphans Court of said County
Morgan County }

Whereas Thomas J. Bibb has this day produced in this Court a paper writing purporting to be the last will and Testament of Robert Worthington deceased in which he is named as one of the Executors and it appearing that Thomas Bibb one of the Executors named in said will resides without the limits of this State and is now absent from this County Commanded to Summon the said Thomas Bibb to appear at the next Term of this Court to be held for said County on the 1st Monday in March next and then & there shew cause if any he has why the said last will and Testament should not be proved and recorded

Given under my hand this 20th day of February 1860

Jno. G. Morrow
Judge of Probate

Executed the 5th March 1860 W. H. Hawes Sheriff by [illegible] Deputy

Will and Proof

In the name of God amen.

I Robert Worthington being of sound mind and memory and having regard to the uncertainty of life do make this my last will and Testament hereby revoking all other Wills by me heretofore made and declaring it to be my will that my beloved wife Ann Worthington shall during her natural life or so long as she remains my widow have the possession and enjoyment of my Plantation whereon I now live and all the personal property that may be possessed at the time of my death, to remain in her possession during the natural life and one half of what she has all power to dispose of by will to whom as she may think proper.

Item after paying all my just debts and funeral expenses and one half mentioned to my wife Ann I will to be divided equally between my Children Thomas Worthington, Robert Worthington, Mary A. Worthington, Marcus E. Worthington, Children of my deceased Son Marcus E. Worthington dec'd of Jefferson County Ala and Mary Ann Worthington daughter of Robert Worthington of St Clair Co State of Alabama. And to accomplish the object intended by this will I direct and require my Executors hereinafter named to sell at public Sale all my property which shall remain after the decease of myself and my said wife excepting notes and money on hand Second I appoint Benjamin P. Worthington and Thomas

Robert Worthington

Signed sealed and published and declared by the said Robert Worthington to be his last will and testament in the presence of us who have hereunto subscribed our names as witnesses in the presence of the testator and each other this 19th day of August 1865

Test

Elijah Worthington

State of Alabama
Jefferson County

Elijah Worthington a witness for the plaintiff in the above stated case being duly sworn deposeth and saith that he was present and saw Robert Worthington sign and seal the foregoing instrument of writing and heard him publish pronounce and declare the same to be his last will and testament and that at the time of doing thereof he was of sound and disposing mind memory and understanding to the best of this deponents knowledge and belief and that he subscribed his name as a witness thereto in the presence of the testator and at his request and in the presence of each other.

Sworn to and subscribed before me this 19th day of August 1865

Elijah Worthington

Test

Clerk

State of Alabama
Jefferson County

To any Sheriff or Constable of said County Greeting

Whereas Thomas J. Todd has this day filed in the office of the Probate Court of said County a petition praying that a certain instrument of writing now produced in Court and purporting to be the last will and testament of Robert Worthington late of said County deceased may be admitted to Probate and that Letters Testamentary may be granted to the said Thomas J. Todd as Executor. You are therefore hereby commanded to summon Elijah Worthington one of the next of kin of said deceased to appear before the Judge of Probate of said County at the Probate Office in Elyton in said County on the 11th day of March 1866 then and there to shew cause if any he has why the prayer of said petition should not be granted and said will and testament admitted to Probate and record.

Given under my hand this 19th day of February 1866

Thos J. Todd
Exr of Robt Worthington
Deceased

Executed on the 11th day of March 1866 by summoning Elijah Worthington

W. H. Kelly
Sheriff

State of Alabama
Jefferson County

To any Sheriff or Constable of said County Greeting

Whereas Thomas J. Todd has this day filed in the office of the Probate Court of said County a petition praying that a certain instrument of writing now produced in Court and purporting to be the last will and testament of Robert Worthington late of said County deceased may be admitted to Probate and that Letters Testamentary may be granted to the said Thomas J. Todd as Executor. You are therefore hereby commanded to summon Elijah Worthington one of the next of kin of said deceased to appear before the Judge of Probate of said County at the Probate Office in Elyton in said County on the 11th day of March 1866 then and there to shew cause if any he has why the prayer of said petition should not be granted and said will and testament admitted to Probate and record.

Given under my hand this 19th day of February 1866

Thos J. Todd
Exr of Robt Worthington
Deceased

Executed on the 11th day of March 1866 by summoning Elijah Worthington

W. H. Kelly
Sheriff

State of Alabama
Jefferson County

I Samuel Geo. Smith Clerk of the Probate Court of said County and State aforesaid do hereby certify that the foregoing is a true copy of the last will and testament of Robert Worthington deceased and the proof thereof as the same appears of record in my office.

Given under my hand and official seal this 11th day of March 1866

Geo. Smith
Clerk

State of Alabama
Jefferson County

I Samuel Geo. Smith Clerk of the Probate Court of said County and State aforesaid do hereby certify that the foregoing is a true copy of the last will and testament of Robert Worthington deceased and the proof thereof as the same appears of record in my office.

Given under my hand and official seal this 11th day of March 1866

Geo. Smith
Clerk

Estate of
Continuance

This being the day to which
was continued for hearing the application of J R Taylor
was heretofore filed in this Court for the Probate of an instrument

Estate of
Continuance

Second Monday in March

Robert Worthington Dec'd
Continuance

and it being also shown by proof which is satisfactory to the Court that said testator at the time of making said will was of sound mind and memory capable of making a valid will. It seems to the Court that said application should be granted. It is therefore ordered adjudged and decreed by the Court that said will of said Robert Harrington deceased be and the same is hereby allowed & established as the last will and testament of said deceased and do such acts & proceedings and order to be recorded together with the proof thereof and all other papers & files relating to the proceedings of this & further ordered that said Applicants in the Estate of the proceeding

Isaac M Poole Dec'd Estate

Isaac M Poole Dec'd Estate }
In the matter of the probate of his will } April 27th

This day came D P White and William P Herring and filed their petition in writing and under oath thereof producing and exhibiting in this court an instrument of writing purporting to be the last will and testament of said Isaac M Poole Dec'd and praying the such orders decrees and proceedings may be had proper and requisite for the due probate of said will in this court which said instrument of paper is to be admitted by D P White J M Poole and R L Little of this county and J M Brown of Shelby Co in this State and who are alleged to have signed the same as witnesses thereto. And it appearing to the court from said petition that said petitioners are the executors named in said last will and testament that Martha Poole who is the widow said decedent who resides in this county that said decedent left four Children him surviving viz. Isaac M Poole John P. Mary and James B. who are all under the age of fourteen years and now in the care and custody of the said Martha their Mother It is therefore ordered by the court that the 13th day of April 1867. be [illegible] day for

hearing testimony in proof of said instrument as such will that said D P White & M Poole & R L Little be subpoenaed to be and appear in said court on said 13th day of April 1867 and before the court to testify and give evidence touching and concerning all and any facts touching the question of the validity of said instrument as such will. That said executors Wm P Mary and James be notified of the proceeding and of the day fixed for the hearing of the matter or petition to be heard in term said Martha for three at least ten days before said day of hearing that said Martha have notice and of such personal service thereof on the upon each of them before the said day of hearing. That the instrument of writing purporting to be the last will and testament of said deceased be produced before the Court and the said Martha as Guardian ad litem for said minors be present upon the hearing of said petition & that upon the hearing of said petition all witnesses be subpoenaed to be present upon the hearing of said petition.

Petition to Probate Will

The State of Alabama } In the County Court
Lawrence County } of said County

The petition of D P White & M Poole & W P Herring executors named in the last will and testament of Isaac M Poole deceased late of said County deceased respectfully represents unto your honor that the said Isaac M Poole departed this life on the 28th day of March A D 1867 at the home of petitioner in said County of Lawrence and State of Alabama leaving a last will and testament duly signed and published by him and attested in writing by J M Brown D P White and R L Little all of said County of Lawrence in said State of Alabama as witnesses thereto as by reference thereto will more fully appear a copy of which said will petitioners have annexed to this petition and marked as exhibit A and pray that the same may be admitted to record as the last will and testament of said deceased and that letters testamentary may be issued to petitioners as executors named in said will and that they may be authorized to qualify as such executors according to law and that they may be authorized to take possession of all the property of said deceased and to collect all debts due said estate and to do all other acts necessary to the settlement of said estate according to law and petitioners will ever pray &c

D P White
M Poole
R L Little
W P Herring

State of Alabama }
Lawrence County } Personally appeared before me D P White M Poole R L Little and W P Herring executors named in the foregoing petition who being duly sworn depose and say that the facts stated in said petition are true to the best of their knowledge information and belief

Sworn to and subscribed before me this 27th April 1867
D P White
M Poole
R L Little
W P Herring

In consideration of the foregoing petition it is ordered that a day may be set for the hearing of

In the matter of this petition that subpoenas may issue to bring the said subscribing witness to testify on such appointed day that due notice of this application may be given to the widow and next of kin of said deceased and that such other proceedings may be had and made in the premises as may be requisite and proper to effect the due Probate and record of said will according to law

Subscribed and sworn to this 2nd day April 1867
John C Morrow
Judge of Probate

And as in duty bound
J C Poole
W P Hening

Notice to Resident Heirs

The State of Alabama } To any Sheriff of the State
Jefferson County } of Alabama

You are hereby commanded to summon Isaac M Poole by service of this summons upon Martha Poole his mother and custodian to appear before the Probate Court on Saturday 13th April 1867 then and there to answer the Petition of John C Poole and W P Hening to Probate the last will and testament of Isaac M Poole deceased as aforesaid

Herein fail not and have you then and there this summons

Witness my hand this 2nd April 1867
John C Morrow
Judge of Probate

Service accepted
Martha Poole

I acknowledge service of this subpoena for the said Isaac M Poole this [illegible] of April 1867

The State of Alabama } To any Sheriff of the State
Jefferson County } of Alabama

You are hereby commanded to summon John Preston Poole by service of this summons on Martha Poole his mother and custodian to appear before the Probate Court on Saturday the 13th of April 1867 then and there to answer the Petition of John C Poole and W P Hening to Probate the will and testament of Isaac M Poole dec'd as aforesaid

Herein fail not and have you then and there this summons

Witness my hand this 2nd April 1867

Service accepted — M Poole

I acknowledge service of this summons for the said John Preston Poole this [illegible] day of April 1867

The State of Alabama } To any Sheriff of the State
Jefferson County } of Alabama

You are hereby commanded to [illegible] Mary Poole by service of this summons on Martha Poole their mother and custodian to appear before the Probate Court on Saturday 13th April 1867 then and there to answer the Petition of John C Poole and W P Hening to Probate the last will and testament of Isaac M Poole dec'd as aforesaid

Herein fail not and have you then and there this summons

Witness my hand this 2nd April 1867

Service accepted
Martha Poole

John C Morrow
Judge of Probate

I acknowledge service of this subpoena for the said Mary Poole this [illegible] of April 1867

The State of Alabama } To any Sheriff of the State
Jefferson County } of Alabama

You are hereby commanded to summon James Poole by service of this summons upon Martha Poole his mother and custodian to appear before the Probate Court on Saturday the 13th April 1867 then and there to answer the Petition of John C Poole and W P Hening to Probate the last will and testament of Isaac M Poole deceased as aforesaid

Herein fail not and have you then and there this summons

Witness my hand this 2nd April 1867

Service accepted
Martha Poole

John C Morrow
Judge of Probate

I acknowledge service of this subpoena for the James Poole named therein this [illegible] day of April 1867

Will and Proof

In the name of God Amen

I Isaac M Poole of the County of Jefferson and State of Alabama being of sound mind and memory and considering the frail and transitory life do therefore make ordain publish & declare this to be my last will and testament that is

Will and Proof

December 15th 1869

Know all men by these presents that I John Nash of the County of Jefferson and State of Alabama being in sound mind and memory and of lawful age and knowing the uncertainty of life and being desirous to dispose of my estate after my decease do make and ordain this my last will and testament

1st I will all my just debts be paid

2nd I give and bequeath unto my beloved wife Mary Nash One hundred Dollars

3rd I give and bequeath unto my son William Nash One hundred Dollars

4th I give and bequeath unto my son Wiley M. Nash my gold watch

5th I give and bequeath unto my son John Nash my Double Barrel Gun

6th I give and bequeath unto my son Thomas Nash my Rifle Gun

7th I give and bequeath unto my son Wiley M. Nash my Saddle and Bridle

8th I give and bequeath unto my son John Nash my Bible

9th I give and bequeath unto my son Thomas Nash my Clock

10th I give and bequeath unto my son Wiley M. Nash my Bureau

11th I give and bequeath unto my son John Nash my Sow and pigs

12th I give and bequeath unto my son Thomas Nash my Cow and calf

13th I give and bequeath unto my son Wiley M. Nash my Mare Colt

14th I give and bequeath unto my son John Nash my Bay Mare

15th I give and bequeath unto my son Thomas Nash my Sorrel Mare

16th I give and bequeath unto my son Wiley M. Nash my Sorrel Horse

17th I give and bequeath unto my son John Nash my Yoke of Oxen

18th I give and bequeath unto my son Thomas Nash my Yoke of Oxen

19th I give and bequeath unto my son Wiley M. Nash my Yoke of Oxen

20th I give and bequeath unto my son John Nash my Yoke of Oxen

21st I give and bequeath unto my son Thomas Nash my Yoke of Oxen

22nd I give and bequeath unto my son Wiley M. Nash my Yoke of Oxen

23rd I give and bequeath unto my son John Nash my Yoke of Oxen

24th I give and bequeath unto my son Thomas Nash my Yoke of Oxen

25th I give and bequeath unto my son Wiley M. Nash my Yoke of Oxen

26th I give and bequeath unto my son John Nash my Yoke of Oxen

27th I give and bequeath unto my son Thomas Nash my Yoke of Oxen

28th I give and bequeath unto my son Wiley M. Nash my Yoke of Oxen

29th I give and bequeath unto my son John Nash my Yoke of Oxen

30th I give and bequeath unto my son Thomas Nash my Yoke of Oxen

31st I give and bequeath unto my son Wiley M. Nash my Yoke of Oxen

32nd I give and bequeath unto my son John Nash my Yoke of Oxen

33rd I give and bequeath unto my son Thomas Nash my Yoke of Oxen

34th I give and bequeath unto my son Wiley M. Nash my Yoke of Oxen

35th I give and bequeath unto my son John Nash my Yoke of Oxen

36th I give and bequeath unto my son Thomas Nash my Yoke of Oxen

37th I give and bequeath unto my son Wiley M. Nash my Yoke of Oxen

38th I give and bequeath unto my son John Nash my Yoke of Oxen

39th I give and bequeath unto my son Thomas Nash my Yoke of Oxen

40th I give and bequeath unto my son Wiley M. Nash my Yoke of Oxen

41st I give and bequeath unto my son John Nash my Yoke of Oxen

42nd I give and bequeath unto my son Thomas Nash my Yoke of Oxen

43rd I give and bequeath unto my son Wiley M. Nash my Yoke of Oxen

44th I give and bequeath unto my son John Nash my Yoke of Oxen

45th I give and bequeath unto my son Thomas Nash my Yoke of Oxen

46th I give and bequeath unto my son Wiley M. Nash my Yoke of Oxen

47th I give and bequeath unto my son John Nash my Yoke of Oxen

48th I give and bequeath unto my son Thomas Nash my Yoke of Oxen

49th I give and bequeath unto my son Wiley M. Nash my Yoke of Oxen

50th I give and bequeath unto my son John Nash my Yoke of Oxen

51st I give and bequeath unto my son Thomas Nash my Yoke of Oxen

52nd I give and bequeath unto my son Wiley M. Nash my Yoke of Oxen

53rd I give and bequeath unto my son John Nash my Yoke of Oxen

54th I give and bequeath unto my son Thomas Nash my Yoke of Oxen

55th I give and bequeath unto my son Wiley M. Nash my Yoke of Oxen

56th I give and bequeath unto my son John Nash my Yoke of Oxen

57th I give and bequeath unto my son Thomas Nash my Yoke of Oxen

58th I give and bequeath unto my son Wiley M. Nash my Yoke of Oxen

59th I give and bequeath unto my son John Nash my Yoke of Oxen

60th I give and bequeath unto my son Thomas Nash my Yoke of Oxen

61st I give and bequeath unto my son Wiley M. Nash my Yoke of Oxen

62nd I give and bequeath unto my son John Nash my Yoke of Oxen

63rd I give and bequeath unto my son Thomas Nash my Yoke of Oxen

64th I give and bequeath unto my son Wiley M. Nash my Yoke of Oxen

65th I give and bequeath unto my son John Nash my Yoke of Oxen

66th I give and bequeath unto my son Thomas Nash my Yoke of Oxen

67th I give and bequeath unto my son Wiley M. Nash my Yoke of Oxen

68th I give and bequeath unto my son John Nash my Yoke of Oxen

69th I give and bequeath unto my son Thomas Nash my Yoke of Oxen

70th I give and bequeath unto my son Wiley M. Nash my Yoke of Oxen

71st I give and bequeath unto my son John Nash my Yoke of Oxen

72nd I give and bequeath unto my son Thomas Nash my Yoke of Oxen

73rd I give and bequeath unto my son Wiley M. Nash my Yoke of Oxen

74th I give and bequeath unto my son John Nash my Yoke of Oxen

75th I give and bequeath unto my son Thomas Nash my Yoke of Oxen

76th I give and bequeath unto my son Wiley M. Nash my Yoke of Oxen

77th I give and bequeath unto my son John Nash my Yoke of Oxen

78th I give and bequeath unto my son Thomas Nash my Yoke of Oxen

79th I give and bequeath unto my son Wiley M. Nash my Yoke of Oxen

80th I give and bequeath unto my son John Nash my Yoke of Oxen

81st I give and bequeath unto my son Thomas Nash my Yoke of Oxen

82nd I give and bequeath unto my son Wiley M. Nash my Yoke of Oxen

83rd I give and bequeath unto my son John Nash my Yoke of Oxen

84th I give and bequeath unto my son Thomas Nash my Yoke of Oxen

85th I give and bequeath unto my son Wiley M. Nash my Yoke of Oxen

86th I give and bequeath unto my son John Nash my Yoke of Oxen

87th I give and bequeath unto my son Thomas Nash my Yoke of Oxen

88th I give and bequeath unto my son Wiley M. Nash my Yoke of Oxen

89th I give and bequeath unto my son John Nash my Yoke of Oxen

90th I give and bequeath unto my son Thomas Nash my Yoke of Oxen

91st I give and bequeath unto my son Wiley M. Nash my Yoke of Oxen

92nd I give and bequeath unto my son John Nash my Yoke of Oxen

93rd I give and bequeath unto my son Thomas Nash my Yoke of Oxen

94th I give and bequeath unto my son Wiley M. Nash my Yoke of Oxen

95th I give and bequeath unto my son John Nash my Yoke of Oxen

96th I give and bequeath unto my son Thomas Nash my Yoke of Oxen

97th I give and bequeath unto my son Wiley M. Nash my Yoke of Oxen

98th I give and bequeath unto my son John Nash my Yoke of Oxen

99th I give and bequeath unto my son Thomas Nash my Yoke of Oxen

100th I give and bequeath unto my son Wiley M. Nash my Yoke of Oxen

Witness my hand this 2nd of January [illegible]
Mo C Moren
Judge of Probate

State of Alabama } To any Sheriff of the State
Jefferson County } of Alabama
You are hereby Commanded to
summon [illegible] M. [illegible] to be and appear before
the Probate Court of said County on the 2[illegible] day
of January 1869 then and there to testify and
[illegible] [illegible] of and concerning all and any
facts touching the validity of the will of said John
[illegible] Dec'd [illegible] [illegible] not [illegible] [illegible]
[illegible] then there with [illegible] [illegible] thereon
Witness my hand this 2nd day January 1869
Mo C Moren
Judge of Probate

State of Alabama } Probate Court of said County
Jefferson County }
In the matter of the Probate of
the last will and testament of John [illegible] Dec'd
Before me Mo C Moren Judge of the Court of Pro
bate personally appeared in open Court R H [illegible]
[illegible] [illegible] M [illegible] Chamber who being
duly sworn depose and says [illegible] that they
[illegible] [illegible] subscribing witnesses to the Instrument of
writing [illegible] [illegible] and which purports to be
the last will and testament of [illegible] [illegible] Dec'd late
an inhabitant of this County that said [illegible] [illegible]
deceased signed and executed said instrument
[illegible] the day the same bears date and declared the
same to be his last will and testament
and that affiants [illegible] their signatures thereto on the
day the same bears date as subscribing witnesses to the
same in the presence of said testator. That said testa
tor was of sound mind and disposing memory and
in the opinion of deponents fully capable [illegible]
will at the time was so made as aforesaid affi
ants further state that said testator was on the day
of the said date of said will of the full age of
twenty one years and upwards
Subscribed and sworn to
before me this 30th day
of January 1869
Mo C Moren Judge
R H [illegible]
[illegible]
M L Chamber

John [illegible] Dec'd Estate }
In the matter of the Probate } January [illegible] 1869
of the will }
This day having been
duly appointed for hearing the application of [illegible]
[illegible] which was heretofore filed in this court for the
Probate of an instrument of writing purporting to be the
last will and testament of said [illegible] [illegible] said [illegible]
and also [illegible] [illegible] [illegible]
[illegible] [illegible] and who now consents to act as the
guardian ad litem for the said [illegible] and minor [illegible] of said
Dec'd whose names are unknown and who reside in Missis
sippi and it appearing to the satisfaction of the court
that the notice of said application and of the time appo
inted for hearing the same has been given in pursuance
of law and in strict accordance with the former order
of this court made and entered on the [illegible] on the
2nd day of January 1869 by publication continued for
three successive weeks in the St Clair [illegible] a newspaper
published in St Clair County and [illegible] relating [illegible]
[illegible] [illegible] as limited in said former order
[illegible] [illegible] [illegible] [illegible] [illegible]
said application. And it appearing to the satisfaction of the
court upon the testimony of R H [illegible] M L Chamber
[illegible] [illegible] the [illegible] the said
instrument of writing purporting to be the last will and
testament of the said deceased and which writing [illegible]
[illegible] [illegible] [illegible] on the day of the date thereof in
the presence of said testator and at his request as
subscribing witnesses to the same the said testator then
declaring the said instrument [illegible] as his last
will [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] that said testator was of the age
of 21 years and that he was of sound mind and
fully capable of making his said will it seems to the
court that said application should be granted
It is therefore ordered adjudged and decreed by the court
that said will of said John [illegible] Dec'd [illegible]
and the same is hereby declared to be duly proven as the
last will and testament of said decedent and as such
admitted to Probate and ordered to be recorded toge
ther with the proof thereof and all [illegible] [illegible]
relating to this proceeding. It is further ordered that
said applicants pay the costs of this proceeding

Will of James K. Jacks deceased.

The State of Alabama } Whereas life is uncertain and death is
Jefferson County } certain and whereas the law allows a man to dispose of his personal and real estate by will - Now I James K. Jacks of the County of Jefferson and State of Ala bama being old and feble in health but of sound and disposing mind for which blessing I am grateful to God. do make and declare this my last will and testament hereby revoking all others by me made.

Item 1st I will that my body be buried at Chester Springs Church in a plain neat and Christian manner but not extravagantly

Item 2nd After my death I wish my just debts and funeral expenses paid out of any moneys or personal property that I may leave.

Item 3rd I will and bequeath to my Son Gilbert L. Jacks the following described Land, viz, W½ of the S.W.¼ Section 12 Township 16 Range 3 West.

Item 4th I will and bequeath to my beloved wife Mabala all the balance of my real and personal estate of what nature or discription

I Appoint my old friend William S. Connet and my wife Mabala Jacks my Executor and Executrix of this my last will and testament

In testimony whereof I have hereunto Signed the Same on this the 31st Day of December 1868

James K. (his mark) Jacks

Signed and declared to be the last will and testament in presence of John B. Sanford and
Who at the request of the testator Signed it as witnesses in the presence of each other this 31st December 1868

Henry H. D'Espiney.
John B. Sanford

The State of Alabama }
Jefferson County } I, John C. Herron Judge of the Probate Court of said County and State do hereby Certify that the within instrument of writing has this day in said Court and before me as said Judge been duly proven by the proper testimony to be the genuine last will and testament of James K. Jacks deceased and said will together with the proof thereof have been recorded in my office in my Book of Wills No 1 Page 321 & 322 In witness of which I have hereunto set my hand and the Seal of said Court this 31st day of January 1871

John C. Herron
Judge of Probate

State of Alabama }
Jefferson County } In the matter of the Estate of the Last will and testament of James K. Jacks

Before me John C. Herron Judge of the said Court personally appeared H. H. Despiney who being by me first duly sworn and sworn did on oath depose and say as to the execution of the foregoing last will that he is one of the subscribing witnesses to the instrument of writing now shown to him and which purports to be the last will and testament of James K. Jacks deceased late an Inhabitant of this County that said Jacks have duly executed signed and executed said instrument. On the day the same bears date and declared the same to be his last will and testament and that deponent and John B. Sanford the other witness did there Signatures thereto on the day the same bears date as subscribing witnesses to the same in the presence of said testator.

That said testator was of sound mind and disposing memory and in the opinion of deponents fully capable of making his will at the time the same was so made as aforesaid. Affiant further states that said testator was on the day of the said date of said will of the full age of twenty one years and upwards

H. H. Despiney.

Subscribed and sworn to
this 31st January 1871
John C. Herron Judge of Probate

James McAdory deceased Estate of
The State of Alabama } Probate Court
Jefferson County }

Petition of Chambers McAdory for the Probate of the will of James McAdory deceased.

To the Hon John C Morrow Judge Probate Court Jefferson County
The petition of the undersigned Chambers McAdory respectfully represents your Honor that James McAdory who was at the time of his death an inhabitant of said County departed his life at his residence in said County on or about the second day of December 1871 leaving assets in this State and leaving a last will and testament duly signed and published by him and attested by Thomas H. Owen Thomas McAdory and A. K. Jones That your petitioner as he verily believes is named in said will as one of the Executors of his will and R. A. McAdory the other and does now herewith surrender said will to the Court and prays that after proper proceedings and proofs it may be Probated and admitted to record as the true last will and testament of said deceased.
Your petitioner further represents that Nancy H. McAdory is the widow of said deceased and that the names, ages residences and conditions of the next of kin are as follows viz Chambers McAdory (your petitioner) and Robert A. McAdory. N. E. McAdory and Mary V. Spencer wife of Alfred S. Spencer all children of said deceased and over twenty one years of age and reside in Jefferson County Alabama also Jesse W. Williams and James M. Gillespie over fourteen and under twenty one years of age and John S. Gillespie under fourteen years of age all residing in said County the said James M. and John S. Gillespie residing with the widow of said deceased in said County all of said next of kin are of sound mind.
Your petitioner would further represent that all the said attesting witnesses reside in said County and therefore further pray that Your Honor will issue notices to the next of kin for the purpose of probating said will and issue subpoenas to said witnesses and that your honor will grant all such other orders as may be necessary and proper for the probating of said will &c Chambers McAdory
The State of Alabama } Chambers McAdory being duly sworn
Jefferson County } deposes and says the facts alleged in the above petition are true according to the best of his knowledge and belief
Chambers McAdory
Subscribed and sworn to this 11th day of December 1871
John C Morrow Judge of
Probate Court Jeff Co
Filed in the office of the Judge of Probate Court this 11th day of December 1871 Prayer granted and ordered recorded this 22 day of December 1871 John C Morrow
Judge Probate Court Jeff Co

The State of Alabama } In Probate Court Special Term December 11th 1871
Jefferson County }
Present Hon John C Morrow Judge
In the matter of the estate of } Order appointing day for Proof of will
James McAdory deceased }

And now on this day comes Chambers McAdory and produces to the Court an instrument of writing purporting to be the last will and testament of James McAdory deceased duly signed and published by him and attested by Thomas McAdory A. K. Jones and Thomas H. Owen as witnesses and [illegible] also presents his petition in writing and under oath praying that said instrument [illegible] be admitted to Probate and record as the true last will and testament of James McAdory deceased and it appearing to the satisfaction of the Court from the allegations contained in the said petition and from other good and sufficient evidence that the said James McAdory departed this life at his residence in this County on or about the [illegible] day of December 1871 being at the time of his death an inhabitant of this County leaving assets in this State and that said Chambers McAdory the said petitioner is named in said will as one of the Executors thereof. It is thereupon ordered by the Court that the petition be filed and that the 22 day of December 1871 be set as a day for hearing testimony in proof of the execution of the instrument as said last will and testament of James McAdory deceased and it further [illegible] Thomas McAdory Thomas H. Owen and A. K. Jones [illegible] to said will reside in said County of Jefferson It is further ordered that at the request of the said petitioner that the said Thomas McAdory Thomas H. Owen and A. K. Jones be summoned to be and appear before said Probate Court on the said 22 Dec 1871 then and there to testify as to said instrument purporting to be the last will and testament [illegible]
And it further appearing that the said deceased left surviving him N. H. McAdory his widow and the said Chambers McAdory Robert A. McAdory N. E. McAdory Mary V. Spencer wife of Alfred S. Spencer his children all of said deceased and the [illegible] who are the grand children of said deceased Jesse W. Williams James M. Gillespie both of whom reside in said County of Jefferson and are over the age of fourteen years and under twenty one years of age and John S. Gillespie under the age of fourteen years and resides in said County with his grand mother N. H. McAdory It is further ordered that notice of this application and the time above set for hearing the same be given to the said [illegible] McAdory Robert A. McAdory N. E. McAdory Mary V. Spencer and her husband Alfred S. Spencer [illegible] and James M. Gillespie and to the said John S. Gillespie by service of a citation on said Nancy H. McAdory his grand mother and custodian by [illegible] at least ten days before the day above set for hearing said application. It is further ordered that [illegible] be and [illegible] appointed Guardian ad litem to represent and defend the interest of the said Jesse W. Williams James M. Gillespie and John S. Gillespie pertaining to this proceeding and that said Guardian [illegible] have notice of his appointment and the day above set for hearing
John C Morrow
Judge of Probate Court Jeff Co

The State of Alabama
Jefferson County
Present Hon. J. C. Morrow Judge

In Probate Court Special Term Dec 22 1871

In the matter of the Estate of James McAdory deceased. Orders Probating will and granting letters testamentary.

This being the day appointed for hearing the application heretofore filed in this Court by Chambers McAdory praying for the Probate and record of a certain instrument of writing purporting to be the last will and testament of James McAdory deceased. Now comes the said Chambers McAdory the said petitioner and moves the Court that said application be granted and it appearing to the satisfaction of the Court that notice of said application and of the time set for hearing the same has been duly given in pursuance of law and in conformity to an order of this Court in the premises entered on the 11th day of December 1871 by notice duly served upon the said R. A. McAdory, J. M. C. McAdory, Mary V. Spencer wife of Alfred S. Spencer, and Ashbury T. McAdory and on Henry H. McAdory for John S. Gillespie minor under the age of fourteen years Defree H. Williams and James M. Gillespie and now also William S. Earnest heretofore appointed Guardian ad litem to represent and defend the interests of Defree H. Williams, James M. Gillespie and John S. Gillespie minors and next of kin of the said deceased in all matters relating to this application coming into Court and consenting to act as said Guardian ad litem. Now on motion of the said Chambers McAdory petitioner the Court proceeds to hear said application and it appearing to the satisfaction of the Court upon the testimony of Thomas McAdory, Thomas H. Dixon and A. K. Jones the said attesting witnesses who appears in open Court and being duly sworn deposeth and saith that they the said Thomas McAdory, Thomas H. Dixon and A. K. Jones were present and saw the said James McAdory sign the said instrument of writing purporting to be the last will and testament of said deceased, which instrument is now shown to him, on the day the same bears date, that said instrument was then duly exhibited and that they heard the said James McAdory then and there declare that the said instrument in writing was his last will and testament and that they respectively subscribed their names as witnesses thereto at the request of the said James McAdory and in his presence and in the presence of each other and it further appearing that the said testator was at the time of making said will of sound and disposing mind and memory of full age and under no constraint and that he died an inhabitant of Jefferson County the Court being sufficiently advised by said testimony of proper and legal execution of said will. It is therefore ordered adjudged and decreed by the Court that said instrument of writing be considered probated and admitted to record as the true last will and testament of James McAdory deceased. It is further ordered that said petition be recorded. This day also come Chambers McAdory and R. A. McAdory and present to the court their petition in writing under oath praying that letters testamentary upon said last will and testament may issue to them as Executors of the last will and testament of James McAdory deceased and the Court being now already fully advised concerning the death of the said James McAdory and that his last will heretofore duly admitted to probate in this Court, the said Chambers McAdory and R. A. McAdory named in Executors thereof and it now further appearing to said Court from the allegations contained in said petition and from other good and sufficient evidence that the said Chambers McAdory and R. A. McAdory are of the full age of twenty one years are inhabitants of this State are fit persons under the law and in the estimation of the Court to serve as said Executors and no one having appeared to oppose the granting of letters or to show cause why the prayer of said petitioners should not be granted. It is further ordered that the said petition be recorded. There being an express in said last will and testament of the said James McAdory deceased exempting the said Executors from executing bond. It is thereupon upon ordered adjudged and decreed by the Court that letters testamentary be granted to the said Chambers McAdory and R. A. McAdory as executors under said will and that the said Chambers McAdory and R. A. McAdory proceed to collect and to take into his possession the goods and chattels, money, books, papers and evidences of debt of the said deceased except the personal property by law reserved to the widow and make due return to the Court of a true inventory thereof within sixty days. It is further ordered that Thomas McAdory, Thomas H. Dixon and Fleming Jordan be and they are hereby appointed appraisers of the personal property of said Estate and that a warrant of appraisement be issued to them notifying them of their appointment and that they make due return to this Court under oath of their proceedings within sixty days

John C. Morrow Judge of Probate
Court Jefferson County

Will of James McAdory deceased and Proof

In the name of God amen

I James McAdory of the County of Jefferson in the State of Alabama do now while I am of sound and disposing mind and memory make publish and declare this to be my last will and testament

Item 1st I desire my body decently buried and such monument erected to my memory as to my wife shall seem most appropriate

Item 2nd I give devise and bequeath to my dearly beloved wife Nancy T. during and for her natural life all my lands lying in Section 7 and 8 in Township 19 Range 4 West and in Section 12 and 13 in Township 19 Range 5 West in the said County of Jefferson and all of my other lands lying and south and west of the Town of Jonesboro in said County including the dwelling house and premises where I now reside, my saw and grist mill and all other houses and tenements located on any of the lands before mentioned also such number of horses and mules not to exceed twelve in number as she may desire to be selected by herself, also all my household and kitchen furniture, all my stock of cattle, hogs and sheep, such number of wagons

Vehicles, Tools and farming implements as she may desire to be selected by her self. Also ~~such~~ much Corn Wheat Oats and other grain as she may deem necessary for her use for one year. All of said property real and personal to be had held used and enjoyed by my said wife for and during her natural life

Item 3rd It is my will that all the property real and personal owned and possessed by me in the State of Alabama not hereinbefore given devised and bequeathed to my wife during life be sold at public sale after due and seasonable notice shall have been given at such times and places and upon such terms as the Executors of this my last will and testament shall deem best for the interest of my estate.

Item 4th It is my will that all the property both real and personal owned and possessed by me in the State of Mississippi be sold at public sale after due and seasonable notice shall have been given at such times and places and upon such terms as the Executors of this my last will and testament shall deem best for the interest of my estate and the proceeds arising from such sale or sales be brought to the State of Alabama without a division in the State of Mississippi and to be divided among my Children and Grand Children by my said Executors in the State of Alabama in all respects as is hereinafter provided for the division of my estate among my Children and Grand Children

Item 5th It is my will that all the debts due to me shall be collected as soon as practicable

Item 6th It is my will that the money that shall arise from the sale of my property and the collection of the debts due and owing to me and all that may accrue to my estate or that may come into the hands of my Executors as a part of my estate from any and all sources whatever, shall be divided among my Children that may be living at my death and my grand son Jesse W. Williams and my grand sons James M. Gillespy and John S. Gillespy in the manner following that is to say each of my said Children is to have and receive one equal part, my grand son Jesse W. Williams is to have and receive one equal and my grand sons James M. Gillespy and John S. Gillespy are each to receive one half of one equal part. but my said Grandson Jesse W. Williams and my grand sons James M. and John S. Gillespy are not to be paid nor are they to receive any part of the gift or bequest herein made except as herein after provided.

Item 7th It is my will that the part of my estate herein before given and bequeathed to my grand son Jesse W. Williams shall not be paid to or vest in him until he shall have arrived at twenty one years of age when he shall have arrived at the age of twenty one years the portion herein before given and bequeathed to him shall be paid to him with lawful interest thereon from the time the division herein before provided for shall have been made - less the taxes and other legal charges and other expenses that may attach thereto. But

should he die before he arrives at the age of twenty one years then the portion given and bequeathed to him herein shall be divided among my Children or heirs at law according to the Statute of descents and distributions now in force in this State [illegible] as if I had survived the said Jesse W. Williams and had died intestate

Item 8th It is my will and that the portion of my estate given and bequeathed by the provisions of this will to my Grandsons James M. Gillespy and John S. Gillespy shall not be paid to vest in or be received by them or either of them until they shall have respectively arrived at the age of twenty one years nor until they may arrived at said age they shall respectively release and protect my son Chambers McAdory my son Chambers McAdory as Executor and Administrator from all liability if any which he may have incurred or be under to them or either of them as Administrator of the estate of their deceased father John S. Gillespy because of having received or collected as such Administrator any portion of the assets of said estate in Confederate money or investing as such Administrator any portion of the assets of said estate in Confederate bonds or other securities nor until they shall have respectively [illegible] my Executors and my estate from all liability if any that I may have incurred or be under to them or either of them because of having as their Guardian received and collected for them any Confederate money or having as their Guardian invested any portion of their funds or means in Confederate bonds or other securities But when my said Grandsons James M. and John S. Gillespy shall have attained the age of twenty one years respectively and shall have released and protected my son Chambers McAdory from all liability to them or either of them as Administrator as aforesaid for the causes as aforesaid and shall have released and protected my Executors and my estate from all liability which I may have incurred or be under to them or either of them for the causes aforesaid and as Guardian as aforesaid then it is my will that the amount bequeathed and given to them by this will be paid over to them respectively with interest thereon from the time the division of my estate shall be made as above provided less the amount of taxes and other legal charges that may have [illegible] attached thereto. If my said grandsons James M. and John S. Gillespy or either of them shall recover or attempt to recover any [illegible] from my son Chambers McAdory as Administrator as aforesaid any [illegible] the causes aforesaid or if they shall recover or attempt to recover any damages from my executors or my estate or Guardian as aforesaid for the causes aforesaid then they or either of them so recovering or attempting to recover as aforesaid for the causes aforesaid are excluded from receiving any portion or share of my estate. And whatever amount is recovered by them from my son Chambers McAdory as Administrator as aforesaid and for the causes aforesaid shall be paid by my Executors out of my estate

Item 9th It is my will that all the property real and personal herein before given devised and bequeathed to my my wife during her life shall as soon after her death as practicable be sold

in the same manner and upon the same terms as I have devised & bequeathed to my other Married Sons & Daughters subject nevertheless to the provisions of the 3rd Item of this Will and it is my will that the money arising from said Sales shall be divided and distributed among my Children and Grand Children as I have devised the money arising under the provisions of the 6th Item of this Will to be divided and distributed among my Grandsons John H. Williams and James M. and John S. Gillespie under said Item 6 to be paid to them respectively at the times and under the same restrictions and Conditions as provided in Items 7th and 8th of this Will

Item 11th It is my will that if any of my Children shall die before I do leaving Children surviving them that upon such Children shall take double the share & portion of my Estate which such Parent would have taken under it if they had survived me.

Item 12th It is my will that no money or other property of what kind soever which I have or may give to any one of my Children or Grand Children before my death shall be included in the Share & portion which is to be taken by my Children or Grand Children in taking under the provisions of this my last will and testament.

Item 13th I do hereby constitute and appoint my two Sons Chambers M.c Dony and Robert A. M.c Dony executors of this my last will and testament and it is my wish and desire and I do hereby so direct that they shall not be required to give bond as executors of this will and that they shall be exempt from giving bond as executors of the same and that they shall be appointed executors without a bond being required of them or either of them.

In testimony Whereof I have to this my last will and testament contained on the foregoing ten pages of paper subscribed my name and affixed my seal this the first day of January A. D. one thousand eight hundred and Seventy

James M.c Dony (Seal)

The above was signed sealed declared and published by the said James M.c Dony as and for his last will and testament in presence of us who at his request and in his presence and in presence of each other have subscribed our names as witnesses thereto: this first day of January 1870

Thomas J. Allen
Thomas M.c Dony
F. K. Jones.

The State of Alabama } I John L. Morrow Judge of Probate Court in
Jefferson County } and for said County and State do hereby Certify
that the within and foregoing instrument of writing has this day in said
Court and before me as the Judge thereof been duly proven by the
proper testimony, to be the genuine last will and testament of James

M.c Dony deceased and that said will together with said proof thereof was ordered to be recorded and is recorded in my office in Book of Wills Pages 325 to 332 inclusive of Wills

(Seal)

In testimony of all which I have hereto set my hand and affixed the seal of said Court this the 22nd day of December 1871

John L. Morrow Judge of Probate

The State of Alabama } Probate Court of said County
Jefferson County }

In the matter of the Probate of the last will and testament of James M.c Dony

Before me John L. Morrow Judge of the said County Court with appeared in Open Court Thomas M.c Dony F.K. Jones and Thomas J. Allen who being by me duly sworn on their oaths each for himself deposed and say: that they are each subscribing witnesses to the instrument now shown to them and purporting to be the last will and testament of James M.c Dony late of said County deceased that said James M.c Dony was at the time of executing and publishing said instrument of writing as the last will and testament of himself of the full age of twenty one years and of sound and disposing mind and memory and that he executed said instrument voluntarily and of his own free will and accord for the purposes therein mentioned and that he was not under the influence of any undue restraint or coercion.

And they further depose that they saw the said James M.c Dony sign his name to said instrument and heard him declare the same to be his last will and testament and that they signed their names as witnesses thereto in the presence of said testator and at his request and in the presence of each other and that at the time of executing said instrument the said James M.c Dony was over the age of twenty one years and upwards

Thomas M.c Dony.
F.K. Jones
Thomas J. Allen

Subscribed and sworn to this 22nd day of December 1871

John L. Morrow
Judge of Probate

Samuel S. Earle deceased Estate of
The State of Alabama } Probate Court
Jefferson County }

Petition of Paul H. Earle for the Probate of the Will of Samuel S. Earle deceased

To the Hon. John G. Harris Judge Probate Court Jefferson County. The petition of the undersigned Paul H. Earle respectfully represents unto your Honor that Samuel S. Earle late of the County of Jefferson and State of Alabama departed this life at Trafford on or about the twenty fifth day of December A.D. 1872 leaving assets in this State and leaving a last will and testament duly signed and published by him and attested by W. T. Earle, Robert A. Thrasher and Jno. H. Bartlett. That Paul H. Earle and L. S. Earle are named in said will as executors and your petitioner says that said will is now in the possession of your petitioner and he has now and here offers said will to the Court and requests that upon the proper proceedings and proof as may be prescribed and admitted to record as the true last will and testament of said deceased. Your petitioner further represents that he said deceased at the time of his death was a resident of said County and that the names of the residence and condition of the next of kin so far as known to your petitioner of said Samuel S. Earle deceased over the age of twenty one years, reside at Trafford in the State of Alabama, to wit, Sarah E. Green wife of Robert A. Green married A. Merrill wife of A. M. Merrill Harriet S. Earle wife of Wm. T. Earle deceased, Ida Florence E. Gordon wife of Hartman M. Gordon, Virginia A. Walker wife of William Walker Jr. and William S. Earle all of whom are over the age of twenty one years and Paul H. Earle, Joseph T. Earle and Susie E. Earle all of whom are under the age of twenty one years and over the age of fourteen years. Joseph T. Earle and Susie E. Earle both of whom are under the age of fourteen years. Samuel S. Earle over the age of twenty one years and of unsound mind and who resides with the said Harriet S. Earle in said County of Jefferson. Paul H. Earle your petitioner who is over the age of twenty one years, the said minors Samuel S. Earle Jr. Joseph T. Earle and Susie E. Earle reside with their father W. S. Earle in said County of Jefferson and all of the foregoing persons are of full age except Samuel S. Earle reside in said County of Jefferson. Your petitioner would further represent that the said attesting witnesses are of sound mind and reside in said County of Jefferson and therefore your petitioner prays that your Honor will appoint a day for the hearing of this application and that such notices may be issued and orders and decrees made as are necessary to effect the object herein prayed for according to law.

Paul H. Earle

The State of Alabama } Paul H. Earle being duly sworn deposes and says
Jefferson County } that the facts set forth in the above petition are true according to the best of his knowledge information and belief

Subscribed and sworn to before me this 2nd day of April 1873
Paul H. Earle

John G. Harris
Judge Probate Court Jefferson County

State of Alabama } In the Probate Court Special term April 7th
Jefferson County } 1873 Present the Hon. John G. Harris Judge
In the matter of the estate of Samuel S. Earle deceased } Petition for probate of will

It appearing to the Court that Paul H. Earle has produced to the Court an instrument of writing purporting to be the last will and testament of Samuel S. Earle deceased and published by him and attested by W. T. Earle, R. A. Thrasher and J. H. Bartlett as witnesses thereto and presently filed here in writing under oath showing that the said instrument of writing be admitted to probate and record as the true last will and testament of Samuel S. Earle deceased and it appearing to the satisfaction of the Court from the allegations contained in the petition and from other good and sufficient evidence that Samuel S. Earle departed this life at his residence in the County of Jefferson on or about the 25th day of December 1872 being at the time of his death an inhabitant of said County leaving assets in this Jefferson County and that L. S. Earle and Samuel S. Earle are named in the said will as executors and executor and that the said Paul H. Earle the petitioner is present in the Court as a heir at law. It is therefore ordered by the Court that the said petition be filed and that the 10th day of April inst be set for hearing testimony in proof of the execution of said instrument as said last will and testament of Samuel S. Earle deceased and it further appearing that W. T. Earle R. A. Thrasher and John H. Bartlett the witnesses to said will reside in the County of Jefferson and State of Alabama It is further ordered at the request of counsel for petitioner that the said W. T. Earle R. A. Thrasher and John H. Bartlett be summoned to appear before the Probate Court on the first day of next Term then and there to testify touching the instrument purporting to be the last will and testament of the said Samuel S. Earle deceased and it further appearing that the said deceased left surviving him W. T. Earle his widow and Joseph T. Earle Samuel S. Earle Sarah E. Green wife of Robert A. Green.

Harriet E Harriett wife of Gilliam Harriett L Martin wife of Woods Martin Sarah A Judd Harriet Jordan wife of Martin L Jordan Virginia Walker wife of W Walker Samuel William L Judd all of whom are over twenty one years of age James T Judd Mollie A Judd both of whom are over the age of twenty one years and under twenty one years of age Joseph T Judd and Jessie Judd both of whom are under the age of twenty one years John Barbee Clarke over the age of twenty one years of unsound mind married and resides in said county of Jefferson with his mother Harriet H Clarke and Estelle, Kirtley James James T Judd Mollie A Judd Joseph T Judd and Jessie C Judd reside with their father William L Judd in this County and that all the foregoing persons other than said John Barbee Clarke reside in said County county except Samuel L Clarke who resides in Tyler in Texas

It is further ordered that notice of this application and the time above set for hearing the same be given to the said Joseph T Judd and the said Samuel L Clarke by forwarding to him at Tyler Texas a copy of the notice of said application and of the day set to hear the same Sarah A Judd wife of Robert W Judd Harriet E Judd wife of W Judd Harriet L Martin wife of Woods Martin Sarah A Judd Harriet E Jordan wife of Martin L Jordan Virginia Walker wife of W Walker and William L Judd Jessie C Judd Estelle Kirtley Joseph T Judd and Jessie C Judd by Service on W S Judd & John Barbee Clarke by Service and Publication at least ten days before the day above set for hearing said application

It is further ordered that

he and he hereby is appointed guardian ad litem to be represent and defend the interests of the said James T Judd Mollie A Judd Joseph T Judd & Jessie C Judd infants over the age of twenty one years and under twenty one years of age and of John Barbee Clarke a person of unsound mind married and residing in said county of Jefferson in all matters pertaining to the proceedings and that said guardian ad litem have notice of his appointment and the day above set for hearing

Jno E Morrow
Judge of Probate Jefferson

The State of Alabama Probate Court may 15th 1872
Jefferson County } This being the day appointed by a former order of this Court to hear and determine the facts alleged in the application of W H Clarke asks the Probate of the last will and testament of S L Clarke dec'd are motion for good and satisfactory reasons, the hearing thereof is Continued until 31st day of May 1872

The State of Alabama In Probate Court Special Term may 31st 1872
Jefferson County } Present the Hon John E Morrow Judge

In the matter of the application for probating will and granting Letters Testamentary thereon which was continued the hearing of this the day to which time this Court by due & regular practice is the proper record of a certain instrument of writing purporting to be the last will and testament of Samuel L Clarke deceased now Comes Wm H Clarke the said petitioner and moves the Court that said application be granted and it appearing to the satisfaction of the Court that notice of said application and the time & place of hearing the same has been duly given in pursuance of law and the requirements of an order of this Court in the premises entered on the 7th day of April 1872 by which order reference is had the proofs of which is duly proven to open Court by the following persons to wit Sarah A Green wife of W H Green Harriet E Harriett wife of Gilliam Harriett L Martin wife of Woods Martin Sarah A Judd Harriet E Jordan wife of Martin L Jordan Virginia Walker wife of W Walker and William L Judd Jessie C Judd Estelle Kirtley Joseph T Judd and Jessie C Judd by service on W S Judd & John Barbee Clarke by service and publication at least ten days before the day set for hearing said application and it appearing to the satisfaction of the Court that the said Samuel L Clarke died leaving a last will and testament and that the said petitioner is entitled to the probate thereof as the executor named in said will. It is therefore ordered by the Court that the said Samuel L Clarke and James T Judd be served by forwarding notice thereof by mail to Tyler Texas at least ten days before the first open term of this Court and that W H Clarke be appointed guardian ad litem to represent and defend the interests of Mollie A Judd James T Judd Joseph T Judd and Jessie C Judd infants over the age of twenty one years and under twenty one years of age and of John Barbee Clarke a person of unsound mind married and residing in said county of Jefferson in all matters relating to this application coming into Court and consenting to act as said Guardian ad litem upon the execution of the said bond by said petitioner. The Court proceeds to hear said application And it appearing to the satisfaction of the Court from the testimony of W H Clarke and Estelle Kirtley the subscribing witnesses who in open Court and upon their oaths each for themselves and not one for the other did depose and say that they the said W H Clarke and Estelle Kirtley were present and saw the said Samuel L Clarke sign the said instrument in writing purporting to be the last will and testament of said deceased which instrument is now shown to them as the day of the date thereof that said instrument was then duly published by him and that they heard the said Samuel L Clarke then and there declare that the said instrument in writing was his last will and testament and that they respectively subscribed their names as witnesses thereto at the request of the said Samuel L Clarke and in his presence and in the presence of each other and it further appearing that the said testator was at the time of making such will of sound

and disposing mind and memory of full age and
under no restraint and that he died an inhabitant
of Jefferson County, this Court being now sufficiently
advised by said testimony of the propriety and legal execution
of said will it is therefore ordered adjudged and decreed
by this Court that said instrument of writing be considered
probated and admitting to record as the true last will
and testament of the said Samuel Steele deceased it is further
ordered that the said petition be recorded

This day also came into the said day June 1820 H. Steele and
presented to this Court her petition in writing and on oath
praying that letters testamentary upon the last will &
testament of Samuel Steele deceased and the Court
being now already fully advised concerning the
death of the said Samuel Steele and that his will heretofore
duly admitted to probate in this County the said Harriet H
Steele and Samuel Steele are named as executrix and executor
thereof and it further appearing from a paper writing on
file in this Court that the said Samuel Steele renounced
his right as executor of said last will and testament and it
appearing further appearing to said Court from the allegations
contained in said petition and from other good and
sufficient evidence that the said Harriet H. Steele is of
the full age of twenty one years an inhabitant of this
State and is a fit person under the law and in the estimation
of this Court to serve as executrix and no reason appearing
to oppose the granting of letters to same it is ordered by the
prayer of said petitioner Shall not be granted it is
ordered that the same be granted and from a pro
vision in said last will and testament the said
Court is relieved from the responsibility of entering into
bond for the faithful discharge of her duties

It is therefore ordered adjudged and decreed by the
Court that Letters testamentary be granted to the said
Harriet Steele as executrix under said will and that
the said Harriet Steele proceed to collect and take into her
possession the goods and chattles money books of papers
and evidences of debt of the said deceased except the
personal property by law reserved the widow and
make due return to the Court of a full inventory thereof
within sixty days It is further ordered that
H. McMeekin A. H. May and R. A. Adams be and
they hereby are appointed appraisers of the personal
property of said estate and that a warrant of appraisement
be issued to them notifying them of their

appointment and that they make due return to this Court under
oath of their proceedings within sixty days

John A. Grayson
Judge of Probate
Jefferson Co

Will of Samuel Steele recorded and Proved

I Samuel Steele of the County of Jefferson and State of Miss
sippi Considering the uncertainty of this life and being
of sound mind and memory do make and ordain this my last will and testament
hereby revoking all other wills heretofore by me
first & principal debts funeral expenses and charges
purpose and for the purpose of having the expenses of
executing this will I make ordain & constitute and
hereinafter named either one of them to be sole executor
my personal property except the negroes and
hereafter specially bequeathed

Second I give and bequeath my plantation to my son Joseph
A. McMeekin and his heirs for ever and I pay have to my
son John Sanders Steele

third I give devise and bequeath all the residue of my prop
erty effects and estate of every kind & all personal and
mixed goods things in action of which I stand seized and
possessed or to which I should be entitled at the time of my
death unto my beloved wife Harriet H Steele for and
during her widowhood if she shall so long remain my
widow at this period that she support and
maintain in a proper manner my children
Sarah Steele during their lives

Fourth It is my will and desire that as soon as convenient
after the death of me and my wife a plain marble slab shall be placed
over each of the graves of my wife and myself and of
each of our children that are now dead bearing with the
simple inscription of the name and date of birth and death
of the one lying beneath for instance thus To the memory of
Samuel Steele born 22nd March 1791 died
and on the slab over the grave of Robert H. Steele I have
the inscription to be a simple epitaph as follows
To the memory of Thomas Steele born ____ died ____
filling up date of birth and death

Fifth At the death of my wife if she survives me, and if
not at my death I give devise and bequeath all & sin
gular all the property effects and estate herein before
given to my wife as soon as possible after coming into effect
the fourth paragraph of this will to my son Paul H.
Steele his heirs and assigns forever

with it at the death of my wife if she survive me and if not at my death I give devise and bequeath the other three fourths of all the property & effects of every kind whatsoever given to her for her life as above by the fourth paragraph of this will to my daughter Sarah to have and her heirs forever in trust to hold the same during the life of my said son John Baylis to be applied for the maintenance and profits of the same or as much thereof as may be necessary to maintain & support him in a proper and suitable manner my said son John Baylis and the residue of said annual rents & encroachments profits to be appropriated to the use and benefit of her said brother John Baylis and it is my will that upon the death of my said son John Baylis then the trust herein created shall cease and determine and that my said daughter Sarah Green and her heirs or assigns shall be entitled to the whole of the property hereby devised & bequeathed to my said son John Baylis

Seventh If at the death of my said wife she should die before my said daughter Sarah shall be dead and leave no child living at that time it is my will that my said daughter Sarah shall have the whole of my estate hereinbefore given to my said wife for life subject to the same conditions and trusts as the three fourths interest herein before given to her in trust for and during the absolute right & title of my said daughter and her children at the decease of my said son John Baylis

Eighth I nominate and appoint my wife Harriet H Baylis and my son Joseph Steele executrix and executor of this my last will and testament and request that they shall not be required to give bond as such I have not by this instrument or any other thing than for the purposes herein given legacies in this will but my estate will be so small that if divided amongst all it would be little good to any and I have bequeathed given the said Harriet H Baylis my wife and the said Sarah H Green is more nearly than the others entitled to my bounty In witness whereof I have hereunto set my hand and Seal this 7th August A.D. 1870

Samuel S. Baylis (Seal)

Signed sealed published & declared by the said Samuel S. Baylis as and for his last will and testament in presence of us who at his request and in his presence and in the presence of each other have subscribed our names as witnesses hereto

W. J. Porter
W. H. Manly
John R. Roskell

The State of Alabama } I John R. Roskell Probate Judge of the Probate Court of
Jefferson County } in and for said County and State aforesaid do hereby Certify that the within instrument of writing purporting to be the last will and testament of Samuel S. Baylis deceased bearing date the 7th day of August A.D. 1870 was this day duly proven before me by the proper testimony to be the genuine last will and testament of said deceased and that the same together with said proof was duly recorded in my office in Book [illegible] Page [illegible]
In witness whereof I have hereunto set my hand and affixed the seal of said Court this 31st day of May 1871

John R. Roskell
Judge of Probate

The State of Alabama } Jefferson County }
In the matter of the Estate of Samuel S. Baylis deceased
Before me John R. Roskell Judge of Probate in and for said County personally appeared W. H. Manly who being first duly sworn and examined deposes and says that he was present and saw Samuel S. Baylis deceased sign the within instrument of writing and heard him declare that the same was his last will and testament and that he executed the same freely and voluntarily for the purposes therein mentioned and that at the time he executed the same he was of sound and disposing mind memory and understanding to the best of this deponents knowledge and belief and that he subscribed his name as a witness to the same in the presence of said testator and at his request and that he saw the said testator sign his name to the same as subscribed witness to the same in the presence of said testator

That said testator was of age and married and respecting himself was in the opinion of deponent and as deponent believes of sound mind and memory and was not under any restraint or coercion that deponent knows of or believes and was to the best of deponents knowledge and belief competent to make a will and that said testator was at the time of the execution of said will of the full age of twenty one years and upwards

Sworn to and subscribed before me this 31st day of May 1871

W. H. Manly

John R. Roskell
Judge of Probate

James K. Jacks deceased

The State of Alabama } Probate Court
Jefferson County }
Petition of Wm S Garnett for the probate of the will
of James K Jacks Deceased
To the Hon John G Morrow Judge probate Court
Jefferson County The Petition of the undersigned Wm S
Garnett respectfully represents unto your honor that
James K. Jacks late deceased at the time of his death
an Inhabitant of this County departed this life at
his residence on or about the 9 day of January 1871
leaving a valid will and testament which
Testament your petitioner is named as executor
and does now herewith file and tender said will for probate
and prays that after proper proceeding and proofs
it may be established and admitted to record as the true
last will and testament of the said deceased. Your petitioner
further represents that Alabala Jacks is the Widow of said deceased
and that the names ages residence and Condition of the
rest of kin are as follows to wit Gilbert C Jacks his son
over the age of twenty one years and resides in Jefferson
County the said petitioner would further represent
that Stephen H Tarpley & Wm Sanford the said attesting
witnesses reside the former in Jefferson and the latter
in Fayette Co Ala And therefore further prays that your honor
will issue subpoenas for them as directed

The State of Alabama }
Jefferson County } Wm S Garnett being duly
sworn deposes and says that facts alleged in the
above petition are true according to the best of
his knowledge information and belief
Subscribed and sworn to before me
this 17th day of Jan 1871 Wm S Garnett

John G Morrow
Judge of Probate Court Jefferson County

The State of Alabama } In Probate Court Special Term
Jefferson County } January 1871
Present the Hon John G Morrow Judge

In the matter of the Estate of
James K. Jacks deceased } Upon this day Comes
Wm S. Garnett and produces to the Court an instrument of writing purporting to be the
last will and testament of James K Jacks deceased duly
signed and published by him and states that Stephen H Tarpley
and John C Sanford is all who can be produced to prove
petition in writing under oath praying that said instrument
of writing be duly proved and published by him and states that
Stephen H Tarpley and John C Sanford the subscribing witnesses
there were also presented his petition in writing under oath
praying the said instrument of writing be admitted to probate
and record as the true last will and testament of James K
Jacks deceased and proved it appearing to the Satisfaction of
the Court from the allegations contained in the said petition
and from other good and sufficient evidence that the said
James K Jacks departed this life at his residence near
about the 9th day of January 1871 being at the time of his death an
inhabitant of said County and a resident of this State and that
William S Garnett the said petitioner is named in the said will as
one of the executors It is therefore ordered by the Court that the
said petition be filed and that the 31st day of January 1871
be set as the day for hearing testimony in proof of the execution of
said instrument as the last will and testament of the said
James K Jacks deceased and it further appears that
Stephen H Tarpley and John C Sanford the witnesses to said will
reside out of this State the Sheriff of Jefferson County and the said Sheriff of Fayette County
and the said Sheriff of Fayette County
ordered at the request of the said petitioner that subpoenas
issue to the said Stephen H Tarpley and John C Sanford
And it further appearing to the Court that James K Jacks deceased left surviving
him Gilbert C Jacks his son and Alabala Jacks his wife and
is named in said instrument of writing
as one of the executors It is therefore ordered that notice
of this application and the time above set for hearing
the same be given to the said Gilbert C Jacks who is over the
age of twenty one years by citation at least ten days
before the day above set for hearing.

John G Morrow
Judge of Probate Court
Jefferson County

The State of Alabama } In Probate Court Special term January
Jefferson County } 31st 1871 Present the Hon John G Morrow
In the matter of the Estate of } Orders Probating will and granting
James K. Jacks deceased } Letters Testamentary to Alabala Jacks

Discovering the Incapacity to bear the application here to be
filed in this Court by William H Barnett praying for the
probate and record of a certain instrument of writing
purporting to be the last will and testament of James H
Parks late of said County deceased
Now comes William H Barnett the said petitioner and
moves the Court that said application be granted and it
appearing to the satisfaction of the Court that notice of
said application and the time for moving the same has
been duly given in pursuance of law and the requirements of the order of this Court in the premises before
on the 19th day of January A D by notice duly served
upon Gilbert A Davis over the age of fourteen years
the nephew of the said William H Barnett petitioner, the heirs
at law of said deceased and it appearing to
the satisfaction of the Court from the testimony of
Stephen Downing the Court attesting witness to the instrument
of writing hereto being duly sworn on oath deposes that
the said writing was signed and the said
James H Parks signed said instrument in writing pur-
porting to be the last will and testament of said deceased
and such instrument is now of the same date of
the date thereof that said instrument was then duly
exhibited to them and that they heard the said James H
Parks the said testator declare that the said instrument in
writing was his last will and testament and that they
were respectively subscribed their names as witnesses
thereto at the request of the said James H Parks and
in his presence and of each other and it further appearing that the said testator was at the time of making
such will of sound and disposing mind and
memory of full age and under no constraint or
undue influence and that he died an inhabitant of the
County of Jefferson the Court being now sufficiently
advised by said testimony of the proper and legal
notice of said will it is therefore ordered adjudged and
decreed by the Court that said instrument of writing
be considered probated and admitted to record as the
true last will and testament of James H Parks deceased
It is further ordered that the said petitioner the executor
and afterwards to wit on the 9th day of February A D Dakota Terry
Parks and present to the Court his petition in writing
under oath praying that letters testamentary may issue
to him as executor of the last will and testament of James
H Parks deceased and the Court being already fully
advised Concerning the death of the said James H Parks

and that he was a resident of Jefferson County at the time of his death and
Court the said Petitioner was duly sworn and
of record further appearing that this Court now has jurisdiction
of said petition and from the proof and testimony
evidence that the said petitioner is over twenty one years
full age of sound mind and is a resident of this Territory
and a fit person to be appointed as such executor
Court he is entitled to letters
of said will and that the value of the personal estate of said deceased is about eight hundred dollars
and probable will more than pay all the debts and charges
against said estate and no one has appeared to oppose the granting of letters testamentary and the prayer of
said petitioner should not be granted it is ordered that the same be granted provided that the said Petitioner
Parks first file in this Court his bond as such executor
in the penal sum of [illegible] dollars with sureties
and pursuant to the statute in such case made
and provided with the approval of the Judge of this
Court and it is further ordered that the said
petitioner be appointed
And now comes the said Petitioner on the 9th day of February A D
and presents to the Court his bond as such executor
in this cause executed by himself as principal and
[illegible] as sureties in the penal sum of [illegible] dollars conditioned
according to law and the Court being satisfied with the sufficiency
of said bond and sureties approves the same and
ordered that the same be filed and that letters testamentary be granted to the said Petitioner and that
Letters issue accordingly whereupon the said
Petitioner duly sworn and took the oath of office
and filed his bond as such executor and letters testamentary were issued to him as such executor
which are in the words and figures following to wit
Territory of Dakota
County of Jefferson
In the County Court
In the matter of the estate of James H Parks deceased
Letters testamentary
Whereas James H Parks late of said County deceased
did on the 19th day of January A D make and publish his last will and testament in writing and
whereas the said will has been duly proved and
allowed by this Court and whereas William H Barnett
has been appointed executor of said will and has
taken the oath of office and filed his bond as such executor
Now therefore I John B Thomas Judge of Probate
Jefferson Co

Discovering the Court sufficiently in hearing the application hereto before filed in this Court by William A Earnest praying for the probate and record of a certain instrument of writing purporting to be the last will and testament of James H Jacks late of said County deceased

And James Williams A Attorney for the said petitioner and moves the Court that said application be granted and it appearing to the satisfaction of the Court that notice of said application and the time for hearing the same has been duly given in pursuance of law and the requirements of the order of this Court in the premises viz: on the 27th day of January A D 1871 by notice duly served upon Gilbert A Jacks over the age of twenty one years the nature of the said William A Earnest petitioners the Court proceeds to hear said application and it appearing to the satisfaction of the Court from the testimony of Stephen H Jacks upon the hearing attesting witness upon oath & duly sworn in open Court who being duly sworn on oath deposes that the said Stephen H Jacks was personally present and saw the said James H Jacks Sign the said instrument in writing purporting to be the last will and testament of said deceased and that said instrument is now produced in Court on the day of the date thereof that said instrument was then duly published & declared by the said James H Jacks to be and that he the said Stephen H Jacks at the request of the said James H Jacks and in his presence and in the presence of each other and in the presence of each other signed their names as witnesses thereto and it further appearing that the said testator was at the time of making such will of the full age of twenty one years and of sound mind and memory of full age and under no Constraint or undue influence and that he said testator was an inhabitant of said County of Jefferson The Court being now sufficiently advised by said testimony of the proper and legal execution of said will it is therefore ordered adjudged and decreed by the Court that said instrument of writing be considered probated and admitted to record as the true & last Will and testament of James H Jacks deceased It is further ordered that the said petition be recorded and afterwards leave in the office of the Clerk of Dakota County

Jacks and presented to the Court her petition in writing under oath praying that letters testamentary may issue to her as executrix of the last will and testament of James H Jacks deceased and the Court being already fully advised concerning the death of the said James H Jacks

and that it was necessary that proper order should be made in the Court the said Martha Jacks be appointed executrix thereof and it was further appearing to said Court from the testimony and evidence that the said petitioner Martha Jacks is of the full age of twenty one years an inhabitant of this State and a fit person to be appointed as the executrix of the last will and testament of the said deceased

And it appearing that the estate of the said deceased is about Eight Hundred dollars and probably not more and no bond be required to effect the granting of letters testamentary to the said petitioner should not be granted it is ordered that the same be granted provided that the said Martha Jacks first files in this Court her bond in such sum as shall be fixed upon of one thousand dollars conditioned in the form prescribed by the statute in such case made and provided with sufficient sureties to be approved of by the Court and it is further ordered that the said petitioner be appointed

And upon the filing of such bond as aforesaid the Clerk of this Court is hereby required to issue to the said Martha Jacks letters testamentary to the estate of the said James H Jacks deceased

And it appearing that the said Martha Jacks has duly filed her bond in the sum of one thousand dollars conditioned as required by law and that the same has been duly approved by the Court

It is ordered that letters testamentary issue to the said Martha Jacks executrix of the last will and testament of James H Jacks deceased

And it appearing to the Court that the said executrix has duly qualified by taking the oath required by law

It is ordered that the said executrix have power to sell the personal property of said deceased at private sale and that the said executrix proceed to collect and take into her possession the goods and chattels money and make due return to the Court of all such property coming to her hands

And it appearing that the said executrix has duly filed her inventory and appraisement of the estate of said deceased

It is ordered that the same be and the same is hereby approved and allowed

And it appearing that the said executrix has duly filed her petition praying for an order to sell the personal property of said deceased

It is ordered that the same be granted and that the said executrix sell the personal property of said deceased at private sale and report her proceedings to the Court

And it appearing that the said executrix has duly filed her petition praying for an order to sell the real estate of said deceased

It is ordered that the same be granted and that the said executrix sell the real estate of said deceased at private sale and report her proceedings to the Court

And it appearing that the said executrix has duly filed her petition praying for an order to sell the real estate of said deceased

It is ordered that the same be granted and that the said executrix sell the real estate of said deceased at private sale and report her proceedings to the Court

John C Mason
Judge of Probate
Jefferson Co

Petition for Probate of Will

In the Probate Court

To the Honorable Probate Court of Jefferson County Alabama the petition of the undersigned Gilbert H Lacks most respectfully represents unto your honor that Lorenzo D Lacks late of the County aforesaid died at his residence on or about the ninth day of January A.D. leaving assets in this State and departed this life without last will and testament duly published & proven and admitted to record in the Probate Court of said County and your petitioner further represents that he is the executor of said deceased and that the said deceased was a resident and citizen of the County aforesaid at the time of his death

Gilbert H Lacks

Sworn to and subscribed before me this 9th day of January A.D. 1871

Wm. H. Ware
Judge of Probate

Will of Lorenzo D. Lacks Deceased

The State of Alabama }
Jefferson County } Whereas it is uncertain and death is certain and I am the citizen & mean to dispose of my personal and real estate by Will now I James H Lacks of the County of Jefferson and State of Alabama being of sound mind & memory & knowing the uncertainty of life & death but of sound and disposing mind for which blessing I am grateful to God do make and declare this my last will and testament hereby revoking all others by me made

Item 1st I will that my body be buried at Chestnut Grove Church in plain neat and Christian manner but not extravagantly

Item 2nd After my death I want my just debts and funeral expenses paid out of any money or personal property that I may leave

Item 3rd I will and bequeath to my son Gilbert H Lacks the following described land Viz W½ of the SW¼ Section 12 Township Sixteen range 3 West

Item 4th I will and bequeath to my beloved wife Mahala Lacks the balance of my real and personal estate of all kinds & descriptions & wherever found to have and to hold to her and her assigns forever

I appoint my beloved wife Mahala Lacks executrix of this my last Will and testament

In testimony whereof I have hereunto signed my name and affixed my seal this the 21st day of December 1870

Lorenzo D Lacks

Signed sealed & declared to be the last will and testament of the testator in the presence of us who at the request of the testator & in his presence & in the presence of each other have hereunto subscribed our names as witnesses

Stephen H. Gray
Thos. A. Ingersoll

State of Alabama } I, Wm H Ware Judge of the Probate Court in and for said County and State aforesaid do hereby certify that the within instrument of writing was this day produced before me and proven to my satisfaction by the proper testimony to be the genuine last will and Testament of Lorenzo D Lacks late of said County deceased and ordered to be recorded together with the proof thereof, same are recorded in my office in Book of Wills ? page

In witness whereof I have hereunto set my hand and affixed the seal of said Court this 9th day of January 1871

Wm H Ware
Judge of Probate

Testimony

The State of Alabama } In the matter of the application for Probate of the Jefferson County } Last Will and Testament of Lorenzo D Lacks deceased

Before me Wm H Ware Judge of Probate in and for said County personally appeared Stephen H Gray who being by me first duly sworn and examined on his oath says that he is one of the subscribing witnesses to the instrument of writing now shown to me and which purports to be the last will and testament of Lorenzo D Lacks deceased late an inhabitant of this County that said Lacks since he executed said instrument on the day the same bears date and declared the same to be his last will and testament and that affiant and the other witness set their signatures thereto on the day the same bears date as

subscribing Witnesses to the same in the presence of said testators that said testator was of sound mind and disposing memory and in the opinion of deponents fully capable of making his Will at the time the same was so made as aforesaid

Deponents further states that said testator was on the day of the date of said Will of the full age of twenty one years and upwards Subscribed and Sworn to this 30th January 1871

[illegible]

John M. Morrow
Judge of Probate

Will of Stephen Hodges

State of Alabama } I Stephen Hodges of the County and State aforesaid
Perry County } being of sound mind and memory do make publish and declare this to be my last Will and testament Item 1st It is my will and desire that my body be decently buried in the burial ground now established and used by the Rose Hill Methodist Church, I wish my grave enclosed in white marble Iron rail, with a suitable tomb stone

Item 2nd It is my will and desire that all my just debts be paid as soon as possible after my death

Item 3rd It is my will and desire that all my real estate and personal property of every description be divided between my wife Caroline and Daniel Robert & Mary Jane children of Robert & Elizabeth Knight to be divided as follows my wife Caroline before mentioned and Robert Hodges the other half Item 4th It is my will and desire that my wife Caroline Hodges the boys Daniel & Robert F. Hodges that the proceeds of their part of my plantation be appropriated to their maintainence Item 5th It is my will and desire that my executor Hereafter named from distribution a certain note on Reuben Robertson for near Two Hundred Dollars more or less to buy stock for the use of the farm in case it should be needed Item 6th It is my will and desire that the above named property remain undivided until Robert F. Hodges the youngest boy becomes of age Item 7th It is my will and desire that the two freedmen Adam Bradford and Perry Bemand, be and remain on the plantation and work as heretofore Item 8th I do hereby Constitute and appoint my friend W.D. Deer with executor of this my last Will and testament Given under my hand and seal this 21st day of March 1867

Stephen Hodges (Seal)

The above will was signed by Stephen Hodges as his last Will & Testament in our presence and we do hereby sign our names as witnesses thereto at his request and in his presence and in the presence of each other this day and date above Written

[illegible]

State of Alabama } In Probate Court of said County
Perry County }

In the matter of the probate of the last will and testament of Stephen Hodges deceased

Before me [illegible] Judge of said Court personally appeared in open Court W.D. Brown [illegible] and [illegible] who being by me first duly sworn upon their oath that the said Stephen Hodges signed the foregoing instrument of writing now shown to them and which purports to be the last will and testament of Stephen Hodges deceased late an inhabitant of the County at the time of his death and leaving assets therein and that said deceased signed and executed said instrument on the day the same bears date as his last will and testament and that [illegible] affixed [illegible] signature thereto on the day the same bears date as [illegible] and that [illegible] at the request and in the presence of said testator [illegible] and disposing memory and in the opinion of deponents fully capable of making his Will at the time the same was so made as aforesaid. Affiants further state that said testator was on the day of the said date of said Will of the full age of twenty one years and upwards Subscribed and Sworn to on the 30th day of March A.D. 1871 by the said W.D. Brown before

John M. Morrow
Judge of Probate

Will of William Morton deceased

I William Morton of the County of Jefferson and State of Alabama Considering the uncertainty of this life and the certainty of Death, and being desirous of disposing of my worldly Goods while in health and strength and being of Sound Mind and disposing memory do therefore make ordain and publish this my last will and testament in manner and form as follows, viz. In the first place I desire my body to be decently interred by the side of my dear wife after death and my soul I trust in the hand of a merciful God to be given it. In the second place it is my last will and testament and I do hereby ordain and bequeath unto my four beloved daughters Mary E Bop and Sarah M Bop to have three hundred Dollars each out of my estate discharging all claims I hold against them more than my two sons as I gave my sons that amount in Land. In the third place it is my last will and testament that my hereinafter Executor take charge of my Grand Daughter Frances Morton and her property both real and personal and hold the same until she becomes of full age or marries discription of her property Sixty two dollars as Some has as Cash from her fathers Estate and two Cows and Calves. In the forth place it is my last will and testament that after my death all my property both real and personal by my hereinafter Executor and equally divided among my four Children after the above named Sixty two dollars be given to my two daughters that is to say unto Mrs William M Morton good wife Pleasant H Morton. In the fifth place I nominate constitute and appoint William M Morton Executor of this my last will and testament according to Law this the 21st day of January 1870

William Morton

Signed Sealed and Published as and for the last will and testament of William Morton in our presence this the 21st day of January 1870

D. B. White

Asa B. Roper

The State of Alabama } I John G Morrow Judge
Jefferson County } of the Probate Court in and for said County Do hereby Certify that the within Instrument of writing has this day been duly proven by the proper oath to be the genuine last will and testament of William Morton deceased and that said will was duly recorded in my office in Book No

Given under my hand this 2nd day of February 1870

John G Morrow
Judge of Probate

The State of Alabama } Probate Court
Jefferson County }

In the matter of the Probate of the last will and testament of William Morton deceased

Before me John G Morrow Judge of Probate in and for said County personally appeared in open Court Daniel P White who being duly sworn and examined deposes and says that he is a Subscribing witness to the within instrument of writing now shown to this Court and purporting to be the last will and testament of William Morton deceased signed and sealed in his presence and in the presence of the other Subscribing witness thereto and that he saw the said testator sign and seal the same and heard the said testator sign his name thereto as his Signature thereto on the day of the date thereof as a Subscribing witness thereto in the presence of said testator That said testator was of sound mind and disposing memory and in the opinion of deponent duly capable of making his will at the time he executed the same That deponent subscribed his name thereto at the request of said testator and in the presence of each other

Said testator was on the day of the date of said will of the full age of Twenty one years and upwards

Subscribed and Sworn to before me this 5th day of February 1870

John G Morrow
Judge of Probate

Will of Andrew R. Tucker

State of Alabama }
Jefferson County }

In the name of God Amen
I Andrew R. Tucker of the State & County aforesaid
do hereby make ordain and publish this my last
will & testament.

I desire all my just debts paid out
of the [illegible] [illegible] [illegible] is not enough the
remainder to be paid out of my cotton crop. I
will & bequeath to my beloved wife Sarah Tucker the
home stead place containing eighty acres [illegible]
the [illegible] of the [illegible] [illegible] [illegible] of the [illegible]
of Sec 10 T 16 R 1 East for her & my sons D Burwell
& Elbert Edwards & my daughter Martha my wife
life time at her death to go to D Burwell & Elbert
[illegible]

I will & bequeath to my wife all my per
ishable property her life time except my [illegible]
which I will to my sons D. Burwell & Elbert Edwards
when they become of age.

I will & bequeath to my son John my
interest in the [illegible] land he paying the estate
fifty Dollars, the [illegible] of the [illegible] Sec [illegible] T 16 R 1
East containing forty acres.

The following lands to be sold & the
proceeds together with the one hundred Dollars
due by John & Jim, to wit, S.W. ¼ of the N.E. ¼ Sec [illegible]
T 16 R 1 East to be equally divided between my sons
William, John, Alvin, Jim & Alfred.

At the death of my wife all my stock &
house hold furniture to be divided equally be
tween my daughters. Lucinda, Rebecca & Martha
& my sons. D Burwell & Elbert Edwards, D Burwell
& Elbert Edwards to take care of their mother her life
time.

I appoint & constitute my sons James & Alvin
my Executors of this my last will & testament.
Witness my hand & seal this the 13th day of
September One thousand & Seventy two.

Attest
S. F. Dill

Andrew R. his X mark Tucker (Seal)

Signed sealed & delivered
as & for his last will &
testament by said Andrew
R. Tucker in our presence
& at his request sign
the same as witnesses in his
presence & in the presence
of each other. }

[illegible] (Seal)

State of Alabama }
Jefferson County }

I [illegible] Judge of the Court of Probate in & for
said County & State, do hereby certify, that the [illegible]
[illegible] [illegible] [illegible] in said County [illegible]
as the [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] the [illegible] last will & testament of Andrew R.
Tucker [illegible] that said will together with [illegible]
[illegible] [illegible] in my office in Book of Wills
No [illegible]

In testimony of all which I have hereto set my
hand & the seal of the [illegible] this [illegible]

[illegible]
Judge of Probate

State of Alabama } Probate Court of said County
Jefferson County } In the matter of the Probate the last will
& testament of A. R. Tucker, Dec'd.

[illegible] Judge of the said Court person
ally appeared in open Court [illegible]

[illegible] being duly
[illegible] first [illegible] [illegible] [illegible] depose
& say on oath that [illegible] [illegible] being witnesses to
the instrument of writing now shown to them & which pur
ports to be the last will & testament of A. R. Tucker, dec'd, late
an inhabitant of this County since deceased signed & ex
ecuted said instrument on the day the same bears date & de
clared the same to be his last will & testament & that af
fiants set their signatures thereto on the day the same
bears date as subscribing witnesses to the same in the pres
ence of said testator. That said testator was of sound mind
& disposing memory & in the opinion of deponents fully capable of
making his will at the time the same was so made as a
foresaid. Affiants further state that said testator was on
the day of the said date of said will of the full age of twenty
one years & upwards.

Subscribed and
Sworn to before me
this 26th Oct 1872
Jno A Monroe
Judge Probate

R P Bray Co

Will of John Edwards

State of Alabama
Jefferson County

In the Name of God Amen:

I John Edwards of the county of Jefferson & State of Alabama being of sound mind & disposing memory do hereby make & publish this my last will & Testament.

Item 1st It is my will that after my death my body have a decent christian burial and that the Expences thereof be paid out of my estate.

Item 2nd I do give devise & bequeath to my beloved wife Elizabeth Edwards all of the property both personal & real of which I die seized & possessed to have and to hold to her my said wife for her use & benefit, for & during the term of her natural life, and at my wifes death to be disposed of as herein after stated.

Item 3rd I do give devise & bequeath unto my Daughter Mary Gillespie the following describe tract or parcel of land to wit: the South west ¼ of the South west ¼ of Section 25 Township 15 Range 3 West lying being & situate in Jefferson county State of Alabama to have & to hold the said lands unto my said Daughter Mary & heirs & assigns forever after the death of my said wife Elizabeth.

Item 4th I do give devise & bequeath unto my Daughter Sarah Little the following describe tract or parcel of land to wit: the South East ¼ of the South East ¼ of Section 26 Township 15 Range 3 West lying being & situate in Jefferson County Alabama to have & to hold the said land unto my Daughter Sarah & to her heirs & assigns forever after the death of my said wife Elizabeth.

Item 5th I do give devise & bequeath unto my Daughter Manerva A Boling the following describe tract or parcel of land to wit: the north West ¼ of the North west ¼ of Sct 36 Township 15 Range 3 West, lying being & situate in Jefferson County Alabama to have & to hold the said land unto my said Daughter Manerva A & to her heirs & assigns forever after the death of my said wife Elizabeth.

Item 6th It is my will that all my personal property which is not disposed of by my said wife Elizabeth during her life shall at the death of my said wife be divided equally between my three daughters share & share alike.

Item 7th I have sold to my four sons Joseph H Edwards, John S. Willis & Wm. H. a certain tract of land each, for & in consideration of the sum of one hundred Dollars each & have made & executed to each of my said sons a deed conveying to each of them respectfully said lands & each of my said sons are to pay to this parcel to the survivor of them as long as she may live one bushel of corn per year, and it is my will that my said sons shall not be compelled to pay for at the same the said land that I have sold to them as specifically provided that they pay to their mother after my death the one bushel of corn yearly as aforesaid and it is my will that my said sons do receive nothing more from the estate after my death except what I have sold to them as aforesaid.

And I do hereby declare & publish this my last will & testament.

In testimony whereof I have unto set my hand & seal on this the Sixteenth day of October in the year of our Lord one thousand eight hundred & seventy one.

John Edwards Seal

Signed & sealed in the presence of
John H Gillespie
John Hodges
Wm A Bray

State of Alabama
Jefferson County

I Jno A Monroe Judge of the Court of Probate in & for said County & State do hereby certify that the within instrument of writing has this day in said Court & before me as the proper Court duly proven, by the proper testimony, to be the genuine Last will & testament of John Edwards dec'd & that said will together with said proof thereof has been recorded in my office in Book of wills Vol 2 Pages 322-323.
In Witness of all which I have hereto set my hand & the seal of the said Court this March 22nd 1873

Jno A Monroe
Judge of Probate

State of Alabama } Probate Court of said County
Jefferson County } In the matter of the Probate of the last Will & Testament of John Edwards dec'd:

Before me Jno A Monroe Judge of said Court personally appeared in open Court Hodges & McBray &

who having been by me first respectively duly sworn
& examined Do and do depose & say on oath that they &
each Subscribing witness to the instrument of writing now
shown to them which purports to be the last Will &
Testament of John Edwards Sen. late an inhabitant
of this County that said John Edwards Sen. Signed
& executed the said instrument in their presence
that at the same time they subscribed their names
as witnesses to the
same in the presence of the testator. That the testator
was of sound mind & disposing memory & in the opin-
ion of deponents capable of making his will at
the time the same was made executed as deponents
believe & that the said testator was
at the age of twenty
years upwards

Sworn to
before me this
[illegible]

State of Alabama
Jefferson County

In the name of the
Sovereign People

I Nathan Jones a Justice of the County aforesaid,
being of sound mind & capable in every respect to give
direction to my business and conscious of my mortality
& being desirous to be prepared & to be disposed of my
property after my death & make this my last will &
testament, do first desire & wish after my death that
all my Debts be duly & justly paid & all my
just Debts to be paid after the decease & wish my beloved wife
Penny Jones to have & enjoy have all the balance of my property both
real & personal for her support & to raise my children which
she is to keep during her natural life after her death & wish
& desire all of what is left to be divided among my children &
grandson William Thomas that I have for my friend
Wilmore together with my beloved wife I make & appoint
them Executor & Executrix of this my last will & testament
revoking all other wills heretofore made by me given under
my hand and Seal this the 6th day of December 1873

Attest Thos Wilmore
W. Moore
J. W. McAvoy

his
Nathan X Jones
mark

State of Alabama
Jefferson County

In the Probate Court of said County
this 26th day of January 1874
Then the foregoing instrument of writing
was produced in open Court by the
within named Executor & duly proved
by the oaths of Thos Wilmore
& W. Moore the subscribing witnesses
thereto & ordered to be recorded
& the same is recorded
this 26th day of January 1874

[illegible]
Judge of Probate

State of Alabama
Jefferson county

In the matter of the estate of
Nathan Jones dec'd
Before me
Appeared
Sworn by me
to depose
upon
which
Jones
Nathan
on the
last
to
to the
was
of deponent
the same
that
will of the
Subscribed & sworn to
before me this
[illegible]
Judge of Probate

Thos Wilmore

State of Alabama
Jefferson County } In the name of God Amen:
I James H. Winchell of Alabama in the County of Jefferson
being mindful of my mortality do this thirtieth day of
March in the year of our Lord one thousand eight
hundred & seventy one make & publish this my last
will & testament, in manner following first I desire
to be decently buried in the Church yard at Hopewell
in Walker County [illegible] of my wife who quietly
reposeth there without much pomp [illegible] [illegible] as may
be. Also I give & bequeath unto my eldest son James
[illegible] [illegible] [illegible] of the property with William
H. Winchell [illegible] [illegible] [illegible] [illegible] who are to
[illegible] [illegible] [illegible] [illegible] just demands against
my estate [illegible] Also I give & bequeath unto my son
[illegible] [illegible] [illegible] note of hand on him for one hundred
& fifteen dollars [illegible] dated [illegible] 7th 1857 with [illegible]
[illegible] credits on the same of fourteen dollars.
I also give & bequeath unto my son [illegible] [illegible] [illegible]
[illegible] one hundred dollars that he owes me due some [illegible]
years ago.
The balance of my [illegible] [illegible] an equitable [illegible]
tion of my estate or property not therefore bequeathed
nothing further of said estate I also appoint my son
William H. Winchell my sole executor to take charge
of all my estate both personal & real & carry out
the [illegible] of my will.
Signed, sealed published & declared by the said testator
as and for his last will & testament in our presence
who at his request in his presence have subscribed
our names as
Witnesses thereto
Jacob Drake
[illegible] [illegible] }

James H. Winchell (Seal)

State of Alabama }
Jefferson County }
I Geo. C. Morrow Judge of the Court of Probate in & for
said County & State, do hereby certify that the within in-
strument of writing, has this day in said Court & before
me as the Judge thereof been duly proven, by the proper
testimony to be the genuine last Will & testament of James
H. Winchell Dec'd; & that said Will together with said proof
thereof, have been recorded in my office in Book
No 334 & 335
In witness of all which I have hereto set my hand &
the seal of the said Court this 22 day of March 187[illegible]
Geo. C. Morrow
Judge of Probate

State of Alabama } Probate Court of said County
Jefferson County } In the matter of the Probate of the
last will & testament of James H. Winchell deceased;
Before me Geo. C. Morrow Judge of the said Court,
personally appeared in open Court Jacob Drake who
having been by me first respectively duly sworn & ex-
amined [illegible] [illegible] on oath that [illegible] are
subscribing witnesses of the Instrument of writing now
shown to [illegible] and which purports to be the last will &
testament of James H. Winchell deceased late an inhabitant
of this County; that the said James H. Winchell since deceased
signed & [illegible] the instrument on the day the same
bears date & declared the same to be his last will &
testament & [illegible] set his signature thereto on
[illegible] the same [illegible] [illegible] subscribing witnesses to the
same in the presence of said testator; that said testator
was of sound mind & disposing memory in the opinion
of deponent [illegible] capable of making his will at the time
the same was so made as aforesaid deponent further [illegible]
that said testator was on the day of the said date of
said will of the [illegible] age of twenty one years & upwards
Subscribed & sworn
to before me this 22nd day
of June 1877
Jacob Drake
Geo. C. Morrow
Judge of Probate

Will of O. S. Smith

State of Alabama } I O. S. Smith of the County
Jefferson County } and State aforesaid being
weak in body but of sound and disposing mind do
make and declare this my last will and testament
in manner and form following (to wit) Item 1st It
is my will and desire that all my property both
real and personal of whatever kind or descri-
ption be equally divided between my wife Ma-
linda L. Smith and my daughter Sue K.
Smith the division not to take place until
my daughter Sue K. Smith shall have married
Item 2nd It is my will and desire that there

Shall be no sale of any of my property after my death except such things as my wife Malinda wishes to dispose of but to sit the Sale Judge and to be sold by her privately It is my will and desire that my wife Malinda pay my just debts and have the entire management of all my affairs Now as it is my will and desire that there shall be no administration on my estate but that my wife Malinda as the less proper

Item 5th It is my will and desire that my wife Malinda be not Executrix to this my last will and testament without giving bond or security

In witness whereof I have hereunto set my hand and seal this 23rd day of January in the year of our Lord 1868

Signed in presence of
J. B. Hynes
H. G. Smith
John Smith

Will of Allen Wilson Dec'd

In the name of God Amen

I Allen Wilson of the County of Marion and State of Alabama being of sound mind disposing memory & in good health knowing the uncertainty of life and the certainty of death and wishing to direct how my property should be disposed of after my death do therefore make declare and publish the following as my last will and Testament.

1st I commit my Sole to God who gave it and my body to the dust from whence it came

2d It is my will and desire that my Executors hereinafter appointed Sell all my real and personal property either at public or private Sale on time or for cash as they may in their judgment deem best for the interest of all Concerned and out of the proceeds pay all my just debts the expenses of administration and Legacies as Specifically Set forth in this my last will and Testament

3d It is my will and desire that my Executors hereinafter appointed after having paid my just debts and the expenses of administration shall proceed as such to my Grand Daughter Eliza J Young the sum of one hundred and fifty Dollars which I direct & bequeath and devise as her Separate property

4th I give bequeath and devise the remainder of my estate to be enjoyed & equally divided between my two sons James Wilson & Wilson & Wilson and the children of my deceased son John Wilson giving James Wilson one third & William L. Wilson one third and the remaining third to the children of my said deceased son John Wilson

5th I nominate and appoint my two sons James Wilson and Wilson of the County and State aforesaid my Executors of this my last will and testament

In testimony whereof I have hereunto set my hand and seal this the 23rd day of January in the year of our Lord 1868

Allen Wilson

Signed sealed and published in the presence of the undersigned who attested the same in the presence of the Testator and at his request

W. A. Walker Jr.
F. L. Clay
J. L. Franklin

The State of Alabama } I Isaac
Marion County } Clerk of the Probate
Court in and for said County and State aforesaid
do hereby certify that the foregoing instrument
of writing was on the 23rd day of January
one thousand eight hundred and sixty
by the proper testimony duly proven
to be the last will & Testament of Allen Wilson dec'd
and the said will together with said proof
thereof have been recorded in my office in
Book A Wills Page 206 & 207

In witness whereof I have hereunto
to set my hand and affixed the seal of said
Court this 24th day of [illegible] 1868

Isaac [illegible]
Clerk of Probate

Testimony

State of Alabama } In the County Court of said
Jefferson County } In the matter of the proof
of the last will and testament of Allen Wilson
dec'd

Before me John C Morrow Judge of the
said Court personally appeared in open court
William A Walker Esq who having been by me pre-
viously duly sworn and examined did and
doth depose and say on oath that he is a subscribing
witness to and instrument of writing now shown
to him and which purports to be the last will &
Testament of Allen Wilson deceased late an
inhabitant of this county that said Allen Wil-
son deceased duly executed and executed
said instrument on the day the same bears date
and declared the same to be the last will and
testament and that affiant set his signature thereto
on the day the same bears date as subscribing witness
to the same in the presence of said testator and
in the presence of W A Kling and R A Franklin
the other subscribing witnesses that said testator was
of sound and disposing mind and in the opin-
ion of deponents fully capable of making his said
will at the time he same was so made as aforesaid
affiant further states that said testator was
in the day of the said date of said will of the
full age of twenty one years and upwards
Subscribed and Sworn to
this 7th day of September
1872

W A Walker Sen

J C Morrow
Judge of Probate

Will of Burrel Bap dec'd

In the name of God Amen I Burrel Bap of
the County of Jefferson and State of Alabama considering
the uncertainty of this life and being of sound and
disposing mind memory do make declare and publish this my last will
& testament

First I direct that all of my just debts & funeral
charges and testamentary expenses be paid and satisfied
as soon after my decease as may be convenient by
my executor hereinafter named out of the proceeds of
the sale of so much of my personal estate as they may
think proper for that purpose

Second I give devise and bequeath to my beloved
sons Thomas J Bap John H Bap Burrel L Bap
Edmond E Bap and my beloved daughters Eda
Ann wife of James Terry Sr and Sarah wife of
Hillary Fleming and Lydia wife of Jerry Pearce
all my lands tenements and hereditaments of every
kind and description whatsoever to be divided between
them share and share alike to them their heirs and
assigns forever

Third I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Fourth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Fifth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Sixth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Seventh I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Eighth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Ninth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Tenth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Eleventh I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Twelfth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Thirteenth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Fourteenth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Fifteenth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Sixteenth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Seventeenth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Eighteenth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Nineteenth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Twentieth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Twenty first I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Twenty second I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Twenty third I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Twenty fourth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Twenty fifth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Twenty sixth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Twenty seventh I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Twenty eighth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Twenty ninth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Thirtieth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Thirty first I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Thirty second I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Thirty third I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Thirty fourth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Thirty fifth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Thirty sixth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Thirty seventh I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Thirty eighth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Thirty ninth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Fortieth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Forty first I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Forty second I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Forty third I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Forty fourth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Forty fifth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Forty sixth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Forty seventh I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Forty eighth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Forty ninth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Fiftieth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Fifty first I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Fifty second I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Fifty third I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Fifty fourth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Fifty fifth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Fifty sixth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Fifty seventh I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Fifty eighth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Fifty ninth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Sixtieth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Sixty first I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Sixty second I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Sixty third I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Sixty fourth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Sixty fifth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Sixty sixth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Sixty seventh I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Sixty eighth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Sixty ninth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Seventieth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Seventy first I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Seventy second I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Seventy third I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Seventy fourth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Seventy fifth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Seventy sixth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Seventy seventh I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Seventy eighth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Seventy ninth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Eightieth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Eighty first I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Eighty second I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Eighty third I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Eighty fourth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Eighty fifth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Eighty sixth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Eighty seventh I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Eighty eighth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Eighty ninth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Ninetieth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Ninety first I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Ninety second I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Ninety third I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Ninety fourth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Ninety fifth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Ninety sixth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Ninety seventh I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Ninety eighth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Ninety ninth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

One hundredth I give devise and bequeath unto my grand children
Edward Bap & Sarah Elizabeth Fleming & Ida
Bell Fleming all of my personal property of every
description whatsoever to be divided between them
share and share alike

Will of Robert Allen dec'd

The State of Georgia } Robert Allen
Muscogee County } being of sound mind
and disposing memory do make publish
this and declare this to be my last will
and testament

Item 1st I hereby give bequeath and de-
vise unto my beloved wife Virginia A.
Allen all the furniture in my room in
the house now occupied by us in Bron-
nigan and Adams

Item 2nd It is further my will and desire
that my daughter Mary Rust or heirs
of her body receive from my estate
the sum of Two Hundred Dollars

Item 3rd It is further my will and de-
sire that my daughter Virginia A. Allen
receive from my estate the sum of Two
Hundred Dollars

and Saddle bed and bedding for cash or on a credit of twelve months either at public or private sale for division among my said children and Grandchildren as set forth in the second paragraph of this will

In Testimony whereof I have to this my last will and Testament subscribed my name and set my seal this 1st day of June A D 1870

Signed sealed published by Burrel Bass (Seal)
the said Burrel Bass as and
for his last will and testa
ment in presence of us who
at his request and in his
presence and in presence of
each other have subscribed
our names as witnesses hereto

J H Logan
A J Mims
Wm A Walker

The State of Alabama } In the Probate Court
Jefferson County } Of said County

I John C Morrow Judge of Probate in and for said County and State do hereby certify that the within instrument of writing was this day in said court and before me as Judge thereof duly proven by the proper Testimony to be the genuine last will and testament of Burrel Bass dec'd and that said will together with said proof thereof have been recorded in my office in Book of wills Page 612 & 613

In witness of all which I have hereunto set my hand and Seal of the said court this 21st April 1870

John C Morrow
Judge of Probate

Testimony

State of Alabama } Probate Court of said
Jefferson County } County

In the matter of the Probate of the last will and testament of Burrel Bass deceased

Before me John C Morrow Judge of the Probate Court personally appeared in open court William A Walker a witness having been by me first respectively duly sworn and examined did and do depose and say on oath that the

subscribed his name as a witness to the instrument of writing now shown to them and which purports to be the last will and testament of Burrel Bass deceased late an inhabitant of this County that said Bass since deceased signed and executed said instrument on the day the same bears date and declared the same to be his last will and testament and that affiant at his request and in the presence of the said Bass and in the presence of each other subscribed his name as a witness thereto and that affiant believes the said Bass to be of sound mind and memory at the time of signing and executing said instrument to the best of affiants knowledge and belief

Deponent further says that said Testator was at the time of the execution of the said will of said instrument of writing a resident of Jefferson County for years and upwards

Subscribed and sworn to this the 21st day of April 1870

John C Morrow
Judge of Probate

Will of John Bass Dec'd

State of Alabama } Know all men by these presents
Jefferson County } that I John Bass of the County and State aforesaid considering the uncertainty of this life and being of sound mind and memory do make ordain and publish this my last will and testament

First I give and bequeath unto my beloved wife Lucy all that tract or parcel of land containing 40 acres more or less known and described as follows to wit beginning on the east line of the South west qr of Section 29 Township 16 East So on a line North with a ditch in the field running East and with the fence by said ditch to the creek thence with the fence to the crop fence thence with the crop fence to the East side of the field and thence North in the same direction to the original line thence west to the beginning

to the beginning corner Also the South half of South East fourth of the South East fourth of Section 2 and Same Township and range Also I give and bequeath to my beloved wife Nancy all the residue of my personal estate of which I shall die seized and possessed so to which I shall be entitled at the time of my decease to have and to hold the Said lands and her executors and administrators and legal assigns forever

Second I give and bequeath to my beloved Daughter Nancy Shaw and M Shaw and my daughter Mary Jane Ray which lands is described as follows (to wit) a part of the N E ¼ of the N E ¼ of Sec 11 T 12 R 1 W also a part of S E ¼ of N E ¼ Sec 11 T 12 R 1 west also part of N W ¼ of N E ¼ Sec 11 T 12 R 1 west also the N W ¼ of the N W ¼ of Sec 12 T 12 R 1 W also part of the S W ¼ of S E ¼ of Sec 2 T 12 R 1 W described as follows beginning at a point near the main road running East of South with the east line along said road from the above described lands containing sixty eight and one half acres more or less to have and to hold the Same to their heirs executors and administrators and assigns forever from me & my heirs and

Third I give and bequeath to my daughter Nancy Shaw three dollars to be paid to her by my executor hereinafter named after my decease Fourth I do nominate and appoint Andrew Shaw to be executor of this my last will and testament

In Testimony whereof I have to this my last will and Testament subscribed my name and affixed my seal this 5th day of August in the year of our Lord one thousand eight hundred and seventy three

John Shaw

Signed sealed delivered and published by the said John Shaw as and for his last will and Testament in presence of

who at his request and in his presence and in presence of each other have

[illegible]

[illegible] day [illegible] A.D. 1873 [illegible] day [illegible] and state to make oath that at the time of the execution of the [illegible] was of sound mind memory and understanding to the best of his knowledge and belief and that he was not under any restraint or undue influence and that he executed the same as his free act and deed and that he subscribed his name to the said instrument as a witness at the request of the said testator and in his presence and in the presence of each other and that they believe the said testator was of sound mind memory and understanding at the time of the execution of the said instrument to the best of their knowledge and belief and that he was not under any restraint or undue influence

Sworn to and subscribed before me this 10th day of October A.D. 1873

[illegible]
Judge of Probate

Testimony

The State of Illinois } Probate Court of
Richardson County } In the matter of the Proof of Last will and testament of John Shaw deceased

Before me first Norman Gage of the said County personally appeared in person Harriet Tilton of Franklin Co Ohio who being duly sworn by me first respectively deposeth and saith that they are each subscribing witnesses to the instrument of writing now shown to them and which purports to be the last will and testament of John Shaw late of the County of Richardson deceased and each of them for himself saith that he saw the said testator sign and execute said instrument on the day of the date thereof and believed the same to be his last will and testament and that at that time he was of sound mind memory and understanding to the best of their knowledge and belief and that they subscribed their names thereto as witnesses in the presence of the said testator and in the presence of each other

Sworn to and subscribed before me this 10th day of October A.D. 1873

[illegible]
Judge of Probate

Mind and bestowing memory and in the
Election of Executors hereby & ratifie
& confirming this unto all the intent the same
was to be made is afore said
Affiants further that said Des-
Celar was in the day of the date
of said will of the full age of twenty
one years and upwards

Elizabeth Northington Dec'd

The State of Alabama
Jefferson County } In the name of God. Amen
I Elizabeth Northington of the State and County afore
said do hereby make ordain and publish this my last will and
testament
Item first I desire my just debts be paid off and dis-
charged as herein after provided
Item second I desire that all my beds bedding and
library be equally divided among my beloved children
John Warren Thomas Mary Emma and Marion Eliz
Northington And I further desire that the remainder
of my personal property be sold for the discharging of
my just debts and that none of my lands be sold un-
til after the sale of my personal property and then
only such a quantity as will be necessary to discharge
the remaining unpaid debts
Item third I desire that none of my lands be sold ex-
cept such a part as shall be necessary to discharge my
just debts until my eldest child shall have arrived
at the age of twenty one years unless it be on some of
the condition hereinafter named
Item fourth I desire for the payment of my just debts
that those lands farthest from my residence be sold
in sufficient quantities to discharge the same
Item fifth I desire if it shall appear on application
of my executor to the Probate Court that it is to the
interest of my children that alternate lots of the remain-
portion of my lands be sold the sale of the same shall be
ordered by the Court
Item sixth I appoint and constitute Thomas King Jun
my executor of this my last will and Testament
Witness my hand and seal this 21st day of July A.D.
One thousand eight hundred and seventy one

Elizabeth Northington Dec'd

Signed sealed and delivered as and for the last will
And Testament by said Elizabeth Northington in our
presence and we at her request sign the same as
Witnesses in her presence and in the presence of each
other

R. G. Howell
W. K. Frazer
M. F. Frazer

The State of Alabama } I John G. Morrow Judge of
Jefferson County } Probate in and for said
County and State do hereby certify that the written
instrument of writing has this day in said county
and before me as the Judge of said Court duly proven
by the proper testimony to be the genuine last will
and testament of Elizabeth Northington dec'd and that
said will together with said proof thereof have been
recorded in my office in Book Will Page 316 & 317
Seal In Witness of all which I have hereunto set my hand
and the Seal of the said Court this 24th day of
August 1871

John G. Morrow
Judge of Probate

"Letters"

The State of Alabama } Probate Court
Jefferson County } August 1st 1871.

In the matter of the Probate of the last will
and testament of Elizabeth Northington deceased
Before me John G. Morrow Judge of Pro-
bate Court personally appeared Robert G. Howell who being
sworn by me first duly sworn as required and did depose
and say on oath that he the W. K. Frazer and M. F. Frazer
are each subscribing witnesses to the instrument of
writing now shown to him and that each of them saw
the last will and testament of Elizabeth Northington
deceased take an inhabitant of this State and County that
said Elizabeth Northington deceased signed and executed the
said instrument on day the same bears date and declared
the same to be her last will and testament and that
he and William K Frazer and M F Frazer at their

by nature thereto on the day the same bears date as subscribing witnesses to the same in the presence of said Testator That said Testator was of sound mind and disposing memory and in the opinion of deponent fully capable of making her last Will and Testament at the time the same was so made as aforesaid and further saith that said Testator was on the day of the said date of said Will of the full age of twenty one years and upward.

Sworn to and subscribed before me this 9th August 1871

John C Monroe
Judge of Probate

L. G. Duffy
J. T. Duffy
J. Belcher

Will of Robert Reed Dec'd

The State of Alabama } In the name of God Amen
Jefferson County }

I Robert Reed of the State and county aforesaid being old and decaying in health but of sound mind and memory do make this my last will and Testament Item 1st At my death I will and bequeath to my beloved wife Mary Reed the personal estate to wit. The west half of South West quarter Section twenty. The north east quarter of the north east quarter Section nineteen Township Sixteen Range one west also one clay bank mare named Dolly one cow and calf Ten head of sheep Ten head of hogs also corn and meat with such other provision of all be upon the place sufficient to support her family to the end of the year. The above described property at the death of my wife to be equally divided between my heirs

Item 2nd I do my son Peter A Reed I give the east half of south west quarter of sec twenty Township Sixteen Range one west except about one & a half acres sold to L. G. Duffy also one young mare mule named Dolly One cow & calf Bed and furniture necessary for one good bed

Item 3rd I do my son Stephen A Reed I give all that portion of land contained in the west half of south west quarter Sec above lying north of Big creek also the south east quarter of north East quarter Section nineteen all in Township Sixteen Range One west also one yearling clay bank colt one cow & calf Bed & furniture & one Bureau.

Item 4th The balance of my lands not above named with all personal property I may have at the time of my death (not bequeathed as above) I desire to be sold by my Executor and after paying my just debts the balance of the proceeds of the same I want equally divided among my heirs and I also appoint my son W. A. Reed my Executor

In testimony whereof I have hereunto set my hand and affixed my seal this 28th day of Feby 1872 in the presence of

L. G. Duffy
J. T. Duffy
J. Belcher

Robert Reed Seal

The State of Alabama } I John C Monroe Judge of the
Jefferson County } Probate in and for said County and State do hereby certify that the written instrument of writing has this day in said court and before me the Judge thereof been duly proven by the proper testimony to be the genuine last will and Testament of Robert Reed dec'd and that said will together with said proof thereof have been recorded in my office in Book with Page 36 & 37

In witness of all which I have hereunto set my hand and affixed the seal of the said court this 9th day of April 1872

John C Monroe
Judge of Probate

Testimony

The State of Alabama } Probate Court
Jefferson County } April [illegible] 1872

In the matter of the Probate of the last Will and Testament of Robert Reed deceased

Before me John C Monroe Judge of the said Court personally appeared L. G. Duffy Samuel T Duffy and J. T. Belcher who having been by me first respectively duly sworn and examined did and do depose and say on oath that they are each subscribing witnesses to the instrument of writing now shown to them and which purports to be the Will and Testament of Robert Reed deceased late an inhabitant of this County that said Robert Reed since deceased

Signed and executed said instrument on the day the same bears date and declared the same to be his last will and testament and that affiants set their Signatures thereto on the day the same bears date as subscribing witnesses to the same in the presence of testator that said testator was of sound mind and disposing Memory: and in the opinion of deponents fully capable of making his Will at the time the same was so made as aforesaid.

Affiants further State that said testator was on the day of the date aforesaid said will of the full age of twenty one years and upwards

Sworn to and subscribed
before me this 12th April 1873 — Jo. T. Cupery
John L. Norman — T. A. Cupery
Judge of Probate — J. Belcher

Will of Jacob Hear Deceased

Know all men by these presents That I Jacob Hear of the County of Jefferson and State of Alabama, Considering the uncertainty of this life and being of sound mind and memory, do make declare and publish this my last Will and Testament, First I give and bequeath to my beloved Wife Mary the use and enjoyment and income of my Dwelling House and Home lands and the appurtenances, Situated in the County of Jefferson and State of Alabama, To hold the same to her, for and during her natural life, or so long as she remains my Widow.

Furthermore I give and bequeath unto my beloved Wife Mary all the residue of my Estate, both Real Personal and mixed, And the income of the same during the existence of her natural life or so long as she remains my Widow.

Secondly, I do hereby nominate and appoint my Executor hereinafter mentioned, At the close of the Natural life of my Wife Mary or at the time mentioned, or at the termination of her Widowhood, To sell and divide all of the remaining of my Estate, both Real Personal and Mixed Equally between my lawful heirs.

Thirdly, I do nominate and appoint William Hear to be the Executor of this my last Will and Testament.

* The State of Alabama } In Testimony Whereof I have to this my Jefferson County } Instrument of paper writing, and to the Seal attached, I, William Hall, a Notary Public in and for said County, have hereunto subscribed my name and affixed my official Seal, this the 12th day of April A.D. 1873. William Hall, Notary Public.

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In Testimony Whereof I have to the my ment Continuation and to the Seal attached, I have subscribed my name and affixed my official Seal, this the 12th day of April A.D. 1873. William Hall, Notary Public.

Westmoreland

State of Alabama } I
Jefferson County } Court
In the matter of the Will of Jacob Hear deceased
Personally appeared before me Jacob Hear and Mary Hear
Above specified
Court, That said Will was executed and attested in the presence of the said testator
and that at the time
the same bears date
of the testator
of sound mind and disposing memory
opinion of the deponents fully capable of making his will.
at the time the same was made, as aforesaid. Affiants

further state that said testator was on the day of the said date of said Will of the full age of Twenty one years and upwards.

Sworn and Subscribed to } Thomas A Franklin
Sworn and Subscribed to } James Killen
before me on this the 6th }
day of April 1872

Wm C Monroe
Judge of Probate.

Will of Thomas Franklin Deceased.

In the name of God Amen.

I Thomas Franklin of the County of Jefferson and State of Alabama, being of Sound Mind and disposing Memory, and Knowing the uncertainty of all things Earthly, and desiring to make a disposition of my Worldly Effects as seems right and proper.

1st I have my body to be buried, as my friends may see fit, and my Soul I commit to God Who gave it.

2nd I give and bequeath my daughter Martha Isabella Franklin the East one half of the South West quarter of Section No 24 Township No 16 Range No 4 West to have and to hold for her own use and Family during her natural life, and at her death to be Equally to her three children.

3rd I further declare that it is my will and request that all my property both real and personal shall belong to my beloved wife Martha Franklin to be used & kept by her for her own use and benefit of my daughter Martha Isabella Franklin hereinafter named & Wife of John Elmendorf deceased. Tabitha Jane, Martha Elizabeth, Sarah Tabitha & Rebecca Franklin. Who now at this time is living under with me and at the death of my said wife I desire the property that may then be on hand to remain undivided, and in the possession of my said daughters herein before named and should all my daughters in time become married, or otherwise conclude to break up housekeeping & cease to use the property as is herein contemplated. Then it is my will that all my property both real & personal shall be sold and the proceeds equally divided between my daughters to wit Tabitha Jane, Martha Elizabeth, Sarah Tabitha & Rebecca Franklin & I hereby appoint my son in law Thomas A Sprouse to execute this will.

In Testimony whereof I have hereunto set my hand & seal this 3rd day of December in the year of our Lord one thousand Eight Hundred and Sixty Seven, and I do hereby revoke and annul all former wills by me heretofore made.

Signed sealed and declared } Thomas Franklin
to be the last will & testament } mark
of the Testator in the presence
of us }

J. F. Faulkner
Wm Killen
John Carroll

The State of Alabama } I, Wm C. Monroe Judge
Jefferson County } of the Probate Court in
and for said County and State do hereby certify that the within instrument of writing has this day in said Court and before me as Judge thereof been duly proven by the proper testimony, to be the genuine last will and testament of Thomas Franklin dec'd. and that said will together with said proof thereof has been recorded in my office in Book "E" Wills page 372 & 373.

Witness my hand and the seal of said Court this 22nd day of December 1873.

(Seal)

Wm C. Monroe
Judge of Probate.

Testimony

The State of Alabama } Probate Court of
Jefferson County } said County.

On the Matter of the probate of the Last Will and Testament of Thomas Franklin deceased.

Before me Wm C. Monroe Judge of the Probate Court of said County personally appeared in open Court J. F. Walker who having by me been duly sworn and examined did and does depose and say on oath.

that he and S. T. Vann and Joel Carlisle are each Subscribing Witnesses to the instrument of Writing, now shown to him, and which purports to be the last will and testament of Thomas Franklin late an inhabitant of this County, That said Thomas Franklin, since deceased, Signed and executed said instrument on the day the same bears date, and declared the same to be his last will and testament and that affiant, and S. T. Vann and Joel Carlisle Set their Signatures thereto, on the day the same bears date, as subscribing Witnesses to the same in the presence of said testator, That said Testator was of sound mind and disposing memory; and in Opinion of deponent, fully capable of making his will at the time the same was so made as aforesaid. Affiant further states that said testator was on the day of the said date of said Will of the full age of twenty one years and upwards.

Subscribed and sworn to
this 22nd December 1873. } A. S. Waldrop
John C. Morrow }
Judge of Probate }

John B Draper Will.

Whereas I John B Draper of the County of Jefferson and State of Alabama being weak in body, but of Sound mind and memory do make and declare this to be my last will and testament in manner and form following towit,

Item 1st Having heretofore given my Son William G. Draper, 160 acres of land being equitable part therefore I can not give him no more

Item 2nd It is my will and desire that my Son Bayles K Draper have the West half of the South West quarter of Section 30 Township 16 Range 3 West, also the South East quarter of the South East quarter of Section 25. Township 16 Range 4 West being the lands he now lives on

Item 3rd It is my will and desire that my Son Philip M Draper have the South East quarter of the South West quarter of Section 30 and the South West quarter of the North West quarter of section 31 and the [illegible] half of the North [illegible] quarter of Section 31 all in Township 16 Range 3 West being the lands he now lives on,

Item 4th It is my will and desire that my [illegible] have the South half of the South East quarter of Section 36 also an equal and joint interest in the South West quarter of the South East quarter of Section 36 Township 16 Range 4 West

Item 5th It is my will and desire that my son [illegible] Draper have the [illegible] half of the South West quarter of Section [illegible] also an equal and joint interest with my [illegible] in the South West quarter of the [illegible] East quarter of Section 36 all in Township 16 Range 4 West,

Item 6th It is my will and desire that the [illegible] Staggs [illegible] be equally divided between them.

Item 7th It is my will and desire that if there should be anything remaining after paying all my just debts and funeral expenses it be equally divided between my son George W. Draper and my daughter [illegible].

Given under my hand and seal this 10th day of September in the year of our Lord 1867 John B Draper (Seal)
Witnessed before signed (Seal)

Attest
John Smith
William H Smith
J. T. Barksdale

Probate

State of Alabama } Probate Court of said County,
Jefferson County }

In the matter of the Probate of the last will and testament of John B Draper deceased.

Before me John C Morrow Judge of the said Court personally appeared in open Court J. T. Barksdale and John Smith Sr who having been by me first duly sworn, and respectively examined, did and do depose and say on oath, that they are each subscribing witnesses to the instrument of writing, now shown to them and which purports to be the last will and testament of John B. Draper deceased, late an inhabitant of this County, that said Draper since deceased, signed and executed said instrument on the day the same bears date and declared the same to be the last will and testament and that affiants set their Signa=

State of Alabama } I John C Morrow Judge of Probate Court in and for said County and State do hereby certify that
Jefferson County } the within instrument of writing has this day in said Court and before me as the Judge thereof been duly proven by the proper testimony to be the genuine last will and testament of John B Draper deceased and that said will together with the proof thereof have been recorded in my office in Book of wills pages 374 & 375 [illegible] Given under my hand and the seal of said Court this 6 day of Nov 1868
(Seal) John C Morrow Judge of Pro

witness thereto on the day the same bears date as subscribing witnesses to the same in the presence of said testator. that said testator was of sound mind and disposing memory and in the opinion of the deponents fully capable of making his will at the time the same was so made as aforesaid. Deponents further state that said testator was on the day of the said date of said will of the full age of twenty one years and upwards.

Sworn Sept. 5th 1868 before me this 6th day of November 1868

John C. Moore
Judge of Probate.

J. M. Smith
J. M. Hunt

The State of Alabama
Jefferson County

I John C. Moore Judge of the Probate Court in and for said County hereby certify that the foregoing instrument of writing has this day in said Court and before me as such Judge been duly proven by the proper testimony to be the genuine last will and testament of Abner Franklin deceased and that said will together with the proof thereof have been duly recorded in my office in Book of Wills Pages 376 & 377.

Given under my hand and seal of office this 12th day of December 1871

John C. Moore
Judge of Probate

[Seal]

The State of Alabama
Jefferson County

Memorandum
Probate Court of said County

In the matter of the Probate of the last will and testament of Abner Franklin deceased.

Before me John C. Moore Judge of the Probate Court in said County personally appeared in open Court A. M. Smith and J. M. Hunt who having been by me first respectively duly sworn and examined as the witnesses to the foregoing instrument of writing purporting to be the last will and testament of Abner Franklin deceased late of Birmingham Beat No. 1 in this County, that said Franklin signed executed and published said instrument as the last will and testament of the said testator and that they the said witnesses signed the same at the request of said testator and in his presence and in the presence of each other. That said testator was of sound mind and disposing memory and in the opinion of the deponents fully capable of making his will at the time the same was so made as aforesaid. Deponents further state that said testator was on the day of the said date of said will of the full age of twenty one years and upwards.

A. M. Smith
J. M. Hunt

Sworn to and subscribed before me this 12th day of December 1871

John C. Moore
Judge of Probate

Last will and testament of Abner Franklin dec'd

In the name of God Amen.

I Abner Franklin sen'r of the County of Jefferson and State of Alabama being of sound and disposing mind and memory and knowing the great uncertainty of this life do make ordain publish this to be my last will and testament as for this body I make no pretence. but my soul I commit unto God who gave it.

1st I wish all my just debts paid (if any)

2nd I give bequeath and devise unto my son G. A. Franklin all my real estate except what is hereinafter excepted to wit. The East half the South west quarter Section 29. Town 18 Range 6 West. Also the South East quarter of the South West quarter Section 29. T 18 Range 6 West. Also I give my son G. A. Franklin all my beds bedsteads, Chests or other furniture that I may die seized and possessed I freely give my son G. A. Franklin for his sole benefit and behoof.

3rd I give unto my grand son A. W. Franklin for his kindness to me in my old age and sore affliction and for no other reason the tract or parcel of land to wit South west quarter of the South East quarter Section 29. Township 18 Range 6 West to have and to hold the same to his only benefit and behoof.

4th The property bequeathed to my son G. A. Franklin is given solely for his kind attention to me in old age and affliction. and for no other cause. Feeling duly bound to remunerate him for such services I do hereby nominate constitute and appoint G. A. Franklin Executor of this my last will and testament and do hereby waive his giving bond as such Executor. This 15th day June 1871

Abner Franklin his mark

Witness A. M. Smith J. M. Hunt

Last Will and Testament of B E Gossett Deceased

Know all men by these Presents

That I Bayless E Gossett of Jefferson and State of Alabama considering the uncertainty of this life and being of sound mind and memory do make declare and publish this my last will and Testament

First: I give and bequeath all of my property both real and personal unto my wife Hannah M Gossett during her natural life except the property hereinafter described

Second At the decease of my wife Hannah M Gossett all of the Real Estate is to go unto my Son Henry E Gossett on the following conditions to wit That the said Henry E Gossett does come forward and take possession of said property and provide for my wife Hannah M Gossett and each of my daughters Emily E Harris and her child for M Amelia and Atlanta Carr Gossett during their Natural lives or until Said daughters are married

Third Furthermore I will unto my daughter Emily E Harris enough of the proceeds of two notes one given by G J Morrow and J C Sharp and one by H P Gossett to pay all of her indebtedness

Fourth: I will unto my daughter Telemia E Gossett my grey horse chorley and one red muley cow and calf and one bed bedstead & clothing for same

Fifth: I will unto my daughter Nancy Roseline Gossett my Bay mare Sally reserving however the colt which she will bring forth next Spring also one red muley bolled cow and bed bedstead and clothing for the same

Sixth: I will unto my Grand Son James M Harris the colt which my bay mare Sally will bring forth next Spring which was reserved above

Seventh I will unto my daughter Margaret Jane my one Red Sided White backed Steer

Eighth: All other property not herein enumerated or disposed of I will unto unto the use of my family composed of my wife three daughters above enumerated & my grand Son above mentioned

Ninth I do nominate and appoint my Sons James M Gossett and H P Gossett to be the Executors of this my last will and testament

In testimony whereof I have to this my last will and testament contained on two sheets of paper and to each sheet thereof subscribed my name and set my seal on this the last sheet thereof

I have subscribed my name and affixed my seal this 19th day of September A D 1874

Bayless E Gossett

Signed Sealed declared and published by the said Bayless E Gossett as and for his last will and testament in presence of us who at his request and in his presence and in the presence of each other have subscribed our names as witnesses thereto

Test H Gilfillen

" Eubank

Signed in presence of H S Johnson

The State of Alabama } I John E Morrow Judge of
Jefferson County } the Probate Court in and for said County and State do hereby certify that the within instrument of writing has this day in said Court and before me is the Judge thereof been duly proven by the proper Testimony to be the genuine last will and testament of Bayles E Gossett deceased and that said will together with said proof thereof have been recorded in my office in Book of wills Page 379 &c

Witness my hand as Judge of Probate and seal of said Court this 21st day of Oct A D 1874

John E Morrow
Judge of Probate

"Testimony"

State of Alabama } Probate Court of said
Jefferson County } County

In the matter of the Probate of the last will and testament of Bayless E Gossett deceased

Before me John E Morrow Judge of the said Court personally appeared in open Court H J Eubank who having been by me first duly Sworn and Examined did and do depose and say on oath that he is a Subscribing witness

to the instrument of writing now shown to him and which purports to be the last will and testament of Bayliss E Gossett deceased late an inhabitant of this County that said Gossett Lance deceased signed and sealed said instrument on the day the same bears date and declared the same to be his last will and testament and that affiant set his signature thereto on the day the same bears date as one of the Subscribing witnesses to the same in the presence of said Testator

That said Testator was of sound mind and disposing memory and in the opinion of deponents fully capable of making his will at the time the same was so made as aforesaid affiants further State that said Testator was on the day of the date of said will of the full age of twenty one years and upwards

Subscribed and Sworn to
before me this 8th day
of March 1875

H H Tarbark

Robt Morrow
Judge of Probate

Last will and Testament of Joseph M Gill Deceased

Know all men by these Presents that I Joseph M Gill of the County of Jefferson and State of Alabama considering the uncertainty of this life and being of sound mind and memory do make ordain and publish this my last will and Testament & give devise and bequeath to my beloved wife Louisa all of my estate real personal or mixed of which I shall die seized and possessed or to which I shall be entitled at the time of decease, to have and to hold the same to her and her executors and administrators and assigns forever

In Testimony whereof I have to this my last will and testament Subscribed my name and affixed my seal this the 11th day of March in the year of our Lord One thousand Eight Hundred and seventy five

Joseph M his Gill Dec'd mark

Signed Sealed declared and published by the said Joseph M Gill as and for his last will and Testament in presence of us who at his request and in his presence & each other have subscribed our names as witnesses hereto

H H Tarbark
to
Geo Longford
Sarah J Ford

State of Alabama } John G Morrow Judge of
Jefferson County } the Court of Probate in and for said County and State do hereby certify that the within instrument of writing has this day in said Court and before me as the Judge thereof been duly proven by the proper testimony to be the genuine last will and testament of Joseph M Gill deceased and that said will together with said proof thereof have been recorded in my office in Book of Wills Pages 221 & 224

In witness whereof I have hereto set my hand and seal of the said Court this 8th day of April 1875

Seal

John G Morrow
Judge of Probate

Testimony

The State of Alabama } In Probate Court of
Jefferson County } said County April 28th 1875

Before me John G Morrow Judge of Probate Court personally appear in open Court H H Tarbark who being by me first sworn and examined did and doth depose and say on oath that he was subscribing witness to the instrument of writing now shown to him and which purports to be the last will and testament of Joseph M Gill deceased late an inhabitant of this county that said Joseph M Gill Lance deceased signed and executed said instrument on the day the same bears date and declared the same to be his last will and testament and that affiant set his signature thereto on the day the same bears date as subscribing witness to the same in the presence of said Testator that said Testator was of sound mind and disposing memory and in opinion of said deponent fully capable of making his will at the time the same was so made as aforesaid. Affiant further says that said Testator was on the date of said will of full age

twenty one years that affiant signed said will in the presence of L Langford and Sarah Bass + that they signed the said will in the presence of testator + each other

Sworn to + subscribed in open court this 26th day of April 1871

Wm. Morrow
Judge of Probate

Fillings Sec 1 day 32 miles @ 2.10

Last Will and Testament of Alse Worthington

In the name of God amen

I Alse Worthington of the county of Jefferson and State of Alabama being of Sound mind and disposing memory + knowing the uncertainty of all things + earthly do hereby make publish and declare the following to be my last will and testament at the same time revoking all other wills by me heretofore made

Item 1st I wish all my just debts + funeral expenses to be paid as soon as practicable after my death out of any funds belonging to me at my death

Item 2nd After said funeral expenses to be referred to in Item one of this will are complied with I do hereby give + bequath all my personal property of every description + all my interest in all the lands that belongs to me by will or otherwise to my niece Mrs A Thorpe (of Jefferson) wife of J X Thorpe

I further desire + hereby instruct my Executor hereinafter named to turn over to Mrs A A Thorpe all the personal property of which I may die seized + possessed + further I desire the Real Estate to be sold for cash or otherwise as may be agreed upon by said A A Thorpe + my executor + the proceeds to be paid over to said A A Thorpe

I hereby nominate J J Haldrop as the executor of this will

Signed Sealed + acknowledged in the presence of

P Gothgrist
J H Lindsey } Witnesses
P J Bass

Alse Worthington
June 6th 1871

State of Alabama } In the Court of Probate
Jefferson County } of the County aforesaid

In and for said County and State do hereby certify that the within instrument of writing has this day in said Court and before me as the Judge thereof been duly proven by the proper testimony to be the genuine last will and testament of Alse Worthington deceased and that said will together with said proof thereof have been recorded in my office in Book at Hills Page 382

In Witness whereof I have hereunto set my hand and the Seal of the said Court this 26th day of April 1871

Wm. Morrow
Judge of Probate

Seal

Testimony

The State of Alabama } Before the Court of said
Jefferson County } County

In the matter of the Probate of the last will and testament of Alse Worthington deceased

Before me John A Morrow Judge of the said Court personally appeared in open Court P J Bass + J H Lindsey who having been by me first respectively duly sworn and examined did and do depose and say on oath that they are each subscribing witnesses to the instrument of writing now shown to them and which purports to be the last will and testament of Alse Worthington deceased late an inhabitant of this county that said Alse Worthington deceased signed and executed said instrument on the day the same bears date and declared the same to be his last will and testament and that affiants set their Signatures thereto on the day the same bears date as subscribing witnesses to the same in the presence of said Testator that said Testator was of Sound mind and disposing memory and in the opinion of deponents fully

capable of making this will at the time the same was so made as aforesaid
Affiants further States that Said testator was on the day of the date of Said will of the full age of twenty one years and upwards
Subscribed and sworn
to before me this 25th day
of May 1874
J. H. Lindsay
J. C. Morrow
Judge of Probate

Last Will and Testament of R. F. Carlisle deceased

The State of Alabama In the name of God amen
Jefferson County }

I Richard F. Carlisle of the State and County above mentioned considering the uncertainty of life and being of Sound and disposing memory do make publish and declare this to be my last will and testament

1st I give and bequeath unto my beloved wife Clarissa L. Carlisle all of my Real and personal property to her use & benefit during her natural life to be disposed of as follows

2nd I desire that all my just & lawful debts and funeral expenses shall be paid out of my estate by my Executrix hereinafter appointed

3rd I give and bequeath to my sons Richd F. Jeff D. William H. and John F. Carlisle and my daughter Matilda V. Carlisle as they come of age or marry the Value of Seventy five dollars in money or personal property to be selected by my executrix which I consider equal in value to what I have already given my other children Irena & Mc Daniel Clarrissa L. Carlisle Delaney P. Blue Louisa L. Bozell and Morgan Crocker and I further direct that the tuition of my minor heirs shall be paid out of my estate by my Executrix

4th That at the death of my wife it is my wish and desire and so bequath that all the balance of my Real & personal property shall be sold by my executrix on such terms as she may think best and equally divided between all my children hereinbefore named

5th I do hereby constitute and appoint my wife Clarissa L. Carlisle Executrix of this my last will and Testament with full power and authority to execute the same without giving bond

In Testimony whereof I have hereunto set my hand and seal this day of 1874

R. F. Carlisle

The foregoing paper writing was Signed by Richard F. Carlisle in our presence and declared by him to be his last will and we Signed the same as witnesses in his presence and in the presence of each other on the day & date above written

E. J. Carlisle
Joel Carlisle
Ft. Franklin

The State of Alabama } I John C. Morrow
Jefferson County } Judge of the Court of Probate in and for said County and State do hereby certify that the within instrument of writing has this day in Said Court and before me as the Judge thereof been duly proven by the proper testimony to be the genuine last will and testament of Richard F. Carlisle deceased and that Said will together with Said proof thereof have been duly recorded in my office in Book of wills Page 384 & 385

(Seal) In witness of all which I have hereto set my hand and the seal of the Said Court this 27th day of January 1875

J. C. Morrow
Judge of Probate

"Testimony"

The State of Alabama } Probate Court of
Jefferson County } Said County
In the matter of the Probate of the last will and Testament of R. F. Carlisle deceased

Before me John C. Morrow

Judge of the said Court personally appeared before me in open court E J Corlisle & Williamson Franklin who having been by me first respectively duly sworn and examined did and do depose and say on oath that they are each subscribing witnesses to the instrument of writing now shown to them and which purports to be the last will and testament of R. D. Corlisle deceased late and inhabitant of this county that said Corlisle since deceased signed and executed said instrument on the day the same bears date and declared the same to be her last will and testament and that affiants set their signatures thereto on the day the same bears date as subscribing witnesses to the same in the presence of said testator That said testator was of sound mind and disposing memory and in the opinion of deponents fully capable of making his will at the time the same was so made as aforesaid. Affiants further state that said said testator was on the day of the said date of said will of the the full age of twenty one years and upwards

Subscribed and sworn to this the 25th day of January 1878

E J Corlisle
W Franklin

Will of Thomas Higgins

State of Alabama } Know all men by these presents
Jefferson County } That I Thomas Higgins, being sane and in my right mind do make this my last Will and Testament. in the name of God Amen.

I will and bequeath to my daughter [illegible] the South half [illegible] quarter of Section [illegible] Township 17 Range 4 West in Montgomery Land Office District containing 80 acres. I also will and bequeath to my grand son W. H. Higgins the [illegible] of the [illegible] of Section 23 in Township 17 Range 4 West in [illegible] Land Office District. I also give and bequeath to my grand [illegible] In witness whereof I hereunto set my hand and seal [illegible]

Thos X Higgins (Seal)

W H Higgins
H A [illegible]
M. E. [illegible]

[illegible]

I Thomas Higgins do further appoint my Grand son W. H. Higgins my Administrator to carry out and execute this my Will. Given under my hand and seal day and date [illegible]

Signed in presence of
W. H. Higgins
H. A. [illegible]
M. E. [illegible]

Thomas X Higgins (Seal)

State of Alabama } I John C. Morrow Judge of the
Jefferson County } Probate Court in and for said County and State do hereby certify that the [illegible] instrument of writing [illegible] in said Court and before me as the Judge thereof, [illegible] by [illegible] testimony to be the genuine Last Will and Testament of Thomas Higgins, deceased and that said Will, together with said proof thereof, have been recorded in my Office in Book of Wills Page 387 & 388.

(Seal)

In Witness [illegible] I have hereunto set my hand and the seal of said Court this [illegible] 187[illegible]

Jno. C. Morrow
Judge of Probate

State of Alabama } In the Court of said County.
Jefferson County }

In the matter of the Probate of the Last Will and Testament of Thomas Higgins Deceased.

Before me, Jno. C. Morrow Judge of Probate in and for said County, personally appeared in Open Court M. A. Glassgow who being duly by me first duly sworn and examined, deposes and says on oath, that he, and A. D. Israel, the subscribing witnesses to the instrument of writing now shown to him, and which purports to be the Last Will and Testament of Thomas Higgins, late an inhabitant of this County, did see Thomas Higgins, sign, execute and publish said instrument of writing as his last will and testament, on the day of the date thereof, and at the request of the said Testator, and in the presence of said Testator, and of the other subscribing witness A. D. Israel. That said Testator was of sound mind, and disposing memory and in the opinion of Deponent fully capable of executing his will, at the time the same was so made and subscribed. Affiant further states that said Testator was on the day of the said date of said Will of the full age of twenty one years and upwards.

Sworn to and subscribed } M. A. Glassgow.
before me this 1st day of
May 1879.

Jno. C. Morrow
Judge of Probate

East Birmingham Settlement of Thos Higgins Estate

The State of Alabama } October the 7th 1879 in the matter of
Jefferson County } the Estate of Thomas Higgins deceased
came and stood, &c.

Having the same duly stepped and the certain by 12 oaths, one bible & some printed papers & in my care & the same examined, and opened Deposits & Wasson Executor to my Will.

Now, all & every of the said persons & each and every person to me unknown, having Carefully & attentively heard and understood the contents of said Last Will & Testament of said deceased. Do say & declare that I do believe the said Will to be the last will & testament of the said deceased. And I do further declare that I believe the said deceased was of sound mind & memory & capable of executing a valid will & testament at the time of the execution of the said Will. And I do further declare that I believe the said deceased was of the full age of twenty one years & upwards at the time of the execution of the said Will. And I do further declare that I believe the said deceased was a resident of this County at the time of his death. And I do further declare that I believe the said deceased was a resident of this County at the time of his death. And I do further declare that I believe the said deceased was a resident of this County at the time of his death.

I do hereby certify that I have carefully examined the above & foregoing Will & Testament of Thomas Higgins deceased & that the same is a true & correct copy of the original Will & Testament of the said deceased. And I do further certify that I have carefully examined the above & foregoing Will & Testament of Thomas Higgins deceased & that the same is a true & correct copy of the original Will & Testament of the said deceased. And I do further certify that I have carefully examined the above & foregoing Will & Testament of Thomas Higgins deceased & that the same is a true & correct copy of the original Will & Testament of the said deceased.

Witness my hand & official seal this 7th day of October 1879.

Jno. C. Morrow
Judge of Probate

Petition

State of Alabama } In the County Court
Jefferson County }

In the matter of the Probate of the Last Will and Testament of Thomas Higgins deceased.

Before me, John C. Morrow, Judge of the said Court, personally appeared M. A. Glassgow

Isaac Teater, who having been by me first duly sworn and examined, did and doth depose and say on oath, that he is a subscribing witness to the instrument of writing now shown to him and which purports to be the Last Will and Testament of John Harden deceased, late an inhabitant of this County. That said Harden since deceased, signed and executed said instrument on the day the same bears date, and declared the same to be his Last Will and Testament; and that affiant as subscribing witness on the day the same bears date, subscribing witness to the same in the presence of said Testator, and that said Testator was of sound mind and disposing memory and in the opinion of the deponent fully capable of making a Will at the time the same was so made as aforesaid. Affiant further states, that said Testator was on the day of the said date of said will of the full age of twenty one years and upward.

Subscribed and sworn to before me this 3rd day of March 1875. } I. J. Teater

Jno. C. Henna [illegible]
Judge of Probate

The State of Alabama } I, Jno. C. Henna, Judge of the
Jefferson County } Probate Court in and for said County and State, do hereby certify, that the within instrument of writing has this day, as said and before me as the Judge thereof, been duly proven, by the proper testimony, to be the genuine Last Will and Testament of John Harden, Decd.; and that said Will, together with said proof thereof, have been Recorded in my office in Book of Wills pages 389 & 390.

(Seal)

In Witness whereof, I have hereunto set my hand and the seal of said Court this 7th day of July 1875.

Jno. C. Henna
Judge of Probate.

Last Will and Testament of William W. Hawkins

Know all men by these presents, that I William W. Hawkins of the County of Jefferson and State of Alabama considering the uncertainty of this life and being of sound mind and memory do make, declare and publish this my Last Will and Testament.

After the payment of all my just debts and funeral expenses and placing at my grave such a marble [illegible] and [illegible] at such [illegible] as my Executor [illegible] shall think proper [illegible] I give and devise the residue of my Estate of all kinds as follows.

1st. First it is my will and desire to provide well for the comfortable maintenance and support of my beloved wife Elizabeth Hawkins for and during her natural life, and for that purpose I direct that my Executor [illegible] shall of the [illegible] pay to her One Thousand Dollars in gold, to be used by her for her maintenance and support at discretion and it is my will and desire that my said Executor shall use as he [illegible] of my Estate such [illegible] and further sum of money as my said wife may desire or [illegible] proper to provide her with all necessaries and comforts during her life including servants to wait upon and attend her when and where she may desire, and to provide a suitable burial after her death and to place such a marble tomb-stone over her grave and such enclosure around it as my said Executor may think proper. And should any part of the said sum of One Thousand Dollars, or [illegible] other sum of money herein before provided for the support of my said wife be left and unexpended after her death and paying her burial expenses and [illegible] said tomb stone and enclosure of her grave it is my will that it be equally divided among my children that may then be living, and the children of such of my children as are now dead, or may then be dead. that is, that each one of my children that may be then living, shall have one share, and each set of children of such of my children as are now dead, or as may then be dead, shall have the share which their parent would have been entitled to if then living.

2nd. It is my will that all of my household and kitchen furniture shall be equally divided among my said wife and my four following children, that are now living, to wit: My sons Nathaniel Hawkins and [illegible] W. Hawkins and my daughters Eleanor [illegible] my [illegible] Ann Roebuck.

3rd. It is my will and desire to equalize all of my children in the amount of money and property given by me to them and upon examination, notes, accounts and other evidence of advancements given me to them, I find that my son Andrew H. Hawkins has received more than any of my other children, and that my sons Samuel Hawkins now deceased, and James H. Hawkins now deceased, and my daughters, Eleanor Sergent and Susan Roebuck have each received more than any of my other children except said Andrew H. and for the purpose of making them all equal I give the following legacies to wit:

1st. I give and bequeath to my daughter Eleanor Sergent the sum of One thousand Eight Hundred and Eighty Dollars.

2nd. I give and bequeath to my daughter Sarah Roebuck the sum of Six thousand, One Hundred and Forty One Dollars.

3rd. I give and bequeath to the heirs of my son James H. Hawkins decd. the sum of three thousand Four Hundred Dollars.

4th. I give and bequeath to the heirs of my son David Hawkins decd. the sum of Six thousand Eight Hundred and Fifty Seven.

5th. I give and bequeath to the heirs of my daughter Susan Roebuck, decd, the sum of Six thousand Eight Hundred and Fifty Dollars.

6th. I give and bequeath to my son Nathaniel Hawkins the sum of Six thousand Eight Hundred and Fifty Dollars.

7th. I give and bequeath to my Grand Son Samuel P. Hawkins Son of my son Samuel Hawkins decd. the sum of One thousand Dollars. And it is my will that the said Grand Son Samuel P. shall receive no more of my Estate than said sum of One thousand Dollars, except what he may get in the division of what may be left after the death of my wife of the amount herein provided for maintenance and support.

If there should not be enough of my Estate to satisfy the other provisions hereinbefore made and to pay all of the foregoing seven legacies in full, then in that case it is my will and desire that my said Executor pay the said seven legacies, after

Attest. A. Albright Martin
John R. Rockett.
Wm. T. Porter.

Williamson his X mark Hawkins (Seal)

having first satisfied & carried out all the provisions hereinbefore made, said fund pay up on the basis of their pro rata until they are each reduced in amount to the next largest, and then on it and them pro rata until they are each reduced in amount to the next largest, and so on, so as to carry out my intention of equalizing my seven children.

4th. It is my will and desire that the remainder of my estate, after paying and satisfying the foregoing provisions and legacies, shall be equally divided among my children and the children of any deceased child, except the said Samuel P. Hawkins, the children of any deceased child to take one share, such children as are now dead or may then be dead, except said Samuel P. shall have the share to which their father would have been entitled if living.

5th. It is my will and desire that my said Grand Son Samuel P. Hawkins should not receive more of my estate than the legacy of One thousand Dollars hereinbefore given him, and any other interest that he may have in my estate under this will, shall lapse and descend to my Estate.

6th. It is my intention as I have heretofore stated, to make after advancements made in money or property to each of my said children or informed I consider the third article of this my last will and the amounts for the purpose of equalizing them and to take receipts for the same, and it is my will and desire that such advancements shall be deducted from said legacies respectively, and such legacies shall stand unaffected in this my last will and testament for all purposes as if they had been given in this will for the amount which shall be left of them respectively after deducting such advancements made by me. Such advancements may be proven by receipts taken by me for them, or by other proof satisfactory to the Court.

7th. I hereby authorize and empower my said Executor hereafter appointed to sell all of my Estate, of every kind, real personal and mixed, either at private or public sale, for cash or on credit, as he may think best for the interest of my estate, and in such parcels as he may think best and to compromise and settle such debts due my Estate as he may think bad or doubtful, or as he may think for any other reason it will be to the interest of my estate to compromise.

5th. I hereby nominate, constitute and appoint my said son Nathaniel Hawkins, to be the Executor of this my Last Will and Testament, and direct that he be not required to give Bond or Security as such.

In testimony whereof I have to this my Last Will and Testament, contained on two sheets of paper, and to each sheet thereof subscribed my name and set my seal, and to this, the last sheet thereof I have subscribed my name and affixed my seal, this the 14th day of August, in the year of Our Lord, One thousand Eight Hundred and Sixty Nine.

Williamson his x Hawkins Seal
mark

Signed, Sealed, declared and published by the said Williamson Hawkins as and for his Last Will and Testament in presence of us, who, at his request and in his presence and in the presence of each other have subscribed our names as witnesses hereto, this the 14th day of August 1869.

Albanto Martin
John L. Rockett
M. T. Porter

I Williamson Hawkins being of sound mind & memory, make, publish and declare this, to be a supplement or Codicil to my foregoing Will and Testament. I will and direct that in the execution of my foregoing Will & Testament, three Hundred Dollars in [illegible] shall be subtracted & retained from the amount to which Ann Eliza Jones (wife of Richd A. Jones) would but for this Codicil, have been entitled, under the (4th) fourth Clause of the foregoing Will, & said three Hundred Dollars, so subtracted & retained, in sd 4th paragraph, to go to Samuel D. Hawkins, & said Ann Eliza Jones in accordance with the present Statute of Alabama, as in case of Intestates,

Witness my hand & Seal, this 19th Oct. 1871.

William his x Hawkins
mark

Signed, Sealed, published and declared, as a Supplement or Codicil, to the foregoing Last Will and Testament, by William m Hawkins, in the presence of us, who, at his request & in his presence, & in the presence of each other, have hereunto subscribed our names as witnesses hereto, this the 19th October 1871.

Albanto Martin,
Robert A. McGehee

I Williamson Hawkins being of sound mind & memory, do make, publish and declare the following to be a supplement or codicil, to my Last Will and Testament, which was executed heretofore on the 14th day of August 1869, to which said Will Albanto Martin, John L. Rockett, M. T. Porter are witnesses.

1st. I hereby revoke & declare null & void, the codicil to said Last Will & Testament, which is written upon one of the sheets of paper containing said Last Will and Testament, & which said codicil was executed by me, as will appear from an examination of the same, on the 19th day of October 1871, in the presence of Albanto Martin & Robert A. McGehee as witnesses.

2nd. I will and direct that in the execution of my said Last Will & Testament, three Hundred Dollars in Gold shall be subtracted & retained from the amount to which Ann Eliza Jones (wife of Richard A. Jones) would otherwise have been entitled under my Last Will & Testament, & said three Hundred Dollars, so subtracted & retained, shall be divided among all of my heirs at law, except, said Ann Eliza Jones, Samuel D. Hawkins & my niece Elizabeth Hawkins, in accordance with the provisions of the present Statute of Alabama governing the distribution of the personal property of persons dying intestate — it being intended hereby to give said Ann Eliza Jones three Hundred Dollars in Gold [illegible] [illegible] and desired at the [illegible] of the execution of my Last Will and Testament.

3rd. Whereas in the [illegible] of my foregoing Will and Testament making a specific [illegible] [illegible] to the heirs of my son James A. Hawkins and the word "Hundred" was unintentionally omitted after the word "four" I therefore will and direct that said word "Hundred" shall be supplied after the word four so as to make said clause read — "I give and bequeath to the heirs of my son James A. Hawkins, deceased, the sum of three thousand four Hundred & ninety two [illegible]"

Witness my hand & Seal this the [illegible] day of [illegible] 1871.

William his x Hawkins
mark

Signed, Sealed, published and declared as a supplement or codicil to his Last Will and Testament (heretofore executed on the 14th August 1869) by Williamson Hawkins, in the presence of us, who

Testimony

Testimony of Robt to Martin and Revel H. Kelly.

State of Louisiana
Jefferson County

State & Court of said County.

In the matter of the Probate of the Last Will and Testament of Williamson Hawkins Deceased.

Before me John C. Moran Judge of said County personally appeared and came Robt to Martin and Revel H. Kelly who being by me, duly sworn to depose and say, that they are acquainted with the handwriting of the late Williamson Hawkins deceased, late an inhabitant of this County that said Williamson Hawkins died on or about the 20th day of August 1875 and that they are subscribing witnesses to the instrument in writing now shown to them, and which purports to be a codicil to the Last Will and Testament of Williamson Hawkins deceased late an inhabitant of this County that said Hawkins deceased, signed and executed said instrument as a codicil to the Last Will and Testament of said deceased, and that they subscribed their names thereto as witnesses in the presence of said deceased and at his request, on the day of the date of said codicil, as subscribing witnesses to the same, in the presence of each other. That said deceased was of sound and disposing mind, memory and understanding at the time of the execution of said instrument. That they were not related to said deceased by blood or marriage, nor were they interested in said Will or in the estate of said deceased in any manner whatever. That they were not subscribing witnesses to the Last Will and Testament of said deceased, but that they subscribed their names to said codicil at the request of said deceased, and in the presence of each other. That said deceased was of sound and disposing mind, memory and understanding at the time of the execution of said codicil. That said deceased was not under any restraint or undue influence at the time of the execution of said codicil. That they were not related to said deceased by blood or marriage, nor were they interested in said Will or in the estate of said deceased in any manner whatever. That they were not subscribing witnesses to the Last Will and Testament of said deceased, but that they subscribed their names to said codicil at the request of said deceased, and in the presence of each other. That said deceased was of sound and disposing mind, memory and understanding at the time of the execution of said codicil. That said deceased was not under any restraint or undue influence at the time of the execution of said codicil.

Sworn to & subscribed before me this 2nd day of September 1875.

John C. Moran
Judge of Probate

Robt to Martin
Revel H. Kelly

State of Louisiana
Jefferson County

I John C. Moran Judge of the Court of Probate in and for the County and State aforesaid do hereby certify that the foregoing testimony was taken before me at my office in the City of Gretna on the 2nd day of September 1875.

John C. Moran
Judge of Probate

Testimony of Mr & Veterans & Court &

State of Louisiana
Jefferson County

In the matter of the Probate of the Last Will and Testament of Williamson Hawkins Deceased.

Before me John C. Moran Judge of said County personally appeared and came Mr & Veterans who being by me duly sworn did depose and say that he was acquainted with the handwriting of the late Williamson Hawkins deceased late an inhabitant of this County that said Williamson Hawkins died on or about the 20th day of August 1875 and that he is subscribing witness to the instrument in writing now shown to him, and which purports to be a codicil to the Last Will and Testament of said deceased, signed and executed said instrument as a codicil to the Last Will and Testament of said deceased, and that he subscribed his name thereto as witness in the presence of said deceased and at his request, on the day of the date of said codicil, as subscribing witness to the same, in the presence of each other. That said deceased was of sound and disposing mind, memory and understanding at the time of the execution of said codicil. That said deceased was not under any restraint or undue influence at the time of the execution of said codicil. That he was not related to said deceased by blood or marriage, nor was he interested in said Will or in the estate of said deceased in any manner whatever. That he was not subscribing witness to the Last Will and Testament of said deceased, but that he subscribed his name to said codicil at the request of said deceased, and in the presence of each other. That said deceased was of sound and disposing mind, memory and understanding at the time of the execution of said codicil. That said deceased was not under any restraint or undue influence at the time of the execution of said codicil.

Sworn to & subscribed before me this 2nd day of September 1875.

John C. Moran
Judge of Probate

Mr & Veterans

State of Louisiana
Jefferson County

I John C. Moran Judge of the Court of Probate in and for the County and State aforesaid do hereby certify that the foregoing testimony was taken before me at my office in the City of Gretna on the 2nd day of September 1875.

John C. Moran
Judge of Probate

Testimony of Mr & Veterans & Court &

State of Louisiana
Jefferson County

In the matter of the Probate of the Last Will and Testament of Williamson Hawkins Deceased.

Before me John C. Moran Judge of said County personally appeared and came Mr & Veterans who being by me duly sworn did depose and say that he was acquainted with the handwriting of the late Williamson Hawkins deceased late an inhabitant of this County that said Williamson Hawkins died on or about the 20th day of August 1875 and that he is subscribing witness to the instrument in writing now shown to him, and which purports to be a codicil to the Last Will and Testament of said deceased, signed and executed said instrument as a codicil to the Last Will and Testament of said deceased, and that he subscribed his name thereto as witness in the presence of said deceased and at his request, on the day of the date of said codicil, as subscribing witness to the same, in the presence of each other. That said deceased was of sound and disposing mind, memory and understanding at the time of the execution of said codicil. That said deceased was not under any restraint or undue influence at the time of the execution of said codicil. That he was not related to said deceased by blood or marriage, nor was he interested in said Will or in the estate of said deceased in any manner whatever. That he was not subscribing witness to the Last Will and Testament of said deceased, but that he subscribed his name to said codicil at the request of said deceased, and in the presence of each other. That said deceased was of sound and disposing mind, memory and understanding at the time of the execution of said codicil. That said deceased was not under any restraint or undue influence at the time of the execution of said codicil.

Sworn to & subscribed before me this 2nd day of September 1875.

John C. Moran
Judge of Probate

Mr & Veterans

Testimony of Ellis Pulliam

State of Alabama } Probate Court of said County.
Jefferson County } September 25th 1875

In the matter of the Probate

of the last Will and Testament of Thomas G. Pulliam deceased

Depositions of John C. Pulliam and Thomas Hodges taken before the Judge of Probate at the request of Ellis Pulliam one of the devisees named in said last Will and Testament of Thomas G. Pulliam deceased.

And being sworn on their oaths state and answer as follows to wit

Question by Judge. Are you acquainted with the last Will and Testament of Thomas G. Pulliam deceased?

Answer. We are.

Question by Judge. Are you acquainted with the handwriting of the said Thomas G. Pulliam deceased?

Answer. We are.

Question by Judge. Do you believe that the signature to said Will and Testament is the genuine signature of the said Thomas G. Pulliam deceased?

Answer. We do believe it is.

Question by Judge. Do you believe that the said Thomas G. Pulliam deceased was of sound mind and memory at the time he executed said Will and Testament?

Answer. We do believe he was.

Question by Judge. Do you believe that the said Thomas G. Pulliam deceased executed said Will and Testament of his own free will and accord?

Answer. We do believe he did.

Question by Judge. Do you believe that the said Thomas G. Pulliam deceased executed said Will and Testament in the presence of the subscribing witnesses?

Answer. We do believe he did.

Question by Judge. Do you believe that the said Thomas G. Pulliam deceased was of sound mind and memory at the time he executed said Will and Testament?

Answer. We do believe he was.

Question by Judge. Do you believe that the said Thomas G. Pulliam deceased executed said Will and Testament of his own free will and accord?

Answer. We do believe he did.

Question by Judge. Do you believe that the said Thomas G. Pulliam deceased executed said Will and Testament in the presence of the subscribing witnesses?

Answer. We do believe he did.

Subscribed & Sworn to before me this 25th Sept. 1875

Ellis Pulliam

John C. Pulliam
Thomas Hodges

Judge of Probate

For Charcoal Coke and Asphaltic

The last many of which [illegible] is the original Will and I [illegible] and Seal on the 19th day of March 1875

Executed, Signed Sealed and published [illegible]
as our free act & deed
Signed, Published and published as our
Witness W. L. Lapsconb
J. B. Landrum
Robt. E. East

We the undersigned do witness to the foregoing Will of T. G. Pulliam deceased
Abby Lamb the said T. G. Pulliam executed signed sealed and published the
foregoing paper as his last Will and Testament in our presence and that at his
request and in his presence and in the presence of each other we subscribed
the same as attesting witnesses this the 19th day of March 1875

W. L. Lapsconb
J. B. Landrum
Robt. East.

The State of Alabama } I Clerk do hereby certify that the foregoing
Lowndes County } Will of T. G. Pulliam deceased with the proof
of W. L. Lapsconb, Robt. East and J. B. Landrum the subscribing witnesses to the said
writing thereto & instrument of writing purporting to be the last Will and Testament
of William H. Pargner late of said County deceased was duly proven and
after being duly sworn & proved was duly filed and recorded in my
office and is recorded in Book [illegible] Page [illegible] of Wills
Published and done & said instrument as and for his last Will and Testament
in Clear Spring on the day the same bears date and Clerk of the request of the
said William H. Pargner they signed their names as witnesses to said instrument
at the request of and in the presence of said testator and in said testators
signed in the presence of each other on the day the same bears date and thereunto
further say that at the time of signing said instrument said testator was there
of sound mind and disposing mind & memory and more than 21 Years of
age. Sworn to and subscribed before me

this the 13th day of May 1875

W. L. Lapsconb
Robt East
J. B. Landrum

G. H. York Clerk
By J. W. Stevens D. C.

Filed May 13th A. D. 1875 G. H. York Clerk by J. W. Stevens D. C.

The State of Mississippi } I G. H. York Clerk of the Chancery Court
Lowndes County } in and for said County do hereby certify that the above
and foregoing pages (10) contains a true and correct Copy of the last will
& Testament of W. H. Pargner dec

do

Certified Copy of the Last will and Testament of
William T. Haynes deceased

I William T. Haynes of the County of
Escambia and State of Mississippi being of sound and disposing mind and
and memory knowing the uncertainty of this life and being desirous of
alleviating my temporal cares so as best to promote the interest and happiness
of my family do make, ordain, Seal, Declare and publish this my last
Will and Testament as follows

1st It is my will and desire that my executors hereinafter appointed, secure
out of the first moneys that may come into their hands and not
needed for family expenses pay my funeral expenses and just debts
and for this purpose they may sell any personal property not needed for
plantation and family purposes at public sale.

2nd I further will and desire that my said Executors shall not on any
account dispose of or devise my plantations Negroes Cattle Horses or other
personal property thereon that may be necessary for keeping up or carrying on
said plantations, but my youngest son reaches majority that they shall take
full charge, management and benefit of said plantations and other real
Estate and manage the same as they may think best for the interest of the family
and of my estate; and be enable them to do this effectually I do hereby vest them with
full power to employ all necessary agents and Overseers and pay the same to sell or
change and purchase Stock, to buy farming implements and supplies to pay
Taxes and all other expenses that may accrue thereon, and generally be necessary
for keeping in repair, Cultivating and Carrying on said plantations, selling
and disposing of the Crops and using the proceeds as far as may be necessary
for the Comfort Support and maintenance of the family and the education of
the Children

3rd If in the judgment of my Executors or either of them it may become necessary
either for the payment of debts, or the maintenance of the family or the education
of my minor Children or of them or either of them should them at best for the interest
of my estate it is my will and desire that they Should and I do hereby authorize
and empower them or either (my said executors) to sell and convey any part or
all my real estate in the City of Birmingham and County of Jefferson and State of
Alabama, and any part of the my land warrants or other property not here
stated or mixed in the County of Clark in the State of Mississippi either privately
or publicly for Cash or on a credit as they may think best.

4th If before my Son Edward arrives at legal Majority my wife and the other
Children who may be of age and the the guardian or Guardians of my
minor Children shall agree that it is best for all parties interested that
my plantations and other property in the County of Lowndes aforesaid
be sold for division then my Executors by getting a decree or order of the Chancery
Court are authorized to sell the same or any part thereof for cash
or to have the same divided under the direction of said Court if such decree

[illegible] deceased of

4

[illegible] my youngest son reaches majority
my [illegible] Haynes shall have the option & either [illegible]
[illegible] and all the buildings Lumber and appurtenances thereto
belonging and her dwelling house of Court around the same and [illegible]
of all [illegible] property of every kind and description [illegible]
and Executors to be a part [illegible] of my said [illegible]
Household and her thousand dollars in money bequeathed [illegible]
to her Clause for Dower [illegible]

6th If my beloved wife does not desire to remain [illegible]
dation separate & apart from the Executors [illegible]
or the three thousand dollars as here [illegible]
and will bequeath and devise all the rest and residue of my estate
Every kind Whatever real personal & mixed subject to the provisions
& Restrictions be my beloved wife and my Son Wallace Thomas to Haynes
T. M. Haynes Esq of W. Haynes [illegible] & Mother Sarah [illegible] & Haynes
Haynes and Carlotta Haynes each holding One Second part thereof
Each of my beloved wife Thirds as set to Claim Dower and separate estate
hereunto and to that event I will Devise & bequeath said Thirds
to my Sons as Children Equally

7th It is my will and my earnest desire that all my minor [illegible]
will be educated [illegible] at no charge thereof to be made against them or their
Estates or their Guardian

8th I do hereby nominate constitute and appoint my wife Sarah [illegible]
the Executors of my minor Children will of this

9th If at any time before my youngest son shall [illegible]
Money & effects belonging to the Estate of my Children or to me as their Guardian
or from any other source not necessary for the payment of debts [illegible]
the said personal estate the maintenance of my family and the education of the minor
Children to keep safe and loan them my Executors or any one of them
may think proper to my Daughter Sons or they would desire interest and Security
but it is to be Optional to them and them only or their Guardian Children of my said
Executors please this is a Codicil of the Will

10th It is my further will desire and direct that my wife and the Executors shall
have no power to harmony and her dues per another Item of her especially it must
be of said Estate to my beloved wife that they should make [illegible]
& their mother

11th I do hereby nominate and appoint my [illegible] Sarah [illegible] Haynes and my
[illegible] other [illegible] the Executors of this my Last will and

for their mark Later and responsible

In testimony Of which I have to this my last will and t
I Mark subscribed in the foregoing pages from one to Seven inclusive. Sth my hand
and Seal this the 19th day of March 1875 William H. Hargrove Seal
Executed. Signed. Sealed and published
in our presence W. L. Lipscomb (Cir.
Signed. Sealed and published in our
presence W. L. Lipscomb
J. P. Landrum
Robert East

We the undersigned the witnesses to the foregoing will of W. H. Hargrove hereby
Certify that the said W. H. Hargrove executed. Signed. Sealed and published the fore
going paper as his last will and testament in our presence and that at his
request and in his presence and in the presence of each other we subscribed
the same as attesting witnesses this the 19th day of March 1875

W. L. Lipscomb
J. P. Landrum
Robt East.

The State of Mississippi } Before me George W. Van Hook Clerk of the Chancery
Lowndes County } Court in and for said County this day personally Came
W. L. Lipscomb Robt East and J. P. Landrum the subscribing witnesses to the fore
going annexed instrument of writing purporting to be the last will and testament
of William H. Hargrove late of said County and State and now deceased, who
after being duly sworn & proved and said that William H. Hargrove signed. Sealed
published and declared said instrument as and for his last will and testament
in their presence on the day the same bears date; and that at the request of the
said William H. Hargrove they Signed their names as witnesses to said instrument
at the request of and in the presence of said testator; and all of said witnesses
signed in the presence of each other on the day the same bears date; and deponents
further say that at the time of signing said instrument said testator was then
in sound mind and disposing mind and memory and more than 21 Years of
age Sworn to and Subscribed before } W. L. Lipscomb
me this 13th day of May A.D. 1875 } Robt East
G. W. Van Hook Clerk } J. P. Landrum
By J. M. Stevens D. C.

Filed May 13th A.D. 1875 G. W. Van Hook Clerk By J. M. Stevens D. C.

The State of Mississippi } I G. W. Van Hook Clerk of the Chancery Court
Lowndes County } in and for said County do hereby Certify that the ab
and foregoing pages (10) Contain a true and Correct Copy of the last will
testament of W. H. Hargrove dec

Given under my hand and seal of office at Columbus this
1st day of June A.D. 1875 Geo. W. Van Hook Clerk

The State of Mississippi }
Lowndes County } ss

I C. A. Sullivan Chancellor of the 5th District being
the sole presiding Chancellor of the 5th Chancery Court in said County do
Certify that G. W. Van Hook whose genuine name and signature appears
to the annexed foregoing Certificate is now and was at the time of Signing
the same Clerk of the 5th District which includes said County duly
appointed and qualified according to law and that full faith and
Credit are due to all his official acts.

Given under my hand and Seal at Columbus this
1st day of June 1875 C. A. Sullivan Seal
Chancellor

The State of } I George W. Van Hook Clerk of the Chancery
Lowndes County } Court of said County do hereby Certify
that C. A. Sullivan whose genuine signature appears to the
annexed and foregoing Certificate is now and was at the time of
Signing the same Chancellor of the 5th District which includes said, duly ap
pointed and qualified according to law and that full faith and credit
are due to all his official acts as such

In witness Whereof I have hereto affixed the Seal of
said Chancery Court and Signed my name this 1st
day of June A.D. 1875 Geo. W. Van Hook Clerk

Last Will and Testament of John Dicey, Deceased.

I, John Dicey, of the County of Jefferson State of Alabama, being of sound mind and disposing memory do make, ordain, publish and declare this to be my Last Will and Testament, hereby revoking all and any Last Will and Testaments by me heretofore made. And as to such worldly estate and effects as it has pleased God to bless me with in this life, I give, devise and bequeath the same in the following manner and form, that is to say, First I will that my beloved wife Margaret Dicey shall have the use and benefit of my plantation and all my stock of every description, both real and personal to my control, also Margaret Dicey in fee simple and absolute to possess and dispose of as she may see fit.

I nominate, constitute and appoint my wife Margaret Dicey, executrix of this my Last Will and Testament, hereby revoking all other wills by me heretofore made, ratifying and confirming this and no other to be my Last Will and Testament. In witness whereof I have hereunto set my hand and seal this 9th day of October A.D. 1844.

John Dicey (Seal)

Signed, Sealed and published in the presence of us who at the request of the said John Dicey and in his presence and in the presence of each other have hereunto subscribed our names as witnesses.

B. K. Lansdown
Alburto Martin.

The State of Alabama } Jno. C. Morrow Judge of Probate in and for said County and State do hereby certify that the within instrument of writing was this day produced to me in open Court and before me as Judge thereof, and was duly proven by the proper testimony to be the genuine Last Will and Testament of John Dicey deceased, and that the said Will, together with said proof thereof, have been recorded in my office in Book of Wills page 404.

In Witness of all which I have hereunto set my hand and the Seal of said Court, this 9th day of November 1844.

Jno. C. Morrow
Judge of Probate.

Testimony of Last Will and Testament of John Dicey dec'd

State of Alabama } Probate Court of said County.
Jefferson County }

In the matter of the Probate of the Last Will and Testament of John Dicey deceased.

Before me Jno. C. Morrow Judge of said Court

personally appeared in open Court Alburto Martin a witness to the foregoing Last Will and Testament of John Dicey deceased, who being duly sworn deposeth and saith, that he was present and saw the said John Dicey sign and publish the foregoing instrument of writing as his Last Will and Testament, that at the time of doing so the said John Dicey was of sound mind and memory, that he subscribed his name as a witness to the same in the presence of the said John Dicey, and at the same time and in the presence of each other.

Sworn to and subscribed before me this 9th day of November A.D. 1844.

Jno. C. Morrow
Judge of Probate

Last will and Testament of David McCombs deceased

Last will and testament of A H Laird deceased
In the name of God Amen

I A H Laird of the County of Jefferson and State of Alabama being of sound and disposing mind and memory and knowing the great uncertainty of this life do make ordain publish and declare this to be my last will and testament 1st I wish all my just debts paid

2nd After the payment of my debts I give bequeath and devise unto my beloved wife Rebecca all my property real personal & mixed of which I may die seized and possessed to have and to hold the same, during her natural life or widowhood or the Youngest Child arrives at lawful age.

3rd It is my will and desire that I do hereby desire that my property be kept together until my youngest child arrives at full age, unless my said wife Should marry or many other men. Then upon the happening of any of the above said Circumstances. I wish my Executor to sell my property as hereinafter directed

4th I wish my Executor to collect all my notes and accounts & the same Can be done and pay over my debts that may exist now and be against me

5th If there Should be Surplus personal property that is remaining do not need at present it is my wish my Executor to Sell the same on Such terms as he may see fit

6th I wish my Executor to Sell my my real estate either together or in Such divisions and Subdivisions as will probably Command the greatest prices and divide the money arising from Said Sale among the Children of my deceased wife and the Children of my living wife Equal and if any of my Children die before Said division Should be made I Request that Such share to revert to the parents Share

7th I do hereby nominate Constable and appoint James Johnson Executor of this my last will and testament this July 29th 1873 A H Laird [Seal]

Witness Geo M Morris
J. A. Rutledge

It is also my will and desire that my Executor be required to give no bond

A H Laird [Seal]

Witness
J B Vann
Geo M Morris

The State of Alabama } I John C Moore Judge
County of Jefferson } Of the Probate Court in and
for Said County and State do hereby Certify that
the within instruments of writing have this

in Said Court and have on file as the proper instruments of writing
known by the proper testimony to be the genuine last will and te-
stament and Codicil of A H Laird deceased and the same are
and Said Colonel together with Said true Copies have been recorded
in my Office in Book as Wills Pages 406 & 407

Witness my hand as Clerk & seal of Said Court this 29th day of
August 1876

Judge of Probate

In Memory of J. T. Rutledge

State of Alabama
County of Jefferson
Probate Court Said County

In the matter of the Last will and testa[ment] of A H Laird
deceased.

Before me John C Moore Judge of Probate in and for
the said County personally came and appeared in open Court Joseph Phillips
who being by me first duly Sworn and examined deposeth and
Saith that he was present and did see the testator in the
instrument of writing now Shown to him and which purports
to be the last will and testament of A H Laird deceased Sign
and acknowledge this County that said Laird Since deceased
Signed and executed Said instrument on the day the same bears
date and declared the same to be his last will and testament
that at the Sat Signature Rutledge on the day the same bears date
as a Subscribing witness to the Same in the presence of
the presence of Geo M Morris the other Subscribing witness
Testator was of Sound mind and disposing memory and in the opinion
& deponent fully Capable of making a will as the same was then
Same was so made as aforesaid After the same was made
testator on the day of the said date of said will was
of Twenty one Years and upwards
Subscribed and Sworn to this 29th day of August 1876

J. T. Rutledge

John C Moore
Judge of Probate

In Memory of James B Vann

The State of Alabama } In Probate Court of said County
Jefferson County. } In the matter of the [illegible] last will
and testament of A H Laird deceased

Before me John C Bowers an acting Justice of the Peace in and for said County personally appeared this day in Open Court James B Vann who being by me first duly Sworn and examined did and do depose and say on oath that he is a Subscribing witness to the instrument writing now shown to him and which purports to be a Codicil to the last will & testament of E. B. Vann deceased late an inhabitant of this County. That said A. B. Vann since deceased Signed & executed said Codicil on or about the ___ day of 1875 and declared the same to be his Codicil to his said will and that affiant set his Signature thereto as a Subscribing witness to the same in presence of said testator and in the presence of each of the other Subscribing witnesses. That said testator was of sound mind and disposing memory and in the opinion of deponent fully Capable of making said Codicil at the time the same was made as aforesaid. Affiant further states that said testator on the day of making said Codicil was of the full age of twenty one years & upwards.

Subscribed & Sworn to this 2nd day of August 1876

Jas B Vann

John C Bowers
Justice of Peace

Last will & testament of Elbert Enoch E. Vann dec'd

Be it known & remembered to all men by these presents that I Enoch E. Vann of the County of Jefferson and State of Alabama Considering the uncertainty of this life and being of sound mind and memory do make declare and publish this my last will and testament

First. After paying all my just debts I give and bequeath to my beloved Children Mary E. Strange Jane. Sarah L. William P. Joe Emma. Charles A. & Joe S. as they become of age or marry one horse or mule one Cow & Calf one sow & Pigs one Bed and bedding.

Second. My beloved wife Mrs Elizabeth Vann to remain upon the place during her life or widowhood, to raise and School the Children out of the proceeds of the place at her death or marriage. My estate to be equally divided between my legal heirs

100

Third I do nominate and appoint my friend Wesley Talley to be the Executor of this my last will and testament

In testimony whereof I have to this my last will and testament Subscribed my name and Set my Seal this 1st day of September in the year of our Lord one thousand eight hundred and Seventy Six

E. E. Vann (Seal)

Signed Sealed declared and published by the said Enos E. Vann as and for his last will and testament in presence of us who at his request and in his presence and in presence of each other have subscribed our names as witnesses thereto

Wesley Talley
L. P. McDuffie

Last will and Testament of John Smith dec'd

The State of Alabama } I John Smith of the State
Jefferson County } and County aforesaid Knowing that it is appointed for all men once to die and being of sound mind and memory and desirous to make some provision for the support of my two daughters Sarah J Baird and Lucy E Smith do make and declare this my last will and testament thereby revoking all other wills which may have been made by me heretofore. 1st I devise and give to my Sons David Smith except D Smith William D Smith and Thomas Smith and my daughter Susan E Hoover all I expect ever to give them except what is herein after excepted Item 1st I give and bequeath to my Son William D Smith the S½ of the S W¼ of Section 31 Township 18 R 3 west known as part of the Click land

Item 2nd I give to my Sons George W Smith and Thomas Smith jointly the S W¼ of Section 34 Township 18 Range 4 west and also the N E¼ of the S W¼ of Section 1 in Township 19 Range 4 west containing 200 acres more or less.

Item 3rd I give to the children of my deceased son John B Smith the W½ of N W¼ of Section 20 Township 18 Range 4 west. I also give to the said children one half of all personal property I should have to any after the division of my property as is herein given by me in this will.

Item 4th I give to the daughter of my deceased son J. B. Smith now the wife of Dr George W Worrod her one half of said personalty as described in Item 3rd with the said children of said J B Smith deceased

Item 5th I give and bequeath to my daughters Sarah J Baird and Lucy E Smith in addition to lands heretofore deeded to them the real Estate on which I now live described as follows: The S E¼ of Section 33 and the E½ of N W¼ and the S W¼ of S W¼ and the S W¼ of N W¼ of Section 27 all in Township 18 Range 4 west also the S E¼ of N W¼ of Section 31 Township 18 of Range 3 west known as part of the Click land and as the above described lands are given as a permanent home for my said two daughters Sarah J Baird and Lucy E Smith it is my will and desire that in case said Lucy E Smith should die without children (or children) that the part of said Estate shall go to the children of Sarah J Baird. I also give to my daughter Lucy E Baird one set tea spoons Silver Tea Spoons

I also give to my daughter Lucy E Smith one set tea Silver Table Spoons one castor and cake and one bread waiter by the name of Park. I also give to my daughters Sarah J Baird and Lucy E Smith my silver pie knives and forks and all the appurtenances belonging to said life

Item 6th It is my will and desire that after the payment of all debts that may be against my estate that the residue of my personal property be equally divided between all my children except my daughter Susan E Hoover of the one part and my son David and my daughter Lucy E Smith shall have had and received and furnished to each of them as the other children have had

Lastly I appoint my son William D Smith my Executor of this my last will and Testament and do hereby empower him to execute the same as the law directs and to do all other acts and things necessary and requisite to carry the same into effect without giving bond or security

Given under my hand and seal this 24th day of August A D 1876

Signed and sealed in presence of us
J M H Lucas
Lucien S Waugh

John Smith [seal]

The State of Alabama Jefferson County I Thomas M Rowe Judge of Probate in and for the County and State aforesaid do hereby certify that the within instrument of writing from this day was duly produced in open Court before me as the Judge thereof and was duly proven by the proper Testimony to be the genuine last will and Testament of John Smith deceased and that said will together with said proof thereof have been recorded in my office in Book of Wills Page 104 11 & 12

Witness my hand and the seal of the said Court this 4th day of December 1876

Thos. M. Rowe
Judge of Probate

Testimony"

State of Alabama } Probate Court of said
Jefferson County } County

In the matter of the Probate of the last will and testament of John Smith deceased.

Before me N.B. Morrow Judge of the said Court personally appeared in open Court D.D. McLaughlin and John H. Snow two witnesses by me first respectively duly sworn who examined did and do depose and say on oath that they are each subscribing witnesses to the instrument now shown to them and which purports to be the last will and testament of Wm Smith deceased late an inhabitant of this county; that said Smith since executed said instrument on the day the same bears date and to sound the same to be his last will and testament and that at just at this signature thereto on the day the same bears date is subscribing witness to the same in the presence of said Testator

That said Testator was of sound mind and disposing memory and in the opinion of deponents fully capable of making himself at the time the same was so made as aforesaid affiants further state that said Testator was on the day of the said date of said will of the full age of twenty one years and upwards

Subscribed and sworn to
before me this 1st day of
December 1876

N.B. Morrow
Judge of Probate

D.D. McLaughlin
John H. Snow

Last will and Testament of Nathaniel Hawkins Deceased

The State of Alabama } Know all men by these presents
Jefferson County } that I Nathaniel Hawkins being of sound mind and disposing memory considering the uncertainties of life and being desirous that after my death my business affairs shall be managed with the least expense to my Estate and in the interest of my heirs do hereby make ordain and publish the following as my last will & testament & the same is as follows

First I order all my just debts and funeral expenses including a decent tombstone to be paid out of my personal property and money due me by note or account

I give and bequeath to my beloved wife Mary E. Hawkins all the property real and personal which I have from time to time given & loaned to my beloved children and which my children by their husbands have received and all that I may receive from my estate to the amount of three thousand dollars at my death. And I declare this bequest to her to be in full of all her interest in my property and ask that it be paid to her by my executor hereinafter named out of the first money that may come into his hands from my estate

I give and bequeath to my beloved wife Mary E. Hawkins all the real estate personal property and money I may own at my death over and above the three thousand dollars but my intention is that Harriet Hilton has received in real estate her just proportion of my estate

I ask of the justice of the county court that the inventment of this estate may be returned to said Court of which I am executor and that said Court issue such process as may be necessary for the collection of all notes and accounts due me for which purpose my executor may sue in the name of the State of Alabama for the use of my estate

I direct that my executor collect all notes and accounts due me and sell at public outcry to the highest bidder for cash all property not bequeathed to my wife and children and out of the proceeds of such sale pay my debts and funeral expenses and the balance of the money arising therefrom I direct my executor to loan out at interest for the benefit of my wife Mary E. Hawkins during her natural life or widowhood and at her death or marriage I direct that the principal sum so loaned be equally divided between my children Elizabeth Wife of Evan Parker, Sarah Ann Wife of Thomas Hilton, Mary Wife of Thomas Hilton, Nathaniel Hawkins, Jr. and Martha Wife of Thomas Hilton

I direct that my executor shall not be required to give bond as such executor

I nominate and appoint my friend Thomas Hilton executor of this my last will and testament hereby revoking all former wills by me made

In witness whereof I have hereunto set my hand and seal this 17th day of November 1876

Nathaniel Hawkins

Signed published and declared by the said Nathaniel Hawkins as his last will and testament in the presence of us who at his request and in his presence and in the presence of each other have hereunto subscribed our names as witnesses thereto

D.D. McLaughlin
John H. Snow

and necessary for my comfortable support the property
manage & carry on the farm which my Executor is
directed to set aside to her as soon after my death
as practicable all of which is to be held by the said
Maria for her own use & benefit during her natural
life & after her death the same to revert to my estate
and disposed of as hereinafter provided my Execu-
tor is authorized & directed to set aside to my said
wife out of my estate such an amount as may be
judged necessary for her support & maintenance
should the farm fail to support her and my
said wife is to shall be authorized to sell and dispo-
se of the personal property herein bequeathed & set
aside to her by bution & her will for the pur-
pose of changing the investment
I will devise and bequeath unto my daughter
Sarah E Roberts the land owned by me and si-
tuate on the Lou Martin place' to be held by her
during her living her life for her own benefit
and behoof, and she is authorized to sell or dispo-
se of the same at anytime for the purpose of in-
vesting the proceeds to be held and treated in
same as original property bequeathed and the
said Sarah E is authorized to dispose of said
legacy at her death by will or devise if she does
not else wise, at her death it shall descend to her
children or heirs at law. I also bequeath unto my
said daughter Sarah E the sum of one thousand
dollars to be paid out of my estate as soon
after my death, as consistent with interest of the es-
tate which she shall have and hold for her own
seperate use and benefit which she shall in-
vest and sold as her seperate estate subject to
all the restrictions & priviledges of a statutory se-
parate estate under the laws of Alabama and
should I be able and pay over to her before
my death said one thousand dollars or any
portion thereof her receipt for the same shall
be sufficient voucher for my Executors and
they shall deduct the amount advanced as sho-
wn by the receipt from this legacy
I will and bequeath unto my son James B H.
awkins my gold watch to my sons Richard
Hobart I will each one Hundred Dollars
The balance of my property after paying all
my debts & expenses as aforesaid and undispo-
sed of by the foregoing I will and devise to
be equally divided between my
children

I hereby bequeath to my
Wife Sarah Richard my slaves and I desire
to be equally divided between them according to
the property bequeathed to my wife after her death
and after her funeral expenses and expenses for
proper sustenance of her person are paid
I nominate and appoint my sons Richard
Hawkins and James B H Hawkins as my executors to
carry out and execute this my last will & testa-
ment and I desire that bond or bonds be taken
the other shall not be required to
give bond as Executor.

My said executors above
named are not vested to sell & dispose of
my estate at such time and in such manner
as herein above is directed it is left to
their discretion when and on what terms & what
best and to pay over to the legatees herein na-
med & their heirs their respective legacies when
consistent consistent with interest of all concer-
ned. In disposing of land for distribution my
said Executors are authorized to sell either at
private or public sale or order at for cash
as they may think best

In Testimony whereof I hereunto set
my hand & seal this 21st day of January A D
One thousand Eight hundred & seventy seven

Signed & sealed in the
presence of the undersigned
who were called for testators
as witnesses to his signature
on this 27th day of January
A D 1877
D A McDonald
Stephen F Spurr

The State of Alabama } I Joel Morrow Judge
Jefferson County } of the Probate Court in
and for said County and State do hereby
certify that the within instrument in writing
this day in said Court and before me as the
Judge thereof been duly proven by the proper
Testimony to be the Genuine last will and Testa-
ment of Nathaniel Hawkins deceased and

that said will together with said proof thereof have been recorded in my office in Book of wills Pages 413 & 414 & 415 & 416 & 417 & 418

In witness of all which I have hereto Set my hand and the seal of the said Court this 29th day of March 1877

Seal

Jno. C. Morrow
Judge of Probate

"Testimony"

State of Alabama } Probate Court of said
Jefferson County } County

In the matter of the Probate of the last will and testament of Nathaniel Hawkins deceased

Before me Jno. C. Morrow Judge of the said Court personally Robert A McAdory who being first by me duly Sworn did depose and say on oath that he and one S H Dupuy are each Subscribing witnesses to the instrument of writing now shown to them and which purports to be the last will and testament of Nathaniel Hawkins deceased late an inhabitant of this County that said N Hawkins since deceased signed and executed said instrument on the day the same bears date, and declared the same to be his last will and testament and that affiant and said S H Dupuy Set their signatures thereto on the day the same bears date as subscribing witnesses to the same in the presence of said Testator. That said Testator was of sound mind & disposing memory, and in the opinion of deponent fully capable of making his will at the time the same was so made as aforesaid.

Affiant further States that said Testator was on the day of the said date of said will of the full age of twenty one years & upwards

Sworn to and Subscribed before me this 29th day of March 1877

Robert A McAdory

Jno. C. Morrow
Judge of Probate

The State of Alabama } Last will and testament of P. T. Griffin
Jefferson County }

Know all men by these presents that I Philip T Griffin being of sound mind and disposing memory, considering the uncertainty of life, and being desirous that after my death my business affairs shall be managed with as little expense to my estate, and to the interest of my heirs, I have made, ordained & publish the following as my last will and testament

In the name of God Amen.

First I command my Soul to God who gave it, and my body I commit to the dust to be buried in a decent manner at the discretion of my executors hereinafter named. I bequeath to my daughter Sarah Elizabeth Scott wife of Hunter B Scott property real and personal amounting in the aggregate to two thousand eight hundred dollars. Now I further bequeath my interest in the distribution of my estate among my children and providing for my beloved wife. I bequeath to and devise to my beloved wife Mary A Griffin should she survive me, my house and lot in the city of Birmingham Jefferson County Alabama and described as follows to wit The East half of lot No 99 fronting 50 feet on the north side of Avenue A and running back of uniform width one hundred and forty (140) feet to an alley lying and being situate in the city of Birmingham Jefferson County Alabama together with all other property that may be owned and possessed by me at my death, all of which is to vest in my said wife Mary A Griffin for her own use and benefit during her natural life or widowhood and after her death or marriage to come to revert to my two sons Charles Lafayette Griffin and Philip Thomas Griffin jointly share and share equally divided between them. The amount heretofore advanced and given to my daughter Sarah Elizabeth Scott wife of the said Hunter Scott being in my opinion in proportion I have she is not permitted further to participate in my estate.

I nominate and appoint my beloved wife Mary A Griffin as Executrix to carry out and execute this my last will and testament during her natural life or widowhood and after her death or marriage my son Charles Lafayette Griffin as Executor to carry out and execute this my last will and testament until my son Philip Thomas Griffin shall become of age, and I desire that they or either one of my executors shall not be required to give bond as executors.

In testimony whereof I have hereunto set my hand and seal this the 13th day of June 1874 P T Griffin Seal

Signed & sealed in the presence of the undersigned who were called by the testator as witnesses to his signature on this the 18th day of June 1874

W S Montgomery
L C Blanton

Will of P. Griffin continued

The State of Alabama }
Jefferson County } The probate Court
In matter of the Probate
of the last will and testament of Philip P. Griffin

Before me John C. Morrow Judge of said Court personally appeared in open Court C C Beardin and H. C. Montgomery who being first duly sworn on oath say that they are subscribing witnesses to the instrument in writing now shown to them and that purports to be the last will & testament of Philip P. Griffin deceased of this County. That said Philip P. Griffin did sign and execute said instrument on the day the same bears date and declare the same to be his last will and testament and that affiants did their signatures thereto on the day the same bears date as subscribing witnesses to the same in presence of the testator.

That said testator was of sound mind and disposing mem ory, and in the opinion of affiants fully capable of making his will at the time the same ~~was~~ was made as aforesaid.

Affiants further say that said testator was on the day of said date of said will of full age of twenty one years upwards

Sworn to & subscribed before me this 7th day of July 1877
John C. Morrow
Judge of Probate

C C Beardin
H C Montgomery

Seal

Last will of John Maddox

The State of Alabama } Be it remembered that I John Maddox of
Jefferson County } Maddox being of sound mind do this day in the presence of these witnesses make my last will and testament of all my property both real and personal my will is that ~~it~~ my estate all my property both real and personal shall belong to my wife Elizabeth Maddox so long as she remains my widow but at her death or if she should marry again then my daughters Ann H. Bell, Sarah J. Hall

Lucy M. Pope Harriet L. Smithfield Mary E. Knight and Sheldon C. Maddox shall have be entitled to each ~~for~~ at the death or marriage of my wife Elizabeth Maddox she shall have the real and personal property ~~of~~ remaining Ann H. Bell Sarah J. Hall Lucy M. Pope Harriet L. Smithfield Mary E. Knight and Sheldon C. Maddox or the survivor or survivors of them and from Maddox to the persons entitled and appointed by law. I nominate John Maddox my executor of this my last will and testament giving and granting unto my said executor full power and authority to do all acts necessary and proper to be done in the premises to carry this my last will and testament into execution. In Witness whereof I have hereunto set my hand and seal this the 7th day of March A.D. 1877

John Maddox (Seal)
Witness C. H. Rhea (Seal)
Wm Knight (Seal)

State of Alabama } In the Probate Court of said County
Jefferson County } March Term 1877

The foregoing last will & testament of John Maddox deceased was this day produced in open Court and proved by the oaths of C. H. Rhea and Wm Knight two of the subscribing witnesses thereto to be the genuine last will & testament of said John Maddox deceased and that said will by the said proof thereof have been established as the last will & testament of said deceased

Let the same with all which it purports to be and the seal of this Court be recorded

Given under my hand as Judge of Probate this 5th day of March 1877

John C. Morrow
Judge of Probate

Seal

"Testament"

State of Alabama } Probate Court of said County
Jefferson County } Matter of the Probate of the last will & testament of John Maddox deceased

Before me John C. Morrow Judge of the said Court personally appeared C. H. Rhea and Wm Knight who having been by me respectively duly sworn and examined on their oaths depose and say on oath that they are each subscribing [illegible]

[illegible] and which he declared to be his last will and testament & published and declared same accordingly & [illegible] this Court that said John Mathis since deceased signed and executed said instrument on the day the same bears date and caused the same to be his last will and testament and that affiants set their signatures thereto on the day the same bears date as subscribing witnesses to the same in the presence and at the request of said testator and that said testator was at said time of sound mind and disposing memory and in the opinion of affiants competent to make a will

T. B. Vickers
J. M. Knight

Subscribed and sworn to before me this 21st day of September 1877

D. L. Morris
Judge of Probate

Will of Calaway Davis deceased

The State of Alabama
Jefferson County } Know all men by these presents that I Calaway Davis of the County of Jefferson and State of Alabama Considering the uncertainty of life and soundness of mind and memory do make and declare and publish this my last will and testament

First I give and bequeath to my beloved wife my home and land and all my property of what ever kind character or description except what is hereinafter given to my daughter and five grand children

Second I will that my executrix hereinafter named shall pay all my just debts

Third I give and bequeath to my daughter Rhoda Frances Mayfield one dollar out of my estate to be paid to her by my executrix

Fourth I give and bequeath to my grand daughter Sarah Rhoda Davis one dollar out of my estate to be paid to her by my executrix

Fifth I give and bequeath to my grand son Joseph Hamilton one dollar out of my estate to be paid to him by my said executrix

Sixth and I nominate constitute and appoint my wife Mary Ann Davis executrix of this my last will and testament and I hereby revoke all former wills by me made and declare this to be my last will and testament In witness whereof I have hereunto set my hand and seal this 16th day of September 1877

Calaway Davis

Signed sealed published and declared by the said Calaway Davis as and for his last will and testament in the presence of us who at his request and in his presence and in the presence of each other have hereunto subscribed our names as witnesses thereto

T. B. Vickers
J. M. Knight

Last Will and Testament of Larkin Davis dec'd

Know all men by these presents that I Larkin Davis of the State of Alabama and County of Jefferson being weak and afflicted in body but of sound memory perfect mind and understanding and knowing that it is appointed unto all men once to die and the Lord to call me away do on this the eighth day of May one thousand eight hundred & seventy eight make and publish this my last will and testament and having bodily heirs I first give and bequeath unto my beloved son David Jefferson Davis and my beloved daughter Emma Elizabeth Davis and also my beloved daughter Hannah Jane Davis the following described real Estate viz: The S½ of NE¼ & NW¼ of SE¼ & SW¼ of SE¼ & SE¼ of SW¼ containing 160 acres Except 10 acres more or less sold off the NW Corner all lying in Sec 16 T 16 R 4 W and also the S½ of SE¼ & SE¼ of SW¼ and SW¼ of SW¼ and SW¼ of SE¼ all in Sec 21 T 16 R 4 W containing 170 acres and I further will and bequeath unto the above named heirs the following described personal property the 2 mules and 8 head of cattle 29 head of hogs 17 head of sheep and all my stock of every the household and kitchen furniture together with all the tools and other things as mentioned for their special benefit And I further will and bequeath unto my beloved daughter Sarah Susan Matthews Davis in a note that I have against Robert Smith of West Jefferson and I further will and bequeath unto my beloved daughter Mary Catherine Smith the remainder of the above mentioned note except Sixty Dollars to be [illegible] [illegible]