

Last Will and Testament of J. D. Parry.

Petition For Probate of Will.
State of Georgia

County of Perrien

To the Ordinary of said County.

The Petition of Mary J. Darcey.

a resident of said State sheweth to the Ordinary of said County, that on the 4th day of August 1910, J D Darsey a resident of said County departed this life owning valuable real and personal estate in said State, having previously to that time executed a paper presented with this petition, which your Petitioner claims to be his, J D Darsey's last Will, and to be duly executed

Your petitioner sheweth that the following persons are next of kin of said J. D. Darsey, some of them having a larger interest as heirs at law of J. D. Darsey, than as legatees, namely Mrs J. B. Shuman, Mrs. Rachel Jewell, Mrs Goldie Talley, Mrs Fannie Taylor, and Joseph Donald Darsey, of whom the last is a minor. all residing in said County, and state excepting Mrs J. D. Shuman who resides at Monticello in the state of Fla.

Your petitioner prays leave to prove said will in solemn form and therefore for citation to issue according to law to said next of kin and that a guardian ad litem be appointed to represent said minor when made a party to this proceeding by proper service

Denmark & Griffin
Attorneys for Plaintiff

State of Georgia

County of Perrien

At Chambers 7th day of September 1910.

Mrs Mary J Darsey as Executrix of J D
Darsey having filed her petition for probate of
J D Darseys will in solemn form and it
appearing that citation should issue to be served
personally on Mess Robt Marshall Wm Goss et al

Ordered that the usual citation issue to be served on them ten days before the next term of this Court and as Mrs J B Shuman resides out of the state of Georgia in the state of Florida and can only be served by publication, that she be cited and made a party by publication once a week for four weeks in the Nashville Herald a News paper published in the City of Nashville, State of Georgia before the October Term 1910, of said Court of Ordinary and that this order so published constitute such citation

J. D. Lovett
Ordinary.

State of Georgia
County of Berrien

To Mrs J B Shuman of Montecello Florida.
Mr Ruby Howell Mrs Goldie Hollie. Mrs Fannie Taylor
and Joseph Donald Darsey of Berrien County Ga

Mrs Mary J Darsey having as executrix applied for Probate in solemn form of the last will of J D Darsey, of said County and having made known to the Court that www.georgiapioneers.com said J D Darsey you are hereby cited to be and appear at the October Term of the Court of Ordinary of said County as the will of J. D. Darsey, will then be offered for Probate in solemn form.

J. D. Lovett
Ordinary

Due and legal service of the foregoing citation as well as the order directing the same and the application for the probate of the will to which it relates is hereby acknowledged, and all other and further service is hereby waived, This 10th day of September 1910,

Mr Goldie Hollie,
Mrs Ruby Howell,
Mrs Fannie Taylor,

Georgia Berrien County

I have this day served Joseph Donald Darsey personally with a copy of the within foregoing petition and citation to probate the Will of J. D. Darsey, in solemn form by delivering same to him in person This 10th day of Sept 1910

A C Anna
Sheriff

State of Georgia
Berrien County

To Mrs J. B. Shuman, of Milledgeville Florida,
Mrs Ruby Howell, Mrs Goldie Talley Mrs Annie
Taylor, and Joseph Donald Darsey, of Berrien
County Georgia.

Mrs Mary J. Darsey, having as Executrix applied
for Probate in solemn form of the last will of
J. D. Darsey, of said County and having made known
to the Court that you are heirs at law of the said
J. D. Darsey, you are hereby cited to be and ap-
pear @ the October term of the Court of Ordinary
of said County as the will of J. D. Darsey will then
be offered for probate in solemn form.

Copy

J. D. Lovett

Ordinary B.C. Ga.

I hereby acknowledge service of a Citation
of which the foregoing is a Copy and of the order up-
on which it is based, and waive all other and
further service. This 10th day of October 1910.

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Mrs J. B. Shuman.

Berrien Court of Ordinary November Term 1910.

It appearing to the Court in the matter of the pre-
tation of Mary J. Darsey for probate in solemn form
of the last Will and Testament of J. D. Darsey died
that Joseph Donald Darsey, heir at law of said
deceased is a minor and has no legal guardian
It is therefore ordered by the Court that L. E.
Lastinger be and is hereby appointed guardian
ad litem to represent said minor in this litigation.
This 7th day of November 1910. J. D. Lovett

Ordinary

Georgia
Berrien County

having been appointed guardian ad litem to
represent Joseph Donald Darsey, minor in the matter of the
probate of the last will and testament of J. D. Darsey deceased
in said Court I hereby accept said Appointment and agree
to represent said minor in said proceedings. I waive all
further service or notice & consent that I can be served with

Georgia
Barren County

Petition of Mary J. Darsey
For Probate in solemn form
The Will of J. D. Darsey.

The above stated Petition coming on regularly to be heard, and it appearing that the parties at interest to wit - Mrs Gallie Talley, Mrs Ruby Krael and Mrs Annie Taylor of Milltown Georgia and Joseph Donald Darsey, a minor of Milltown Georgia, all of said State and County, and also Mrs J. B. Shuman of Montecello Florida the heirs at law, being all of the heirs of said deceased, were duly served personally with legal notice of said application and the date of hearing at least ten days before the term of this Court to which said notices required them to appear. And it further appearing that all of said heirs at law except Joseph Donald Darsey, acknowledged service of the petition and the order for citation and of the citation. And it further appearing as to Joseph Donald Darsey, that a guardian ad litem was appointed for him who accepted the appointment and who is present in Court and waives all other & further notice or service and consents that the case proceed at once, and it further appearing to the satisfaction of this Court by the testimony of all the subscribing witnesses that the paper, to wit the Will and Codicil thereto attached offered for probate is the last will and testament of J. D. Darsey by the proponent in her petition and that the said J. D. Darsey, the testator was of sound mind and disposing memory at the time he signed and executed the same, and no legal and sufficient cause being shown why said paper should not be proven and admitted to record as the last will and testament of the said deceased as prayed. It is therefore ordered and adjudged by the Court that the same be set up and established as the last will and testament of the said deceased and is admitted to record as such. Ordered further that Letters Testamentary do issue to Mary J. Darsey, the executrix named in said Will upon her taking the oath required by law This the 7th day of November 1910

Last Will and Testament of J. D. Darsey,
Georgia Lowndes County.

In the name of God, "Amen."

I, J. D. Darsey, being of sound and disposing mind and memory, do make this my last will and testament, hereby revoking all others heretofore made by me.

Item 1st

I will that from any money I may leave and notes or accounts due to me that all of my just debts be paid, and that from this money and collections made from said notes and accounts that my burial expenses be paid, and expenses for my last illness and a suitable protection be put around my grave.

Item 2nd

To my beloved wife Mary J. Darsey, I give and bequeath my home place in the town of Milltown Berrien County Georgia, the same being located on the corner of Main and Oak streets being property that I bought from the Mary Banks and John Perryhill, same containing one and one half ($1\frac{1}{2}$) acres more or less, I also give and bequeath to her the Household furniture and the kept around the place, as well as the horse and buggy.

I also give and bequeath to my said wife my interest in the Store house situated on main street in Milltown now occupied by the Darsey Talley & Co. a part of the land upon which this storehouse is erected is owned absolutely by me. I having bought the same from Bob Patten, the store house erected upon this land was paid for by me, but the above named firm has the right to pay for the same and acquire title thereto, and in the event the firm does not pay for the same, they are to sell me the land at a given price. All of which will appear by reference to a contract of file among my papers, my interest in this property including the stock of goods in which I also have an interest I give and bequeath

Item 3rd

I give and bequeath to my beloved son Joseph Donald Darsey, all that tract and parcel of land lying and being in the 11th District of Lowndes County Georgia known and described as follows being parts of lots Nos 413, 414, 415, and 416, in said district beginning at a gate on the west side of the Talvestra road about 50 yards north of a log house running thence west to the original line thence north to the southern line of the land known as the "Peters place" thence easterly along said line to said road and across said road to the Mill pond thence northerly around said Mill pond to the foot of the mill branch, thence southerly along said mill branch to a little field of Mrs Howell, thence southerly to the north line of other lands of J. D. Darsey, thence westerly to said road, thence northerly along said road to said gate, said tract containing four hundred and fifty (450) acres more or less and having been decided to me by J. F. Pasmore Sheriff on the 18th of August 1900. I also give and bequeath to my said son Joseph Donald all of lot No 413, that lies north and east of the branch known as the Moore Branch including all north & east of the westernmost prong of said branch, I also give to my said son any horse and mules of which I may die seized and possessed and not disposed of by me in any other item of this will

Item 4th

I will that any other property not herein disposed of be sold and after paying all of the expenses incurred in carrying out & executing this Will that the residue be divided among my wife and children share and share alike

Item 5th

In making the foregoing bequest I am not unmindful of my dear daughters Vella & Ruby, but in as much as it is my purpose to deed to them at once certain other lands of mine not mentioned in this will I have omitted their names herefrom, But if any thing should occur that would prevent my making said deeds before I die I hereby give and bequeath the lands of mine not herein specially mentioned to them

Item 6th

I am also not unmindful of my daughters Holly Talley, and Fannie Taylor and my reason for not making to them any special bequest herein is because that by deeds I have heretofore provided for them.

Item 7th

I nominate and constitute my wife executrix of this Will.

In testimony Whereof I have hereunto set my hand this 19th day of June 1906, J. D. Darsey.

Signed and published by J. D. Darsey, as his last will and testament in the presence of the undersigned, who who subscribe our names hereto as witnesses at the instance and request of said testator and in his presence. And in the presence of each other this 19th day of June 1906.

E. P. S. Denmark,

Don H. Breullove

W H Griffin,

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Georgia Bureau County,

"Whereas", I J. D. Darsey, did on the 19th day of June 1906, sign, seal and declare and publish my last will and testament in the presence of E. P. S. Denmark Don H. Breullove and W H Griffin who signed the said will and testament as witnesses and whereas in said will and in the second clause of the third item thereof I bequeathed to my son Joseph Donald all of lot of land 413 that lies north and east of the Branch known as the Mire Branch including all north and east of the westernmost frong of said branch and whereas I am desirous of amending said second paragraph of the third item of said Will so as to include a certain tract of land which on the 2nd day of May 1885 I bought from Rachel E. Howell as shown by a Deed made to me by her on said date and witnessed by G B Howell + R S Holzendorf J. P. + recorded in Lounness C.

to my said Will and I hereby give bequeath and de-
vise unto my said son Joseph Donald, all that tract
or parcel of land lying and being in the 15th district
of originally known and Towns County being the
southwestern corner of lot of land No 413, in said district
known distinguished and bounded as follows be-
ginning at a certain pine tree on the original east
and west land line between lot No 413, & lot No 412,
and running west along said land line forty six
chains & fifty links to a certain pine, and thence a-
long the north and south line between lot No 320 &
lot No 413, twenty seven chains to a post thence northeast
39 1/2 Degrees the distance of twenty nine chains to a post
thence southwest 37 1/2 degrees the distance of 37 chains
and 65 links to a Cypress, thence along said line
to original land line containing 137 acres more or less
so that my said son will become and be the owner
of all the land so bought from Rachel S. Howell, as
shown by the aforesaid Deed.

In testimony Whereof I have hereunto set my hand this
the 30th day of November 1909, J. D. Darsey.

The foregoing codicil signed and published by J D
Darsey, as a codicil to his last will and testament in
presence of the undersigned who subscribe our names
hereto as witnesses at the instance and request of
said testator and in his presence and in the pres-
ence of each other This 30th day of November 1909.

J. A. Darsey,
J. T. Wilkerson,
M. J. Darsey.

I, Mary J. Darsey, do solemnly swear that this writing
contains the true Last Will of the within named J D
Darsey, deceased, so far as I know And believe And
that I will well And truly execute the same in
accordance with the laws of the state so help
me God, This Nov 7th 1910 Mrs Mary J. Darsey
J. D. Lovitt

Ordinary

Examined and found correct This 6th
9th day of March 1911

W. H. Griffin (Clerk)