

edical as
and of the
the affiant
Richardson
died in the
and as his

H. Booth

July 1866
was made
see to the
as noted
3d of Feb
6 years date
Oath said
same to
Testament
Testator was
memory
Wagner was
as it appears
of the Testator
Gibson

that said will
added in terms
it

arg

8/6

The last will & testament of Jonathan Houghton
Being in tolerably good health & sound in mind
& not knowing at what time God may call me from
earth I do make & publish this my last will & testament
as follows.

I commit my body to the earth & my soul to God looking
for a glorious resurrection & a happy immortality thus the soul
desires peace and good rest to wait.

I direct that all my just debts be paid at due time
I give my gold watch to my beloved wife the youngest
next during her natural life or so long as she shall be disposed
of by her or she thinks that either by sale or as a gift
to one of our children which ever she may select
If Mrs Houghton get at any time during her life to let
any of our children have the use of said watch she
is at liberty to do so.

I give my George headed cane or walking stick out by
my deceased friend Dr. Wm. Ferrell of Newport Oregon on
the banks of the River Jordan opposite to ancient friends
& presented to me to my child of living years.

I give my library to my family to be divided among them
as they can agree divided by the advice of my friends Hon.
J. A. Sumner and John A. Dixton Wm. L. Mitchell Esq.
Attorney at Law in & L. Houston & the S. R. R. Coll.

But I make the following stipulations viz. My wife Mrs. M.
Houghton is to have the privilege of retaining such books as she
may wish to keep for so long as she is the mother of the younger
children & when they remain with her.

And my eldest son Rev. Thomas A. Houghton & my third son
Rev. George S. Houghton and my youngest son Rev. D. C. Ayer
are to be allowed to select some of the best of the
theology & reference books as it is a fact entirely
useful to clergy men in preparation to their members
of the family After this let the books be divided
or sold as the family may agree.

I commit my written manuscripts my sermons & other
professional papers to my eldest son Rev. Thomas A. Houghton
directing him to let his father's & his mother's & the boys
have at any time several of said manuscripts
if they wish for them.

I wish most of my old manuscript removed because most of
them of small size old dark paper & and many are illegible
written to be destroyed. They were mostly written in
very great disadvantage when I was laboring in a mind
of 11 months continuance in Dr. J. & I am unwilling
to have them seen. But let the following be destroyed
viz. the sermon South Heb. 10:1 the sermon on Phil. 4:13
of Christ the one on Luke 16:21 the one on "What is your
life?" the one on Prov. 28:13. If my family wish for
any other of those old manuscripts they can have them.

I direct that a little book found in my library called *Selections of the works of St. Bernard & other or some other books* which as she may choose be given to my dear daughter in law Mrs. Mary Houghton wife of the said Mr. Houghton as keepsake.

I direct my large quarto black covered Bible a present from Mr. J. Burdett & his wife to be given as keepsake to my dear son in law Mr. William A. Brown & direct that some little book be selected by Mrs. Houghton & given to each of my seven grand children & six grand children.

I give my large gold pen & pencil to my dear son Henry J. Houghton & my small gold pen & pencil to my son Mr. Robert J. Houghton.

I give the little Bible presented to me by the scholars in Miss E. & C. Smith's private school to Miss Emily & Catherine.

I direct that if at any time Miss E. & C. Smith, present or her legal representatives wish to remove her school house from my lot she or they be permitted to do so. And if at any time my Executors or Administrators herein after named request the removal of said school house from my premises let it be done at once.

I direct that my daughter Mrs. L. C. Browne & my son Mr. William J. Houghton & my son Mr. Robert J. Houghton and my son in law Mr. A. & C. Brown be permitted to select such books as they or they each as shall please them out of my library as keepsakes.

If my daughter Mrs. L. C. Browne has purchased any dictionary or book or books which she or she may wish to keep.

If she has not that dictionary I will her mine. And a little book (perhaps in a book) to be found in a small book in my study out of my library will be found entitled *Instructions* & small sums of money which I have made of them in my children I will that all these sums be paid at compound interest from date.

It is my will that in the final winding up of my estate consequent upon Mrs. Houghton's death or marriage should that estate be worth at the time eight thousand dollars or more (it is now worth about \$16,000) or over that my youngest son Mr. Robert English Houghton receive two hundred dollars more than the others as I did not expend upon his education as much as I did upon the education of his brothers & sisters.

Not a dollar of what my daughter Mrs. L. C. Browne received as a little outfit when married is to be charged to her. Not a dollar.

Some ten years ago my son Mr. Thomas A. Houghton gave me in the midst of my pecuniary troubles a note which he held against me of one hundred & forty dollars. I direct the principal to be repaid to him when it can be done without embarrassment to Mrs. Houghton & her mother.

my library called *Antiquities*
and other books which are
laughed in law Mr. Mary
Parker

I will a present from
an *Alps* to my
daughter that serves
I given to each of my
son Henry &
my son Mr. Robert &

to me by the scholars
Miss Emily & Catherine

either from or her legal
I have from my lot
and if at time my
named request the
my business let it

I have my & my
son Robert & I have
the son he permit the
such as shall show

at his name library
with in the way like;
I will be mine

I to be found in a small
law will be found
money which I have
at these same to part

ing of my estate
marriage should that
hundred Dollars or more
over that my youngest
two hundred Dollars
pend upon his education
of his brother &

Mr L C Browne
is to be changed to

Thomas A Hoyt gave
troubles a state which
ed & forty dollars
expended to him in
to Mrs Hoyt

The charges found in the little book mentioned above
against my son I have not yet for money advanced to
him & also the notes on in the hands of my wife his
mother one for \$946.00 dated Sept 11 1857 payable to
W Hoyt on honor & signed by Wm C Hoyt and the other
note of \$100.00 dated Sept 21 1857 payable to W Hoyt
on honor & signed by Wm C Hoyt if not paid before
my death are to be deducted from the share of my
estate of the said son Wm C Hoyt but as interest is
to be charged on said accounts & only simple interest
on the notes

There are notes I have given to Mrs Hoyt (the money
was her own a part of it from her own estate) & I have
will them & the accounts of said unpaid accounts
against Mrs Hoyt to my executor Margaret Hoyt
in full simple favor to the said of her as she pleases

At the time of my death there notes & said accounts
shall have been paid by Wm C Hoyt & will to my
wife Mrs W Hoyt in full simple favor one thousand dollars
in full simple favor of my wife at any time
to give to any of my children any part or portions
of said money paid either in this house or in the
study provided the heirs account of the value of said
notes so as to do justice to all the legates in the
end.

After these small bequests stipulations & provisions
I give & bequeath to my beloved wife Margaret
Hoyt a certain note dated Jan 1858 for fif-
teen hundred dollars & interest payable semi-
annually & signed by myself of the trustees of
my church viz Wm C Hoyt & Wm C Hoyt & R H
Cobb & Bishop & I give to her and others in full
simple favor to dispose of as she sees fit so that
she does not under ordinary circumstances interfere
with the principal of said note

Again I give & bequeath to my wife Margaret
Hoyt the balance of my property both real and
and real during her natural life provided it
remains my widow but I do not intend to give
if when my wife shall have been paid the same
house & lot & other property shall have been sold or paid off
to as soon as it can be done without the great expense
and the proceeds of this & the personal property shall be
evenly divided & shall appear to my executor &
executors herein after named that my wife for and for
her comfort the annual proceeds of all the property then
or that shall be the executor & the executors may
distribute equally among the other legates of my estate
or their legal representatives so much of the property

materially with
being my children
my children or my
children this matter
to my Executors &
such men as
the Court

to my Executors &
in his dealings
the capital shall
myself up
of this
but value of
of themselves
& possibly it may
together for the comfort
of my Executors

my Executors &
to sell out that
that they have a Master
of himself in making
the will who will
my friends
in view with Mr Hoyt
for some of my family
to go with them
not without
they be sold together
willing that I will
to Port Antonio

the wages & harvest
of the money
to use
of any of my property
as Hoyt possibly
except by the
law

Hoyt's marriage
Advised that the power
in my then oldest
could attend to the
Hoyt's death or upon
from her marriage
& whatever of my
thereupon disposing
my six children
Bacon Dr Walter
but I Hoyt

Mrs Margaret Jane Tyson or their legal representatives
respect being strictly paid to what each one may have
rights pertain to the winding up of the estate
I have perfect confidence in the character & standing
of both of my sons in law Mr D. A. Brown & Mr D. E.
Tyson that they may become embarrassed in pecuniary
matters I therefore trust that if at the time when any portion
of my property shall under this will be paid over to my
daughters or to their husbands should there be in the
voluntary condition of either of their husbands a
sinus difficulty in the minds of my Executors & Executors
as to the propriety of vesting said property absolutely in
him or them then in such a case I direct that the property
rest in my acting Executors to & for the sole use
& benefit of the said daughter or daughters & their
offspring if she or they have any
But should there be a necessity for creating such a trust
(which I do not look for) neither in the above clause
shall be so construed as to prevent my Executors from
disencumbering said legacy of such trust whenever
in their judgment the same may be safely done
I now nominate & appoint as Executors of my will
of this my last will & testament my beloved wife
Mrs Margaret Hoyt Judge Joseph W. Sawyer Esq
William P. Smith Esq Attorney at Law Mr Thomas R.
R. Cobb Thomas Bishop and Mr Thomas A. Hoyt
herby revoking all former wills by me made

In witness whereof I have hereunto set my hand
& seal this 27th day of January one thousand eight hun-
dred and Sixty 1866

Rathan Hoyt seal
The above instrument consisting of four large sheets of paper
one blue & 2 white written in both sides & containing a
little over 14 pages was at the late Sheriff's Office by
Ben Rathan Hoyt & P. D. The Senator in the presence of
each of us & was at the same time declared by him
to be his last will & testament, and we at his
request sign our names here as attesting witnesses

The erasures & in the margin lines mentioned on page
16 next page were all made before this will was
signed

Elijah L. Newton
S. H. Wilson
R. J. Wilson
a piece of paper about 10 inch wide was pasted
on the bottom of page 4th before this will was signed

not signed

The interlineation of "his" in the 10th line from the bottom in page 2, and the erasure of the 9th line from the bottom in the same page of a part of a word in the 8th line same page.

The substitution of "my son" for "my" in the 4th line from the top of of the 1st line from the top same page 15th.

The interlineation between lines 2nd & 3rd from the top in page 5th "My son Robert & Hoyt and."

The interlineation between the 2nd and 3rd line from the top in page 6th "or are" and the erasure in line 14th from top in page 6th of the word "little".

The interlineation in page 7th between the 9th & 10th line from top "of my estate".

The interlineation of other property between lines 6th & 6th from top in page 7th of "it" between lines 6th & 7th from top in page 9th.

The interlineation between in page 11th between lines 11th & 12th from top.

The interlineation "acare" in page 14th between lines 11th & 12th from the top.

The interlineation "Thomas Lusk" between the lines 1st & 2nd from the top in page 15th.

The interlineation in page 16th between the 14th & 15th line from the bottom "and my son in law" "His Son & Son". The interlineation near the middle of page 16th "my son" from top.

The interlineation between lines 7th & 8th from top in page 16th "as much".

Georgia. Personally appeared before me Eliza L. Vinton one of the subscribing witnesses to the unimpaired and foregoing will of Nathan Hoyt late of said County deceased who on oath saith that he saw said deceased sign and seal said instrument and heard him acknowledge the same to be his last will and testament that at the time of his signing said instrument was of sound and disposing mind and memory that affiant Thomas Lusk and Richard J. Nelson all swear the same as witnesses in the presence of each other and of the testator and at his request were by him subscribed.

Witness my hand this 2nd of August 1866. Eliza L. Vinton
Secretary

Therefore it is ordered by the Court that said will and probate be recorded in terms of the law.

Regular Term August 6th 1866

Asa M. Jackson, Ordinary

copy letter June 7

County of Clark } 36

The State of Arkansas To all persons to whom these presents shall come, greeting.

Know ye that the last will and testament of Thomas H. Sparks, of Clark County and State aforesaid, dec'd. hath in due form of law been authenticly proved and recorded in the office of the clerk of the court of Probate for Clark County, a copy of which is here to annexed; and inasmuch as it appears that John Sparks and Michael Bogeman have been appointed executors in and by the said last will and testament, to execute the same and inasmuch as Michael Bogeman aforesaid has filed in this office a renunciation of his right and authority to act as such executor; Therefore to wit, that the property of said testator may be preserved for those to whom he shall appear to have a legal right or interest therein, and that the said last will may be executed according to the request of the testator. We do authorize her, the said John Sparks as such executor, to collect and secure all and singular the goods and chattels, rights and credits which were of the said Thomas H. Sparks at the time of his death in whosoever possession the same may be found and to perform and fulfil such other duties as may be enjoined upon her by said will, as far as then shall be properly and the law charge her, and in general to do and perform all other acts which now are, or may be, required of her by law.

In testimony whereof I, W. A. Smith, Clerk of the Circuit Court and ex officio Clerk of the County of Probate, in and for the County and State aforesaid, have hereunto set my hand and affixed the seal of said Court, at my office in the city of Little Rock, this 10th day of December, A. D. 1863.

W. A. Smith, Clerk.
By R. J. Williams, Atty.

(Seal)

In the Name of God Amen!

I Thomas H. Sparks of the County of Clark and State of Arkansas being of sound mind and memory and considering the uncertainty of this frail and transitory life do therefore make and ordain publish and declare this to be my last will and testament.

That is to say: First After all my lawful debts are paid and discharged the residue of my estate real and personal together and dispose of it follows, to wit: To my beloved wife to have and hold upon which she is situated or embracing the whole tract of land which is on Boggy and the Boggy river in the County of Clark and State of Arkansas to wit: this tract and all the improvements thereon embracing stock, household furniture, farming implements contained on the place, Also the slaves that I possess, to have and control according to circumstances that will best promote the interest of my estate now possessed by me, during her natural life or widowhood, after death or marriage to be equally divided with the heirs of his body and at majority of my son Linton for him to have this equal share and all of my sons as they become of age.

from the bottom
the bottom
the 5th line

the 11th line
the 12th line

the 13th line

from the
the 14th line

of 10th line

lines 15th
lines 16th

in lines

lines 17th

in the lines

18th lines
19th lines
20th lines

top of page

Edison L.
introduces
than Hight
said, but
instrument
has lost
the thing said
and memory
Wilson all
one of each

L. Newton

will and

copy Letter Testament