

of Jesse R. Weaver, that the said Jesse R. Weaver did acknowledge his signature to the said paper writing and did declare it to be his last will and testament, and did request these deponents to subscribe their names to said paper writing, which is now shown as aforesaid, and which bears date the 26th day of January 1869.

And the deponents further, that the said Jesse R. Weaver the testator aforesaid did at the time, he requested them deponents to subscribe as witnesses thereto did declare said paper writing to be his last will and testament and these deponents thereupon did subscribe their name at the end of said will as attesting witnesses there to at the request, and in the presence of the said testator and these deponents not further sayeth that at the said time when the said testator acknowledged his signature to the said last will and as aforesaid and at the time of the deponents subscribing their names as attesting witnesses thereto, as aforesaid. The said Jesse R. Weaver, was of sound mind and memory, of full age and to execute a will, and was not under any restraint to the knowledge, information or belief of these deponents, and further this deponents sayeth not.

W. M. Weavers.

Solemnly sworn and subscribed this day of before me

Probate Judge,

In the Name of God Amen.
I John Frank of the County of Anson, and State of Alabama, being of sound mind, and disposing memory, but being in feeably bodily health. Calling to mind the uncertainty of humane life, and being desirous of settling, and arranging all of my worldly affairs, whilst I have strength, and capacity, so to do, and disposing of all the effects with which God has blessed me, do make and publish this my last will and testament, in manner and form following hereby revoking, and making null and void, all other last wills and testaments heretofore made by me.

And,
1st It is my will wish and desire that all my just debts, and funeral expences be paid as soon as practicable here, by my Executor hereinafter named

2nd I will and desire and bequeath unto Adeline Franks, Dorothy Franks, and Henry Franks, Children of my wife Catherine Franks of the State of South Carolina, the sum of fifty Dollars which, to have and to hold the same to their and their heirs and assigns forever.

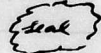
3^d I give, desire and bequeath, all the rest and residue of my estate both real and personal, and mixed to my beloved children John Frank, and Catherine Frank. And Charles Frank son of my wife Catherine Frank in the State of South Carolina to be equally divided between them, share and share alike, have and to hold to hold the same to them the said John Frank, Catherine Frank, and Charles Frank their heirs and assigns, to their own proper use and enjoyment forever.

And lastly I do nominate and appoint

Wm H. Northington Esq of Autauga
County Executor of ~~the~~ this my last
will and testament.

In testimony whereof I have hereunto
set my hand and affixed my seal
On this the 19th day of October in the
year of our Lord, one thousand
Eight hundred and sixty one.

W.H.
E.H. Robinson
J.L. Robinson

John Frank 

State of North Carolina
Curcumbe County

To Malcom A. Smith Esquire of the
County of Autauga, & State of Alabama
greeting whereas it has been suggested
to the Probate Court of the County of
Curcumbe that the last will and testamen-
ent of John Frank deceased was made in
the County of Autauga & State of Alabama
in the year 1861 disposing of property
within the State of North Carolina & the
County of Curcumbe & said will was
attested by E.H. Robinson & J.L. Robinson
who reside in the County of Autauga
& State of Alabama. Know ye, that we
in confidence of your prudence & fidelity
have appointed you, and by these presents,
do give unto you full power & authority
to take the examination of the witnesses above
named after being duly sworn, touching
the execution of said last will and testamen-
ent and when you have taken said examination
you are to send the same closed up under
your hand and seal, together with this writ
unto our said Court ~~witness~~ ^{at office}
Judge of Probate at office ^{on the 14th day}
of October A.D. 1863.

The State of ~~Alabama~~ }
Autauga County }

Deposition of E.H. Robinson
a citizen of said state and county
in a matter now pending in
the Probate Court of Curcumbe
County, State of North Carolina
touching the execution of the last
will and testament of
John Frank deceased.

The said E.H. Robinson after
being duly sworn to speak the
truth, the whole truth and nothing
but the truth, deposes and saith
as follows (to wit)

- 1st That he was an attesting witness of
the last will and testament of
John Frank decd, and that as
such witness he signed the
will of said decedent hereto attached
- 2nd That he the said E.H. Robinson
subscribed his name to the will
in the presence of the testator,
John Frank decd.
- 3rd That John Frank decd was of
sound mind, and memory at
the time of the execution of the
said last will and testament,
which was signed by said testator
in the presence of witnesses.
- 4th That He the said E.H. Robinson,
subscribed as witness to the will
at the request of the said John
Frank decd.

E.H. Robinson

Attesting witness of John
Frank decd

I Malcom A. Smith the commissi-
oner named in the Commission
hereto attached, do hereby certify that the
above deposition of E.H. Robinson was
taken down by me, after duly swearing