

Last Will and Testament of James Taylor.

Know all men by these presents:-

That I James Taylor, of Clarendon, Indiana County
and formerly residing Andrews North Carolina
being of lawful age, and being of sound, and sane
and disposing mind, and realizing the uncertainty
of this mortal life, and the certainty of death,
and being desirous at this time to provide for the
proper disposition of my property, do hereby
by these presents, make, revoke, constitute, publish
and declare this to be my last Will and Testament
that is to say: -

First, It is my will and desire that after my death there shall be an executor appointed of this my last will and testament by the Court having competent jurisdiction in the premises: said executor to be selected and agreed upon by my heirs hereinafter named, if remembered to the Court: otherwise he shall be appointed by the Court, and he shall qualify and give bond as the law provides, and I hereby charge my said executor to strictly carry out the provision of this will.

Because, It is my will and desire that all my
just debt - including the expense of my last sick-
ness, be paid out of my estate. be for the same
is fully distributed to my heirs and legatees
as hereinafter provided.

third. It is my further will, that whereas I have during my life time sold and ceded to my son in law, Frank M. Rucker my entire allotments of land in the Cherokee Nation, Indian Territory, including my Name tract described as follows: The S²⁰/₁₀₀ of N. 71¹/₂ and T⁶/₃₆ of T²⁰/₃₆ of Section Thirty five, and T¹⁰/₃₆ of S²⁰/₁₀₀ of T²⁰/₃₆ of Section Thirty six, all in Township twenty one north, range seventeen East, Cherokee Nation, Indian Territory, in which said sale & conveyance all of my children and heirs at law, and who are the legal heirs named herein, the said heirs all being of lawful age and competent to contract and convey, it is my will and desire, that my said children

That him, and legatees shall be forever barred from any right or claim to said land, or share in said land in any manner, but the same belonging to said Frank M. Rucker, and to his heirs absolutely and in fee simple form.

Fourth, It is my further will and desire that whereas I have a large amount of real estate, lands and claims and land grants in the State of North Carolina, the title to which is now in litigation in a certain suit pending in the United States Court of Claims at Washington D.C. and whereas I have employed and am now represented by Belva A. Loomis of Washington D.C. assisted by my son John M. Taylor Jr. of Clanton, Indian Territory, in said suit as my regular attorneys, it is my will & I hereby so order and direct, that my said attorneys shall be retained in the prosecution of said suit to its final termination, if not finally terminated before my death, and that my said attorneys shall be allowed as compensation for their services in said matter, out of said lands, land grants and claims. If said suit is finally terminated in my favor, the sum of twenty per centum (20%) of the value of all the lands, land grants, and land claims recovered in said suit, the said compensation to be divided between my said attorneys in such manner as they may agree to divide between themselves, and the amount of said fees is to be ascertained in any proper manner that may be agreed upon between my said attorneys and my heirs and legal representatives; provided however, that none of said lands shall be sold for the purpose of ascertaining and fixing the amount due said attorneys for a fixed amount or value, without the written consent of all of my heirs and legal representatives first obtained.

Fifth, I hereby give, devise and bequeath to my children, named: - John M. Taylor Jr. William T. Taylor James L. Taylor, Madara Archer and Addie Matthews, Phoebe and Chen alive, all the real, personal and remainder of my estate, both real and personal, wherever the same may be located or situated, of every kind and description, including all my legal papers

Books and documents, and all my paper books and documents pertaining in any way to the Cherokee Nation Indian Land or Indian affairs, and any and all annuities, payments, and dues that may be due, or become due me from the Cherokee Nation or from the United States Government arising out of my treaties, agreements or agreements between the United States and the Cherokee Nation, or in any other manner, by reason of my relation to said tribe of Indians, and as well also in any and all proceeds and money arising out of a certain contract of partnership entered into by me during my lifetime with Belva A. Lockwood of Washington D.C. dated the 21st day of September, 1887, and amended by a subsequent agreement dated the 20th day of January, 1896, for the purpose of collecting certain claims through names and specified to have and to hold the same absolutely to the above named legatee and to their heirs forever.

6th, I hereby revoke any and all former wills by me made at any time, whether the same be oral or written, and make and constitute this my last will and testament, which consists of two sheets of typewritten paper.

In witness whereof I have hereunto set my hand this 7th day of October A.D. 1905

In the presence of *Signed James Taylor*

M.D. Keller

W.H. Bassman

Attesting Witnesses.

We the undersigned M.D. Keller and W.H. Bassman both of Clanton Indian Territory attesting and subscribing witnesses to the above and foregoing last will and testament, hereby certify that the testator signed said instrument in our presence and at the same time declared in our presence and hearing the same to be his last will and testament, and we signed the same as attesting witnesses at his request and in his presence and in the presence of each other, this 7th day of October, A.D. 1905. *Signed* M.D. Keller of Clanton Indian Territory

W.H. Bassman

First Codicil

I James Taylor of Clanton Indian Territory, being at this time nearly informed by one Frank J. Baudinier of Ft. Gibson Indian Territory by letter under date of November 30th 1906, that Belva Lockwood of Washington D.C. with whom I have a certain contract, for an equal division of certain fees for collecting certain claims in said contract mentioned, has received a fee of \$18000.⁰⁰ on a claim coming under said contract, but that she has made no settlement with me and has paid me only the sum of \$1000.⁰⁰ of said fees although as I am informed, she has received said fee of \$18000.⁰⁰ about the first week in July, 1906, and whereas in a conversation with said Belva A. Lockwood at Muskogee Indian Territory, on the 17th day of November, 1906, in the presence of my sons William J. Taylor, and James L. Taylor, she said Belva A. Lockwood stated positively that she had then not yet received the said fee of \$18000.⁰⁰

Wherefore, I make this my codicil to my last will and testament, dated Oct 7th 1905, hereby confirming my said last will and testament in all things, except as herein in this codicil changed, and so far as this codicil is inconsistent therewith: and I do hereby revoke all that portion of paragraph or section fourth of my said last will, beginning with the third last word in line seven of said paragraph and continuing down and including my line and word to the tenth word of line eighteen inclusive, the intention of this codicil is to revoke all that part of said paragraph relating to the continuation of the employment of said Belva A. Lockwood and John M. Taylor Jr. as attorneys in the prosecution of the suits therein mentioned and as to their compensation, so that my heirs and legatees after my death, may properly and contract with whom they desire and at whatever rate of compensation they may deem most and proper. In witness whereof, I have hereunto set my hand, this 7th day of January, 1907. *Signed* James Taylor

In presence of
W.H. Bassman
Berrel Graves

We the undersigned W.H. Bassum and Bert Gross
 both of Clannum, Indian Territory, attesting and
 subscribing witnesses to the above and foregoing
 the first Codicil. to the last will and testament of
 James Taylor, hereby certify that the testator signed
 said instrument in our presence, and at the same time
 declared in our presence and hearing the same to be
 his first Codicil to his last will and testament
 dated Oct 7th 1907, and we signed the same as
 attesting witnesses at his request and in his presence
 and in the presence of each other, this the 7th day
 of January, A.D. 1907.

W.H. Bassum of Clannum
 Indian Territory
 Bert Gross of Clannum
 Indian Territory.

State of Oklahoma ss
 County of Rogers

I, Archibald Bauls, County
 Judge of Rogers, County, State of
 Oklahoma, do hereby certify the above and foregoing
 a true and exact copy of the last will and testament
 of James Taylor deceased as the same appears
 of record in this office.
 Witness my hand and official seal this the 8th
 day of February A.D. 1908.

Archibald Bauls
 County Judge Rogers County Oklahoma

Recorded March 7th 1908.

Att. Fair Clerk Superior Court.

I, Ida Sedford, of Ranger North Carolina, make this
 my last will. I give devise, bequeath my estate real and
 personal, as follows, that is to say, to my husband W. J.
 Sedford for the love and respect I have for him and
 that he may be enabled to raise our children. I bequeath
 and devise unto him all my personable property including
 stock and household furniture, and my real estate to
 include all of my land that I own in Nolla Township,
 Cherokee County, North Carolina, lying on Nolla River
 adjoining the lands of B. M. Sedford according to the
 line run by myself and ~~Eliza~~ Eliza Sedford in a
 division of land made by myself and said Eliza
 Sedford. Now all of the above property to be used by
 him, and be his during his life time, and at his
 death said real estate above named to be sold and the
 amount it is sold for to be equally divided among
 my children, namely, Vally May Sedford, Landis
 Sedford, Benjamin Hiram Sedford, Verdie Sedford
 Chester Sedford and Leslie Sedford.

The above named children are the heirs of my body,
 and I hereby appoint H. N. Taylor of Ranger N.C.
 Executor of this my last will and testament.

In witness whereof I have signed and sealed and
 published this instrument as my will, at Ranger, N.C.
 this the eighteenth day of July A.D. 1907.
 In the presence of Ida Sedford ^{my} mark Seal.

H. N. Taylor.
 Lena Sedford.
 Rhoda Taylor.
 B. M. Sedford.

State of North Carolina, Cherokee County.

A paper purporting to be the last Will and Testament
 of Ida Sedford deceased, is exhibited before me, the
 undersigned, Clerk of the Superior Court for said County
 by H. N. Taylor, the executor therein mentioned, and the
 due execution thereof by the said Ida Sedford by the
 oath and examination of H. N. Taylor & B. M. Sedford
 the subscribing witnesses thereto; who being duly sworn,
 doth depose and say, and each for himself depose and
 saith, that he is a subscribing witness to the paper writing
 now shown him, purporting to be the last Will and
 Testament of Ida Sedford that the said Ida Sedford in
 the presence of this deponent subscribed her name at the
 end of said paper writing which is now shown as aforesaid.