

in Selma in the State and County aforesaid, the twenty fifth day of October
A.D. Eighteen hundred and forty five
Signed by Lewis Thamm and acknowledged by him - Lewis Thamm
as his last will and Testament the date above written
in the presence of the under signed Witnesses the 10th line from the top of the first
page obliterated before the execution Wm M. Lapley Wm H. Lee James
Hall, State of Alabama Dallas County Personally appeared in open Court
William H. Lee & James Hall two of the Quorum being duly sworn and depose to the foregoing
will who being duly sworn depose and saith that they saw Lewis Thamm in
the testator sign seal and duly execute as and for his last will & Testame-
ment that said Testator was of sound mind & disposing memory at the
time of executing the same & that they these deponents and Wm M. Lapley
signed the same as witnesses in the presence of and at the request of said
Testator and in the presence of each other on the day and year therein
mentioned Wm H. Lee James Hall, Sworn to and Subscribed
before me this 19 day of October 1845 Not a Notary, Clerk of Court
Recorded 21st October 1845 Not a Notary, Clerk of Court

Bartholomew Smith's will
In the name of God Amen

I Bartholomew Smith
of the County of Dallas and State of Alabama, being full
in health and in the expectation of death but sound in mind
and in full possession of my reason do hereby and herein most
ordain and declare on this nineteenth day of June A.D. 1845
this my last will and Testament, revoking all others
Item 1st My body I desire to be decently interred in the
public burial ground at Selma upon a square of ground
which I desire my Executors to be hereinafter appointed, to
purchase and handsomely enclose, my soul I commend to God
trusting for its reunion with the body at the last day and
its everlasting salvation to the merits of Jesus Christ
Lord to whom be glory and honor forever and ever Amen
Item 2nd I desire all the unpaid moneys for my funeral to be paid
paid and then I direct and hereby authorize the payment of One
Thousand dollars to Mrs. Perry Ann Wall to be by her appoin-
ted to the purchase of suitable monuments to be placed on
the remains of my first wife and her infant son and the erect-
ing of the same with a handsome railing of Iron should the
said sum of One Thousand dollars be not sufficient I hereby
give to the said Mrs. Perry Ann Wall power to draw upon
my Executors for the sum which may be wanting after the
One thousand dollars have been expended and hereby direct my
Executors to pay said balance The inscription on the monument
I leave to the direction and taste of the said Mrs. Wall

Item 3rd I request my Executors to disinter the remains of my little Son David Baxter and my Father, and reinter them in the grave yards at Selma upon the square directed to be purchased above, my said Executors are also directed to appropriate a sum of money to the purchase and erection of proper marble monuments for my Father my little Son David Baxter and myself. The amount of the sum is left indefinite because I am ignorant of the cost but I hope it should be ample. I desire my friend the Rev. Thos. C. Clinebaugh to furnish appropriate inscriptions for the same.

Item 4th I desire and hereby direct my Executors to pay out my just and lawful debts as they become due and if the revenues of the estate are not sufficient to meet them as they become due I direct them to be paid as they occur coming either from the Claims and income as they are collected or the proceeds of the Crops. I further direct that my entire estate be kept together until all the debts are paid and that all the wants of the family be provided for during such time in the same manner as it has been during my life. I give and bequeath to my beloved wife Rebecca the Lady of said estate which I now reside in as the Homestead place purchased by me from John A. Webb on the account in all nineteen hundred and eighty two acres more or less in fee simple with all the house hold and kitchen furniture of any and every description together with my Carriage and horse buggy and the horse buggy and wagon. I also give and bequeath to her eighty

Acres of the following names to wit, Dick Malinda Emily Little Joe Rachel Adeline Martha Richd. Big Jim Malinda Ann Jack Benum Minty Fayette Cynthia Isabel and her child Francis Vicki mine wife Ted Mary Ann and her child David Joseph Oliver Horace & Mary Ann his wife Augustus Alice Julia Acra Homer Bert Louisa William Richmond Melly Addison and Little Addison his son Lucy the Daughter of Mary

Item 5th I direct my Executors to divide the land planted by me as the Lower plantation (and which is ~~xxxxxx~~) in consideration of my physical weakness. I cannot more accurately describe containing in all thirty three hundred & acres more or less (embracing seventy acres more or less) belonging to a grantor herof Joseph Baxter deceased which I direct my Executors to purchase whenever it may be done) into three parts equal in quantity and quality one to sell off and assign one part to my son James Bennett

a third part to my son Wad and a third part to my son ³⁸ Gardner
Cardiner where my Executors have made the above division deed
assignment I desire and hereby direct that they take the patents or
other monuments of title and ascertain the quantity and number
embraced by each assignment which when ascertained I direct
to be recorded in the County Court Clerk's Office of Dallas County
the dividing or assignment, to be recorded separately.

Item 7th I give and bequeath to my son James Bennett
the 1st part or parcel of land which my Executors may assign
him according to the direction of Item 6th in fee Simple I also
give and bequeath to my son James Bennett the following named
negroes to wit Harry Susan Isidore Infant Child of Susan and
man Frank Lucy his wife Adeline Kate Jack Moss Lucy
Belle Angeline Mary Mary Ann Washington Griffin, Mathias
Barney, Jesse, Wile, Lewis, Elias, Silvey, Clay, Alexander,
Oleli, Theodore Liberty, Nancy, William, her son Wigg, Margaret
Minnie William her Child Nelson and infant daughter, and
man Milo Chaney, Thomas Major, Isidore, Edmon, William,
Fanna Little Isidore (Willa Gangle) Catherine, Wm Silvey
making in all Fifty Six in number.

Item 8th I give and bequeath to my son Isidore the 1st part
of land which my Executors may assign him according to the
direction of Item 6th in fee Simple I also give and bequeath
to my son Wad the following named negroes to wit William
Little Susan Susan, Susette Judy Charles Cynthia Bob
Oleli Betty John Little John Cashier George Little Ben
Therese Frank Emma Eliza Little Ananias Silas George
Major Emma, son and infant, boy not named Ananias (infant)
Edith Lanna Nancy and infant Boy not named
Cupid Margaret Fidda Samy Friday Mary Sophy Jane
Henry Little Mary Martha, Sam making in all forty two
in number.

Item 9th I give and bequeath to my son Gardner
the 1st part or parcel of land which my Executors may assign
him according to the direction of Item 6th in fee Simple I
also give and bequeath to my son Gardner Gardner the follow-
ing named negroes to wit Edmund Louisiana Wiley Nathan Sam-
sonia infant, boy not named Immanuel, Wlad, Connor Chaney
Chloe Worker Allen Tafe, Philis John Perry Sylvia Winona
Sophia infant, boy not named Nicholas Peter Little Rachel
Marion John Rachel Samy, Henry Nicks Arthur Pauline Matilda
Polly Jonas making in all forty three in number.

Item 10th I desire and direct that all the stock (except what
has been given and bequeathed to my beloved wife Rebecca com-
menced in item 5th) consisting of horses mules, sheep, hogs
&c. together with all the wagons (except the two horse

waiver given and bequeathed specially to my wife Rebecca) and other remaining assets to be divided, by my Executors into four equal parts and distributed between my wife Rebecca and my three sons.

* Item 11th I desire and direct that the property given and bequeathed above to my three sons may be kept together, and managed jointly under the superintendence of a Common Council until the eldest son becomes of age. I desire however and so direct my Executors after paying the expenses of the plantation to decore a dividend of the proceeds of the said Crop at the end of each year and to invest a Part of the dividend of each C. of my sons separately. I desire the accounts of each to be kept separately and the expenses of maintenance and education to be paid out of their separate funds in interest I hereby appoint my beloved wife Rebecca and my friends Captain J. Gardner Elder A. Hylkiff & Senr. Mr. Croom joint Guardians of my Children and earnestly request them to have them liberally educated and religiously and privately brought up.

Item 12th all the monies which may remain over after paying my just and honest debts and paying the expenses mentioned in Item 2^d & 3^d and paying the expenses of providing up my estate I desire and direct to be equally distributed equally between my wife and three sons.

Item 13th I give and bequeath to William B. Hays in Trust for the sole use and benefit of Susan D. Tucker during her natural life and at her death to the heirs of her body absolutely a tract of Land bought by me from Col. Frederick Hardy containing Eighty acres lying and situate in the County of Dallas also another tract of Land bought by me from James Gardner number of acres not known - being upon which Mrs. Eliza Hays resides arising from said tract Eighty acres which I hereby give and bequeath to the said Mrs. Eliza Hays and her sole and separate use lying in the County of Dallas I also give and bequeath to the said William B. Hays in Trust for the sole use and benefit of the said Susan D. Tucker and at her death to the heirs of her body absolutely the following named negroes to wit: Fanny, Henry, Waddy, Mariah, Mariah, infant Girl not named Jim, Hannah, Lucy, Alfred, Eliza, Roman, Mary, Simon, Chaney, Old man Jim & Nancy numbering in all six persons.

Item 14th Reserving a deed of Trust upon certain negroes the names and number of which I do not recollect to secure me in the event of having certain debts to pay for Senr. O. Lucy said deed having been given by said Lucy to Francis

I Sign for my use and benefit and warrant in the Office of
the County Clerk Office of marriage County I hereby
give and bequeath all my right, title and interest legal and
equitable in the property secured and given to said deed
of Trust to Mrs. Martha Ann Lee her sole and separate
use and as her death to her settle in said Trust
Item 15th my wife's watch and Chain I give and bequeath
to my son Bat to be worn by him whenever his Christian
determine that he is of suitable age
Item 16th Having some promissory notes in my possession
and the first of John Darnell and myself I hereby direct
my Executors whenever said notes are collected to reserve One
third of the amount of said notes and to pay One third to
Mrs. Strong and One third to Mrs. Perry and to Call and
to take their receipt for the same said notes are payable to me
individually First of the notes are due from John Darnell
for \$100.00 the second of \$100.00 due from 1848 the
other in 1849 a third note is on John C. Cassiter for
fifty dollars payable in 1848
Item 17th I hereby direct my Executors to pay to Mrs. Caroline
Tanner Smith five hundred dollars with all the interest
due for the payment of which she has a mortgage on certain
land and negro I desire that the money may be paid at or
early a day as practicable and the property which I in the
highest of Land to my wife I failed to pass from the home
that I hereby give here to Henry H. Davis the tract
commencing at the Corner of Davis yard fence and runs
two acres east and north the depth of a quarter section I
direct my Executors to make him a deed for the same giving him
a Chain. I want an emancipated servant of my father's
name my bond for bills to a certain tract of Land I hereby
direct my Executors to make him the necessary deed to
the same I furthermore in Consideration of my respect due
affection for him give and bequeath to him five hundred
dollars and direct my Executors to pay him the same prior
to the distribution of the money provided for in item 12
Having this day given the Rev. John H. Lincobough a
promissory note on Peter J. Williamson for five hundred
dollars due in 1848 I hereby declare that One half of said
note is given to the said John H. Lincobough individually
in Consideration of my friendship and esteem for him and
the other half to the said John H. Lincobough for the completion
of St. Paul's Church I shall myself paying the debt of the same
as he may determine I also hereby direct my Executors to
exclude the same from the schedule of my assets and give him
my legal aid in their power in collecting the same I also

highly request my friend John M. Davis to assume the
 Guardianship of my minor Children and Heirs
 Smith, Warner, regarding accounts against Mrs Susan
 W. Davis, Dr James T. Lee I hereby relinquish the
 same to them and declare them Cancelled and released
 instruct my Executors to receipt the same, Manning
 has given them in my employ as ditcher for several
 years by Contract with him and writing, I instruct my
 Executors to ascertain my indebtedness and pay to him
 or pay whatever may be due

The above and foregoing is de-
 clared to be my last will and testament and I hereby
 appoint Richard J. Smith, Garland F. Cardiner, Peter
 H. Wyckoff and John M. Davis the Executors of this
 my last will and testament to carry into effect all and
 singular its directions and provisions I hereby give them
 full power and authority to sell and dispose of any
 real Estate or personal property now or hereafter bequeathed
 above if they deem the same to be the interest of my estate
 or to the interest of my legatee and to do any thing which
 in their judgement may be for the benefit of the parties
 in interest. Signed with my own hand and seal of the
 said and signed in the presence of

Bartholomew Smith
 Executors
 Richard J. Smith
 Garland F. Cardiner
 Peter H. Wyckoff
 John M. Davis
 John Clark

Codicil

I relinquish to Nathaniel F. Tucker all notes or accounts
 held by me against him and direct my Executors to cancel
 the same I give and bequeath to John Clark all that
 will be due for the service of Regent during the present
 season upon his paying for the hire of the horse and
 the hire of the groom Signed with my own hand and seal
 Read and signed in the presence of

Bartholomew Smith
 Executors
 Richard J. Smith
 Garland F. Cardiner
 Peter H. Wyckoff
 John M. Davis
 John Clark

Codicil

I desire and direct that King Old Sylvia Old Bob and Betty
 his wife and Buckley bequeathed and supported by those of
 my legatee to whom they have been specially bequeathed
 Read and signed in the presence of Signed with my own hand and seal
 Richard J. Smith
 Garland F. Cardiner
 Peter H. Wyckoff
 John M. Davis
 John Clark

State of Alabama, Orphans Court October 22^d 1847 Personally appeared in
 Dallas County — { Open Court. John Clark and William Morgan two of the
 subscribing witnesses to the foregoing will and Codicil of Bartholomew
 Smith who being duly sworn depose and say that they saw Bartholomew
 Smith the testator sign and seal said will as and for his last will and
 Testament and that they saw the said Bartholomew Smith sign and seal
 the Codicil attached to said will as a codicil to said will that test-
 tor was of sound mind and disposing memory at the time of executing
 the same that they these deponents signed the same as witnesses thereto in
 the presence of said testator and at his request and that they saw the other
 subscribing witnesses Edward Gault and Samuel T. Lee sign the same
 in the presence of and at the request of said testator and in the presence
 of each other on the day and year there in mentioned.
 Sworn to and subscribed before me this 22^d }
 October 1847. Thos. L. Mainer Clerk } John Clark.
 William Morgan

John S. ~~Winer~~ Winer's will
 State of Alabama: In the name of God Amen
 Dallas County } I John S. Winer being of sound
 and disposing mind though feeble in body do make and
 ordain this my last will and Testament — my body I
 resign to the dust and my soul to the God who gave
 it, after all my just debts are paid I give and bequeath
 my Estate both real and personal in the following manner
 to wit Item 1st I give my beloved wife Nancy
 Winer to be my sole executrix Item 2^d I give and be-
 queath to my beloved daughter Sophia M. Winer One Sixth
 part or portion of my estate both real and personal.
 Item 3^d The balance of my estate both real and personal
 I will share to be kept together until my son William S. W.
 Winer arrives at the age of Twenty One Then all my
 estate to be equally divided between my wife Nancy Winer
 and the rest of my children William S. W. John Samuel
 Adam Peter Leonard and Margaret M. Winer
 Item 4th I also will that all of my lands be appraised
 so that my daughter Sophia M. Winer may obtain her due
 proportion One Sixth at the same time she receives her
 portion of the personal property In acknowledgment of
 the above will and Testament I hereunto subscribe my
 name this 22^d day of September in the year of our Lord
 One thousand eight hundred and forty seven
 Signed Sealed and delivered
 in the presence of } John S. Winer test
 Henry S. Winer
 W. H. Foxworth