

WILL AND TESTAMENT OF THOMAS WELSH

The last will and testament of THOMAS WELSH was admitted to probate and ordered to be recorded (see minutes of probate court page 231) which is in the words and figures following to wit: Alabama Public Registry in the name of God Amen I Thomas Welsh of Dallas County do make this my last Will and testament in manner following that is to say: Whereas by a deed executed by me to Abraham Horton and William Horton bearing date the thirteenth day of February A.D. One thousand eight hundred and seven I conveyed certain real and personal estate to the said William and Abraham in trust, among other things that they should convey to my children Love Horton wife of said Abraham Horton, Sarah Bowdon wife of Samuel Bowdon, and Nancy Welch now Nancy's Lere wife of Martin Mc Lere such parts of said real and personal estate as I by will should allot and assign to my children as well as any other I might have, as will more fully appear by reference to said deed And whereas I Thomas Welsh by another deed executed by me to James Season and William Ransom Horton bearing date the twenty seventh day of January A.D. One thousand eight hundred and fifteen I conveyed certain other property to the said James Season and William R Horton in trust that they should convey to my child Elizabeth (now Elizabeth Cunningham) and wife of Joseph E Cunningham such parts of said property as should not be otherwise disposed of by me as will more fully appear by reference to said last mentioned deed. In witness whereof I have sold and otherwise disposed of all the property in said last mentioned deed specified and much in the first mentioned deed but now possessed of property equal in value. Now in pursuance of the promises in said deeds to me returned me in fulfilment of my obligations under them I the said Thomas Welsh do by my last Will and testament make the following disposition allotment and assignment of my property that is to say I will and devise to my daughter Love the wife of Abraham Horton the following described Quarter Section of land to wit: two South East quarter sections of section eleven in Township seven and Range ten in the Cataba District also I will to her the following negro slaves to wit: Joel, Frank, Sophy and Mary, with the increase of the females all to her and her heirs. To my daughter Sarah (wife of Samuel Bowdon) I will and devise the following described Quarter Section of land to wit: the South East quarter section of section twelve Township seven and Range ten in the Cataba District, also I will to her the following negro slaves to wit: Teal, Abby and Perry with the increase of the females all to her and her heirs. To my daughter Nancy wife of Martin Lere I will and devise the following described tract of land to wit: the North West quarter section of section thirteen Township seven and Range ten in the Cataba District also I will to her the following negro slaves to wit: Manuel, Rag, Phillis, with the increase of the females all to her and her heirs. To my daughter

Elizabeth Chapman & Joseph & Eunice Chapman I will and desire the following descent. And to wit, the north East quarter of Section fourteen, south west, seventeen and Range ten in the Galatia District, also I will to her the following negroes to wit, Charles, Pleasant and Shuman with the increase of the female, all to her and her issue. And it is my will and desire that if either of my said daughters should die and leave no issue alive, then and in that case the share willed to her of my estate shall descend to and be equally divided between my other daughters named and their issue. And if either of my daughters named should leave issue and such issue should die before arriving to the age of twenty one leaving no issue and there be no child of said daughters, which should arrive to that age, then the share of such daughter shall descend to my other daughters equally as above stated and under the same rules. It is my will and desire that my faithful servant Flora aged about forty seven years and mentioned in the deed of trust to Abraham Boston and William Boston, as also my servants John aged about twenty and Julia aged about seventeen shall together with their increase be liberated from bondage and set free, after my death as speedily as can be ~~lawfully~~ legally done. And it is my will and desire that should any husband or any of them refuse to have my said servants Flora, John and Julia liberated and set free or should they interfere to prevent the same or should they refuse to do or execute any thing necessary on their or either of their parts to effect the same then and in that case the sum of five hundred dollars shall be deducted from the share of such legatees so acting or refusing to do as aforesaid, and the same shall be paid into the treasury of the County of Shelby, or into the treasury of the County in which a majority of said legatees may reside at my death and be appropriated to the use of the poor of the County in the treasury of which the same may be paid. And it is my will and desire that the said Flora, Julia and John in case they shall be liberated, shall each receive out of the proceeds of my estate the sum of fifteen dollars annually for five years from my death. And whereas I now have in my hands two hundred and twenty five dollars earned by my said negro Flora and which of right I consider her own it is therefore my will and desire that that sum in addition to what is said above shall be paid to said Flora after my death as soon as may be convenient. It is my will and desire that previous to the liberation of my servant John my Executors shall bind him for the space of two years to a good blacksmith to learn and be taught that trade, or if such be not convenient, or if it be thought more advisable then he shall be bound for an equal space of time to some other good tradesman to learn his trade. And my Executors are requested to take all necessary obligations from

Such trustees for the faithful instruction of John and for his ³⁴
proper treatment. It is also my will and I join it upon my heirs
and Executors that they ~~would~~ exercise a guardianship towards my slaves
which are to be set free so far as to and them in protecting and asserting their
rights, and instructing them in their interests. It is my will and desire that
after the payment of my debts and the fulfilment of my specific
Legacies that the residue of my Estate be equally divided among my said
Daughters according and subject to the rules above laid down for the
percent of their specific Legacies. Should any of the negroes mentioned
in the specific Legacies die before my decease and the negroes sequent
out of which the negroes negroes shall so die shall not have increased so as
at that time to be equal in value to the rest or as near as they nearest
them and in such cases such Legacies or share shall be made of equal
value with the rest so far as it is rendered so valuable by such
death and no further up by any other means it has increased, such
increase shall be considered. Samuel Bowden is indebted to me by
note due 15th March 1827 in the sum of one hundred and eighty dollars
besides interest, deducting thirty dollars paid. Also by another note due
first January 1828 he is indebted to me in the sum of five hundred
dollars besides interest, also in the sum of one hundred and ten dollars
due first of March 1826 besides interest. Abraham Whorton is
indebted to me by note due first January 1827 in the sum of
eight hundred dollars and twelve cents besides interest. Montu
St. Lere is indebted to me by note due 25th Dec^r 1826 the sum of
four hundred dollars less my interest from the 25th December 1825.
Joseph D. Cunningham is indebted to me by note due 14th Decem-
ber 1825 the sum of one hundred and twenty dollars, also the sum
of two hundred and twenty dollars (\$220) by note due 25th December
1826 besides interest, also the sum of two hundred dollars by note
due first January 1826 besides interest. All the above mentioned
sums and interest thereon I wish taken into considerations in the
distribution of my Estate, and the shares of each of my daughters
decreased or increased relatively by the sum due by their husbands.
Thus my will being made in accordance hereto and to carry into
effect the intentions of the two deeds of trust above referred to
so far as they concern or embrace my present property. I do hereby
request and direct the said Abram Whorton and William Whorton
their heirs Executors Administrators and assigns or either, and also
the said James Season and William R. Horton, their heirs Executors, adminis-
trators and assigns or either to execute any deed or deeds which may be nec-
essary to carry into effect this my will and appointment of the disposition of
my property, this will being intended as a disposition to them so far as their
intervention under said deeds of trust may become necessary. And I do
hereby appoint my friends Eschsch. Perkins, David Russell and
James M. Harrison my Executors to carry into effect this my will, and
I request of them to see that it is in all things carried into effect and

and that he saw Ransom Cook and Ezekiel Pickens subscribe the same in presence
of and at the request of the Testator and in presence of each other on this day
and year herein mentioned. — Jackson Cook

Sworn to and subscribed in open Court this 11th day of
February 1832 Test James Abney Esq. — The State of Indiana
I, ~~James Abney~~ a Clerk County, Personally appeared in open
Court E. Pickard one of the subscribing witnesses to the will or
Supplement to the foregoing last will and Testament of Thomas Pitt
and being duly Sworn depose and say that he saw the Testator sign
and publish the same as a codicil to his last will and Testament
and said Testator was of sound mind and disposing memory at the time
of executing the same that he subscribed the same at the request
and in presence of the Testator and that he saw the said E. Pickers
sign the same in presence of the Testator on the day and year therein
mentioned. — Ezekiel Pickens

Sworn to and subscribed before me this 11th March

1832 James Abney Esq. —

Recorded &c. this 18th March 1832 James Abney Esq. —

Probate was taken on the last will and Testament of George
Pitt and the same ordered to be recorded &c. minutes to page 222
which is in the words and figures following — to wit —

In the name of God Amen. I, George Pitt, do hereby
Commit my body to the earth whence it originated. Being now
soured with age and memory and knowance not when a good Son of
Man please the Father of Mercies to the mercies of the said I
think proper to make some disposition of my property in the form
of a Will and do now make and declare this my last will and
Testament. After my just debts are paid, I give and bequeath unto
Lucius Pitt Young Son of my Wife He being the said son of Rebecca
de Davis, a negro slave named Cynd and his children to wit, Mary, Oliver,
Charles, Samuel, Hariah, Caroline, Fanny and Susan and their issue
increases the said Lucius Pitt Young to receive his property as given
and bequeathed as above, at the age of twenty one years and should
he die before he attains that age, the said property and its increase
to be equally divided between the children of my Sister Mary
Lenoir (not including Mary Matilda) I give and bequeath unto
Mary Matilda Lenoir (Daughter of my Sister Mary Lenoir)
and to her children negro slaves, Sick and Tom. I give and bequeath
unto the said Mary Matilda as above my gold watch. The
residue of my estate I wish sold and the proceeds to go to the said
Mary Matilda Lenoir and her children should she have any.
The said Mary Matilda to receive her property as given and
bequeathed as above, at the age of fourteen years or thereabouts