

[illegible]

that the 8th day of November 1877 he set out
day for making testimony in proof of
said instrument as such will. That said
of I have let Paul H. Lloyd subpoenaed
to be and appear on said 8th day of November
1877 in and before this court to testify and give
evidence of and concerning all and any facts
relating the question of the validity of said
instrument as such will. That said Mary
H. Hall her husband, E. L. Hall & Anna Helen Sid-
ney H. Phelps Caroline B. Beale & her husband
J. H. Beale & James L. Chilton be notified of
the proceeding and of the day & hour at
which to sign the matter by notation to

[illegible]

It is therefore ordered & adjudged and
declared by the Court that said will of
said John D. Phelps is legal and valid
and that said land is hereby ordered
to be duly proven to the next will and testa-
ment of said said at said or less & distrib-
ed to his estate and ordered to be recorded
to get her with the land there of and all
other papers or files pertaining to the

John A. Wickham has been
in the matter of the Rights
of his last will and the
succession.

Mr. A. Richter received
the master of the Admiral of his last
will and testament. Decr 24 1877

[illegible]

will and testament this 25th day of September
1899
Done and published in
presence of 2 W. H.
R. H. H. H.

[illegible]

Let my hand end, the Sal of said Court
this 8th day of November 1797
J. B. Barrant
at 20 & 21th St

[illegible]

to said instrument of writing, or the receipt there-
of, and that said instrument was up to the same
by the foregoing, and that at or end of the other
witnesses that day that said instrument was
in the hands of said instrument in such a way
said that at or end of said instrument that said
instrument signed there and in presence of
said and the other subscribing witnesses of
that day and that neither of them of the
said instrument is interested in said instrument
in said instrument of writing, and that out
of them that at or end of said instrument as of
said instrument and the foregoing witnesses and
the opinion of the said instrument is that
nothing is said at the time the same was
made or said, or present instrument that
said instrument was in the hands of the said
that at said will at the full age of twenty-one
years and upwards

Subscribed and sworn
to this 1st day of Novr
1864
in presence of
Witnesses

[illegible]

spec. without bond or security being required in
 record and with the limit of said will and
 especially to the provisions of the said such
 boxes made.

It is further ordered that the petition
 of said Ellis & John Phelan filed in this court
 be recorded.

Petition

John Phelan & John Phelan
 John Phelan & John Phelan

Petition of John Phelan
 John Phelan & John Phelan

To the Hon. Court of Probate
 of the County of ...

The petition of the undersigned John Phelan
 James Phelan represents unto your Honor that
 in his last will and testament of John Phelan
 James Phelan which will and testament has
 been duly proved and admitted to record
 in this court they are named as the Executors
 of said will that the said John Phelan &
 James Phelan possessed of certain real and
 personal estate consisting chiefly of land
 and all of which are of the State of ...
 and to be worth about \$5000 Dollars and in
 the above mentioned that your petitioner John
 Phelan is an inhabitant of this State of ...
 Phelan is an inhabitant of the State of ...
 James Phelan is an inhabitant of the State of ...
 and in manifest disregard of the law
 to own serving as Executor. To the end
 thereof that the said property may be
 collected and preserved for those who
 shall appear to have a legal interest
 therein and the said will executed accord-
 ing to the request of the said testator your
 petitioner prays that your Honor will
 grant Letters Testamentary to them as
 Executors of said will and testament with-
 out coming into bond they being suffi-
 ciently released released from giving bond
 by said will

Ellis Phelan
 John Phelan

The State of ... Ellis Phelan being ...
 of the County of ... and ...
 named in the ... petition ...
 to the Court of Probate ...
 of the County of ...

James Phelan
 John Phelan
 James Phelan
 John Phelan

To the Hon. Court of Probate
 of the County of ...

The petition of the undersigned John Phelan
 James Phelan represents unto your Honor that
 in his last will and testament of John Phelan
 James Phelan which will and testament has
 been duly proved and admitted to record
 in this court they are named as the Executors
 of said will that the said John Phelan &
 James Phelan possessed of certain real and
 personal estate consisting chiefly of land
 and all of which are of the State of ...
 and to be worth about \$5000 Dollars and in
 the above mentioned that your petitioner John
 Phelan is an inhabitant of this State of ...
 Phelan is an inhabitant of the State of ...
 James Phelan is an inhabitant of the State of ...
 and in manifest disregard of the law
 to own serving as Executor. To the end
 thereof that the said property may be
 collected and preserved for those who
 shall appear to have a legal interest
 therein and the said will executed accord-
 ing to the request of the said testator your
 petitioner prays that your Honor will
 grant Letters Testamentary to them as
 Executors of said will and testament with-
 out coming into bond they being suffi-
 ciently released released from giving bond
 by said will

James Phelan
 John Phelan
 James Phelan
 John Phelan

Will of ^{John B} B Smith deceased
 I, J. B. Smith, of the County of Jefferson and
 State of Alabama, being of sound mind and me-
 mory, do make public and declare this to be
 my last will and testament.

That I do hereby declare that my body be decently
 buried at my burial place that my friends
 may think proper.

That I do hereby will and desire that all my net
 assets of here to my last be paid as cash as
 convenient after my death.

That I do hereby will and desire that all my real estate
 and all my personal property of every kind
 and all my money in hand and accounts
 due to me be given to my husband
 John B. Smith.

In presence of my hand and seal this
 20th day of February 1875 J. B. Smith

The above will was signed by J. B. Smith as
 her last will and testament in our presence
 and we do hereby sign our names witnesses
 thereto at her request and in her presence
 and in the presence of each other this 20th
 February 1875

J. B. Smith
 M. A. Smith

The State of Alabama I John B. Morris
 Jefferson County Judge of the Court of
 Probate in and for said County and do
 hereby certify that the within instrument
 of writing had this day in said Court and the
 foregoing as the Judge thereof been duly proven
 by the proper testimony to be the genuine last will
 and testament of J. B. Smith deceased and
 that said will together with said proof there-
 of have been duly recorded in my office
 in Book of wills Page 474

(Seal)

In witness of all which
 I have hereunto set my hand
 and the seal of said Court
 this August 17th, 1875
 John B. Morris
 Judge Probate Court

State of Alabama Probate Court of said County
 (Jefferson County)

That will and testament of J. B. Smith deceased
 before me for last deceased subject of the
 Court of Probate for said County and in open
 Court William B. Smith who being duly sworn of
 said Court did and depose and say that he
 was a subscribing witness to the instrument of writing and
 shown him and which appears to be the last
 will and testament of J. B. Smith deceased in
 and out of this County that said will was
 signed and subscribed said instrument on
 the 20th day of February 1875 and that he saw
 to the last act and testament and that he
 put it to his signature thereto together with J. B.
 Smith on the day the same became a subscribing
 witness to the same in the presence of the said J. B.
 Smith and that said testator was of sound mind
 and disposing memory such in the opinion
 of deponent further capable of executing her
 will at the time the same was so made as af-
 foresaid. Deponent further states that said tes-
 tator was on the day of the said date of said
 will of the full age of 21 years and upwards
 W. B. Smith

Last will and Testament of Calvin Waldrop deceased
In the name of God amen

I Calvin Waldrop of the County of Jefferson State of Alabama
being of sound mind and disposing memory but knowing the uncertainty
of all things earthly do hereby make publish and declare the following to
my last will and testament at the same time revoking all other wills
by me heretofore made

Item 1st I leave my soul in the care of a merciful God hoping
believing in the resurrection from the grave and a reward in a world
to come my body I wish buried as my friends may see fit

Item 2nd I wish all my just debts to be paid as soon after my de-
cease as may be practicable for that purpose my executor is hereby
authorized to sell any of my perishable property which he and my
loved wife Nancy Waldrop may think best or that can be
disposed of from my farm

Item 3rd I hereby will and desire after my debts shall be
been paid that all the remaining property of which I now
die seized and possessed should be kept together for
the use and benefit of my beloved wife Nancy and for
the education & maintenance of my children for a
space of ten years after my death Land Stock & all
other property of whatever kind or character I now
die seized and possessed & during said term of ten years
I should any my children may in that case my
executor & my wife is hereby authorized to make a de-
vise or agreement to said child or children keeping a strict
account of the same (whoever thus many) this to be
a final division of my estate must be charged as
an advancement and at the expiration of said ten
years as aforesaid I desire all my property Real
and personal which may be remaining at that time
to be equally divided (if possible) among my lawful
heirs just as the laws of the State of Alabama has made
and provided but if it should be impossible
to make an equitable division of said property then
in that case my will is that my executor proceed to
sell said property and make division among my law-
ful heirs according to the laws of the State of Alabama

Item 4th I hereby appoint my relation J. Waldrop
to be my Executor of this my last will and testament
Given under my hand and seal this 10th day
of November A.D. 1863

Signed & sealed in the presence of J. Waldrop
Calvin Waldrop Seal
Sundry Adams

State of Alabama } I John C. Morrow Judge of the
 Jefferson County } Court of Probate in and for said
 County and State do hereby certify that the within
 instrument of writing has this day in said Court and
 before me as the Judge thereof been duly proven by
 the proper testimony to be the genuine last will
 and testament of Calvin Haldrop deceased and
 that said will together with said proof thereof
 have been recorded in my office in Book
 of Wills Page 477

In witness whereof I have
 hereunto set my hand and the
 seal of the said Court this 3rd
 day of August 1870
 J. C. Morrow
 Judge of Probate

Testimony

State of Alabama } Probate Court of said County
 Jefferson County }

In the matter of the Probate of the last will and
 testament of Calvin Haldrop deceased

Before me John C. Morrow Judge of the said Court personally
 appeared in open Court Lindley Adams who having been
 by me first duly sworn and examined did read and de-
 pose and say on oath that he is a subscribing witness
 to the instrument of writing now shown to him
 which purports to be the last will and testament of
 Calvin Haldrop deceased late an inhabitant of the
 County that said Calvin Haldrop since deceased
 signed and executed said instrument on the
 the same bears date and declared the same to be his
 last will and testament and that affiant and
 Haldrop set their signatures on the day the same
 date as subscribing witness to the same in presence of
 said testator. That said testator was of sound
 mind and disposing memory and in opinion of dep-
 osant fully capable of making his will at the
 the same was so made as aforesaid. and affiant
 further states that said testator was on the day of
 said will of the full age of Seventy one years and
 upwards

Subscribed and sworn to
 this 3rd day of August 1870
 J. C. Morrow
 Judge of Probate

Lindley Adams

State of Alabama } I John C. Morrow Judge of the
 Jefferson County } Court of Probate in and for said
 County and State do hereby certify that the within
 instrument of writing has this day in said Court and
 before me as the Judge thereof been duly proven by
 the proper Testimony to be the genuine last will
 and testament of Calvin Haldrop deceased &c.
 that said will together with said proof thereof
 have been recorded in my office in Book
 of Wills Page 477

Seal

In witness of all which I have
 hereto set my hand and the
 seal of the said Court this 3rd
 day of August 1870

J. C. Morrow
 Judge of Probate

Testimony

State of Alabama } Probate Court of said County
 Jefferson County }

In the matter of the Probate of the last will and
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Before me John C. Morrow Judge of the said Court personally
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 Calvin Haldrop deceased late an inhabitant of the
 County that said Calvin Haldrop since deceased
 signed and executed said instrument on the
 the same bears date and declared the same to be his
 last will and testament and that said Calvin Haldrop
 at the time he signed and executed said instrument
 was of sound mind and disposing memory and in opinion of dep-
 ent. fully capable of making his will at the
 the same was so made as aforesaid. and said affiant
 further states that said testator was on the day of
 said will of the full age of twenty one years and
 upwards

Subscribed and sworn to
 this 3rd day of August 1870

J. C. Morrow
 Judge of Probate