

such item as he shall have received shall be deducted from this item -
 Item 3rd - I will and bequeath to my son Samuel my silver watch one half of my Carpenter
 and one half Smith Tools. One horse or mare, bridle and saddle. The horse or mare saddle
 and bridle to be worth ninety dollars provided that if he shall receive either of these
 items from me before my death then that such item shall be deducted
 Item 4th - I will and bequeath to my beloved wife Nancy all my property & estate
 (not included in third and fourth items of my will) of every description both real and
 personal which may be left after paying out all my just debts, my funeral ex-
 penses & the necessary Court & Administration charges including my lands & negro
 horses & oxen, stock of Hogs & cattle, farming tools & books, household & kitchen furniture
 all debts which may be due me & all monies which I have on hand & all
 other articles which may be on hand at the time of my death not mentioned
 in this item to be held by her and to her separate use during her lifetime
 in order that she may be able to live comfortably & independently the re-
 maining portion of her life time and also that she may be able to give
 to our younger children who may be still living with her proper and
 suitable & shocking according to her judgement subject however to the
 provisions I shall make hereafter in the 6th and 7th items of my will
 Item 5th - As my three eldest children who have married have received about
 equal liberations and each a Featherbed One & half. I will bequeath that my youngest
 children each who may marry or become of age after my death shall receive each
 one Featherbed & one Cow and calf or thirty Dollars in money if my wife shall
 prefer paying them the money this amount to be paid them out of my estate
 as they become of age or marry & shall receive such education as my wife
 shall think proper to give them - Item 6th - I will and bequeath
 that at the death of my wife after paying such debts as may be contracted
 for her necessary support & funeral expenses that all my property both real
 and personal shall be sold to the highest bidder at public auction by
 my Executor and be equally divided between my children as follows (viz)
 John T. Nancy M. Samuel E. Sarah G. William H. Martha E. Margaret H. Mary A.
 & Melburn G. each share and share alike with such alterations as the pro-
 visions of the eighth article of my will shall make for the benefit of the
 heirs of my daughter Amy E. - Item 8th - This my will that none of my
 property shall come into the hands of William A. Hodgson husband
 of my daughter Amy E. and it is my will that in the event that he shall
 not be living at the time of the division of my estate after the death
 of my wife that my daughter Amy E. shall draw and have one share
 of my property the same as my other children but that in the event
 that he shall be living then and in that event I will that that the
 children of my daughter Amy E. shall have and receive such share
 of my property as would otherwise be drawn by my daughter and that
 such share shall be equally divided between them said children of
 daughter Amy E. as they shall become of lawful age. Such money
 to be loaned out at interest by my executor until such time as said heirs
 shall become of lawful age - Item Ninth - I appoint my friend
 Alexander Gordon my executor of this my last will and testament signed
 sealed in the County of Clarke & State of Alabama and published as my
 last will and testament on this the twenty eighth day of April in the
 year of our Lord one thousand eight hundred and forty eight. Witness
 my hand and seal with my seal - Samuel T. Gordon
 Signed, sealed & acknowledged and published after being read over on
 the day and year above written in the presence of Lillian Post
 Lillian Post

Last Will of Mary and Paul
 Decedent
 Marengo County Alabama 7 July 1852
 This is to certify that I Benjamin & Paul, in the presence of E
 Henry, and J. M. Wood, and Samuel Watson that I and my wife
 and the two daughters have hereunder signed and sealed the
 proceeds of the sale of my debt also all my land to the best advantage public or private
 sale appropriate the money to the benefit of my wife and children My household
 and kitchen furniture is at the discretion of my wife my horses and tools to be
 sold as before said
 B. & P. Rawls
 Assent in the presence of
 J. M. Wood.
 Samuel T. Watson
 J. M. Wood.

Notable Court Marengo County - July Term 2 Term

12 day of July 1852

This day came Elphaz Rawls and proposed the within instrument
 for probate as the last will of Benjamin & Paul decedent and Samuel Watson
 and James S. Wood, being sworn depose and say that said instrument was signed by
 said testator and published as his last will on the day of July date, in their presence
 and that of Samuel Watson who attests the execution of the same, and that they solemnly
 signed the same as witnesses at his request and in his presence and that of each other
 and they further say that said testator was of sound disposing mind and
 memory. It is therefore ordered that said instrument be recorded as the last
 will of said Benjamin & Paul decedent.
 J. C. Brown
 Dep. Clerk of Court

Last Will of William W. Doss
 Decedent
 In the name of God amen.
 I William W. Doss being of sound mind but feeble
 in health and knowing the uncertainty of life
 do hereby this my last will. After death I recommend my soul unto my
 Creator who gave it and my body to the first benevolent owner it comes
 I give and bequeath unto my wife Effie Doss all of the property which
 she had at the time of her marriage with me also I give unto her one
 horse called Shanty and her saddle one trunk one clock and one flat
 one loom and gear to her forever I give unto my son Stephen H. Doss
 one negro man Church one woman Rebecca, but, Selah, Boy, Jane,
 boy Jesse, but add to him and his heirs and assigns forever
 unto my two sons William & George I give the following negroes Betty
 Ellen, Joe, Hannu, Simon & Sarah Ann to them and their heirs and assigns
 should they live to the age of majority but should either of them die
 before the age of twenty one or without lawful issue then
 and in that case the share of the deceased one shall go to the sur-
 vivor or to the heirs of the survivor and should they both die before
 they arrive at the age of twenty one or without leaving any lawful
 heir or heirs then and in that event all of the property belonging
 to them by me bequeathed shall be equally divided between
 Wm. S. Doss, Mary Ann Barber wife of William Barber & Mary
 Edistine Doss children of Stephen H. Doss to each of them or to the
 heirs of such of them as may be living at the time of the death of
 the said William Doss and George Doss my sons aforesaid and all
 of my property not herein disposed of shall be sold and after
 paying my funeral expenses and all of my just debt shall go to the
 support of my two sons William and George Doss And it is

further wish and desire that any time hereafter should my Executors have an opportunity to sell or dispose of so certain negro and Indian who has been in my care for sometime to do so and place the proceeds to the credit of my two sons William & George Doss. And I hereby appoint Benjamin D. Earley Executor to this my last will and Testament and Andrew for my two sons William & George Doss until they arrive at the years of Majority - In witness I have hereunto set my hand and seal this 12th day of November 1846. W. Doss Esq. Signed in the presence of W. B. Cleland, Emory S. Cade, John H. Cowart

Will of Robert Adams, Alabama Mangrove County. In my last will and Testament made August the 1st month day in the year of our Lord one thousand eight hundred and fifty two. I said that when I die my body be interred in a Christian land and in a Christian manner and my soul to find the great giver of Spirit. I will and bequeath all my real estate and personal property to my wife Frances Adams with the exception of enough of the Personal Property to pay my debts. But of the Personal Property just to pay the debts. I said that the tract of land I own be sold, but of the personal property pay the debts. That she Frances Adams keep the land and support my three children and her three children, until my three children die. Henry M. Beinn, Sarah E. Adams & Mary B. Adams become of age when they are of legal age, negroes a piece of land value as near as the nature of the case admit of. I also will that Anna D. Brough & Anna M. Williams be my Executors. Signed in the presence of E. Ballou, W. B. Bush, Robert Adams Esq. Henry D. Bryson, Probate Court October 18th 1852. The testimony of William B. Bush and Henry D. Bryson Mangrove County. One of the subscribing witnesses who being duly sworn Separately before a day that they were present & saw Robert Adams sign the within will by making his mark and publish the same as his last will & Testament & that he signed the same as witnesses together with E. Ballou the other witness in the presence of and at the request of said testator and they further say that said Adams was of sound & disposing mind at the time & that said will was Executed on the day of its date. W. B. Bush, Henry D. Bryson. Probate Court Mangrove County, October 18th 1852. Judge Emory presiding. This day came on to show the instrument propounded by Anna M. Williams as the last will of Robert Adams deceased and now comes the said Anna M. and also Henry M. & Sarah B. Adams sworn and sworn to by Henry M. & George Doss their Guardians ad litem And the said instrument being read and William B. Bush and Henry D. Bryson two of the subscribing witnesses being sworn & deposing that said instrument was signed and published by said testator in their presence & that E. Ballou the other subscribing witness on the day of its date and that they together with the said Adams signed the same as witnesses at the request and in the presence of said testator & of each other and that said Adams was of sound and disposing mind and memory. The Sheriff ordered that said instrument be recorded as the last will of said Robert Adams. Jas. A. Emory, Judge &c.

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Elijah of Mangrove In the name of God Amen: I Elisha Emory of the County of Mangrove and the State of Alabama, being of sound and disposing mind and memory. Reconsidered and undeluded by regarding the uncertainty of life do make public declaration this my last will and Testament. That I desire and direct that all my just due be paid. I now devise and bequeath to my beloved wife Martha S. M. Emory all my Estate both the real and personal, my property of whatever kind or description it may be, with all those that may be also all decedents, legacies or remainders to which said Estate may be come entitled those and enjoy their own proper uses and benefit and behest to her and those her heirs forever. I appoint my wife said Martha S. M. Emory sole executrix of this my last will and Testament. In witness whereof I have hereunto set my hand and affixed my seal this twenty ninth day of March A.D. 1852. E. Emory. Signed & sealed in presence of us the undersigned. We signing our names as attesting witnesses in the presence of said Elisha Emory and in the presence of each other. W. B. Bush, W. H. Ballou, J. Studenrich. Probate Court Mangrove County October 19th 1852. The testimony of J. Studenrich one of the subscribing witnesses to the foregoing instrument who being first duly sworn deposes and says that he was present on the day said instrument was signed and saw Elisha Emory the testator sign and publish the same as his last will and Testament that he wrote the will at the dictation of said Elisha and signed the same as a witness at the request and in the presence of the said testator that Henry W. Reese and W. H. Ballou the other subscribing witnesses were also present and attested the same as witnesses at the request and in the presence of the said testator. Witness further says that said testator was of sound disposing mind and memory. J. Studenrich. W. H. Ballou one of the other subscribing witnesses being duly sworn deposes that he was also present and saw the said instrument signed & published by said testator and signed the same with the other witnesses in the presence of and at the request of said testator. He further says that said E. Emory was of sound and disposing mind. W. H. Ballou. The foregoing testimony of J. Studenrich & W. H. Ballou was read over to and signed by them in my presence in and from Court. Jas. A. Emory, Judge Probate Court Mangrove County October 19th 1852. This day came on to show the last will of said deceased and Martha S. M. Emory the proposed executrix by Emory and the minutes here appearing by said J. Studenrich have read and attested and deposing to the Court from the testimony of said Studenrich & W. H. Ballou that said instrument was signed and published by said testator as his last will in their presence & that of Henry W. Reese the other subscribing witness on the day of its date that said testator was of sound disposing mind and memory and that they and the said Henry W. Reese signed the same as witnesses at the request and in the presence of said testator. It is therefore ordered that said be recorded as the last will and Testament of said Elisha Emory. Jas. A. Emory, Judge &c.

Will of
 Levi M. Gageby
 State of Ala. Marriages County
 Now whereas life being uncertain and as there is somewhat of an
 unsettled account between my self and my brother Saml. Gageby
 and for their good reasons I do will and bequeath unto my said brother Saml. Gageby
 after just paying my just debts all my property both personal and Real. I do
 hereby appoint my brother Saml. Gageby my executor and furthermore I do
 declare the above to my last will and Testament. In Testimony whereof I have
 hereunto set my hand and seal this 23rd May 1845. - Levi M. Gageby
 Test: Thomas Huggins, J. C. Dubois, J. N. Dubois.

Probate Court Marriages County October Term 1852. In the matter of the
 last will of Levi M. Gageby. Before me James A. Young Judge of Probate said
 County appeared James N. Dubois and Joel C. Dubois two of the subscribing witnesses
 to the foregoing instrument who after oath duly administered. Severally depose and
 say that they attested said will and to the best of their recollection and belief saw
 the same signed and published by the said Levi M. Gageby on the date of it
 that the same was also signed by Thomas Huggins the other subscribing witness
 now deceased and that according to their recollection they all signed the same
 in the presence of and at the request of said testator of each other and they
 further say that they believe the said testator was of sound mind and disposing
 mind at the time so they would not have signed the same as witnesses
 if he had been. J. C. Dubois.

State of Ala. Probate Court October Term 1852.
 Levi M. Gageby. This day came Samuel M. Gageby and likewise came Sallie
 M. Gageby, William H. Gageby and John Gageby all of the
 County of Marriages being of said deceased by Henry A. Wood of their guardian
 ad litem and appearing that said Levi M. Gageby has communicated with me
 James M. Dubois one of the said Samuel M. the probate of the instrument
 heretofore pronounced as the last will of said deceased is heard and it
 appearing from the testimony of James N. Dubois and Joel C. Dubois
 two of the subscribing witnesses to said instrument that the same was
 signed and published by said deceased on the day of its date as his last
 will. who is now deceased and disposing mind and memory at the time
 and that they together with Thomas Huggins the other subscribing
 witness who is now dead signed the same as witnesses in the presence
 of and at the request of said testator. It is therefore ordered by the Court
 that said instrument be recorded as the last will of said Levi
 M. Gageby. - James A. Young Judge of Probate.

Will of
 Levi M. Gageby
 State of Ala. Marriages County
 In the name of God Amen. I Levi M. Gageby of the County
 of Marriages State of Alabama being feeble in health but of
 sound and disposing mind memory and understanding do make
 publish and declare in my last will and Testament hereby revoking
 and annul all former wills and Testaments by and heretofore made. My will
 is that my said estate and just debts shall be paid by my
 executor hereinafter named. The residue of my estate which shall not be
 required for the payment of my just debts & the expenses attending the execution
 of this my will I give devise and bequeath as follows to wit: I give devise
 & bequeath the whole of my said lands and negroes stock and all
 whether Real or Personal of which I shall be Seized and possessed
 to my beloved wife Elizabeth Gageby Conditioned as hereinafter mentioned
 in fee Simple forever But it is my will and bequest that

she beloved wife Elizabeth Gageby shall and so that with the whole of my said
 estate both real personal and mixed be equally divided between her and our child
 or our children children share and share alike each my beloved wife & children taking
 one share. And I do command and appoint my son James A. Gageby to be the
 sole executor of this my last will and Testament. In testimony whereof I the said Levi
 M. Gageby have hereunto signed my name and fixed my seal this 10th day of
 1st June 1852. Levi M. Gageby. Signed sealed and delivered
 by the said Levi M. Gageby to his last will and Testament in presence of us
 who at his request in his presence have subscribed our names as witnesses
 hereunto in presence of each other. Hesteriah Nettles. Samuel D. Carter. J. C. Dubois
 Probate Court Marriages County. Before me James A. Young Judge of said
 County personally came Samuel D. Carter in open Court and upon oath duly
 administered testifies and says that he is one of the subscribing witnesses to
 the foregoing instrument and that the same was signed by Levi M. Gageby
 and by making his mark and published as his last will and Testament
 on Monday the 10th day of June in the presence of said deceased and also of
 J. C. Dubois and Hesteriah Nettles and that he as witness and the said
 Dubois & Nettles all signed the same as witnesses in the presence of and
 at the request of the said testator. Deponent further says that he is a
 practicing Physician and that said testator was at the time of signing
 & publishing said will of sound mind and disposing mind and memory.
 Samuel D. Carter.

And Joel C. Dubois being duly sworn deposes as follows. I heard in
 the foregoing testimony of Samuel D. Carter as to the execution and
 publication of the last will of Levi M. Gageby and as to his being
 at the time and saw the said will signed by the said testator &
 Hesteriah Nettles the other subscribing witnesses in the presence
 of said testator. J. C. Dubois.

State of Ala. Probate Court October Term 1852.
 Levi M. Gageby. This day came James A. Gageby and Joel M. Gageby
 de? Samuel M. Gageby and Joel M. Gageby minors by
 Henry A. Wood their guardian ad litem and the instrument pronounced
 by the said James A. as the said will of said deceased being heard
 and it appearing from the testimony of Samuel D. Carter and Joel
 C. Dubois two of the subscribing witnesses that said instrument
 was signed and published by said deceased on the day of its date
 as his last will and was of said and disposing mind and memory
 and that they and Hesteriah Nettles the other subscribing witnesses
 signed the same in the presence of and at the request of said
 testator It is ordered that the same be recorded as the last will
 of said Levi M. Gageby. - James A. Young Judge &c.

by said Pardon for said land or such part thereof as may remain unsold or sold at my death and the said trustee is authorized to use and employ the interest arising from said money in the support and education of said child and said the principal upon their attaining said age is to be equally divided between them with my land and said this 2^d day of July 1847. *Julius C. Parris* *Geo. W. Parris* *Ed. W. Parris*
Paul Morris *George Hammell* *J. B. Parris*
 The foregoing bill and evidence admitted to Probate on the testimony of George Hammell & J. B. Parris May 28th 1851. In Attest Judge of Probate M. C. C.

Will of Susan Bryan
 State of Alabama Maunget County
 I Susan Bryan of the State and County aforesaid being in a sound State of mind memory & without duress herein this my last Will and Testament that is to say: First I give and bequeath to my daughter Elizabeth B. Smith my negro woman Charlotte next I wish the negro girl Mary take hand out until the proceeds of her hire pay all demands against me then the said negro girl to be valued by three respectable Judges and my son Lewis I Bryan to have said girl and pay to my son Andrew S. Bryan one half of the value of said girl as money I give and bequeath to my son George H. Bryan my negro boy Nelson & his bed and furniture I give and bequeath to my daughter Mary S. Thompson the Bed & furniture. I leave my daughter Mary S. Thompson to have the sum of one dollar and my daughter William S. Bryan one hundred dollars and my son William S. Bryan one dollar and my son Frederick S. Bryan one dollar and my son Andrew S. Bryan one dollar - my daughter Susan E. Collier the sum of five dollars or her hire I give and bequeath to my daughter Elizabeth B. Smith my old blind negro woman Lucy who she is fit to take care of and maintain during her life I also give to my daughter E. B. Smith all the property belonging to me not before mentioned consisting of stock horses tools & kitchen furniture &c. I do hereby revoke and disannul all every other will and testament and every other testamentary act and my last will and testament. In witness whereof I have hereunto set my hand and seal this twenty first day of January 1852 (Signed)
 Susan Bryan
 Of L. Maudlin & S. Sledge
 Probate County

Maunget County
 The testimony of Maudlin one of the subscribing witnesses to the will of Susan Bryan deceased who being first duly sworn that he was present on about the 21st day of January 1852 and saw Mrs Susan Bryan sign said instrument and declare the same as her last Will & Testament and that he and S. Sledge the other subscribing witness signed the same as witnesses in her presence & at her request in the presence of each other and that said Susan was at the time of said and disposing mind & memory to the best of his judgment and belief and certifies further that he read the will according to the directions of said Susan and read the same over to her
 Attest J. H. Spring Judge of Probate
 Probate Court Maunget County
 January Term 1853
 J. Maudlin
 The Probate of the instrument performed as the last Will

of Susan Bryan deceased coming in to be heard this day and it appearing to the satisfaction of the Court that publication has been made for six weeks in the Andrew Jefferson and for the now resident here to appear & contest & that citations to the resident heirs have been duly served and it further appearing from the testimony of S. Sledge & Maudlin that said instrument was signed and published by said Susan Bryan on the day the same benedict as her last Will and Testament in the presence of said Maudlin and of S. Sledge the other subscribing witness and that he the said Maudlin and the said Sledge signed the same as witnesses at the request and in the presence of testators and that she was of sane and disposing mind and memory. It is therefore ordered by the Court that said instrument be entered of record as the last will and Testament of said Susan Bryan deceased
 In Attest Judge of Probate

Will of Elizabeth Curtis
 State of Alabama Maunget County
 In the name of God Amen, Elizabeth Curtis of the County and State aforesaid being of full age and sound mind & without duress or fraud herein this my last Will and Testament in manner and form as follows to wit: Item 1st All my just debts to be paid: Item 2^d I will and bequeath unto my daughter Elizabeth Agre the her share of my negro man Martin & the woman Sarah they are to be valued and taken at a fair valuation also her share and furniture also money to make her share equal to one fourth of my Estate the said not to be valued = Item 3^d I will and bequeath unto my son Charles Alston a negro man Phelix & his man a boy aged about 9 years the same to be valued & the said Alston to pay to my daughter what amount their valuation may amount to one fourth of the value of my Estate after paying all debts and expenses = Item 4th I will and bequeath unto my daughter Sarah Martin the her share of my old blind negro girl Lucy who she is fit to take care of and maintain during her life the said girl to be valued also money to make her share equal to one fourth of my Estate Item 5th I will and bequeath unto my daughter Maudlin & Mary they have a negro woman to be valued the said Mary to have clothing to be valued between my daughter Sarah Martin & Maudlin & Mary also money equal to one fourth of my Estate = Item 6th I will and bequeath unto the heirs of my son James Alston five Dollars unto the heirs of my daughter Sally Watkins five Dollars and unto the heirs of my daughter Mary Alton five Dollars unto the heirs of my daughter Mary S. Thompson five Dollars to each is all I wish them to have of my Estate Item 7th I wish my will that my property be equally divided after paying the Legacies necessary expenses &c between my son Charles Alston & my daughter Elizabeth Agre Sarah Martin & Maudlin & Mary the heirs of my son to be valued = Item 8th I hereby constitute and appoint my friend Henry H. Hatch my Executor to this my last Will & Testament in witness whereof I have hereunto set my hand this 12th day of January 1852
 Elizabeth Curtis
 Attest J. H. Spring Judge of Probate
 Probate Court
 December Term 1852
 Maunget County
 The Probate of the foregoing instrument purporting to be the last Will of Elizabeth Curtis deceased coming in to be heard this day and Henry H. Hatch and S. Sledge two of the subscribing witnesses being sworn testify in open Court and solemnly swear that they were present on the day said instrument was made and saw the said Elizabeth Curtis publish and sign the same as her last Will and Testament

Probate Court Maricopa County December Term 1913

Euzakia burtii decurva, J. A. Young, Judge & C.

Dec^r 3 publish and declare our last will and testament

Probate Court 3rd March Term 9th 1853.
 Wm. Co. 7. The probate of the last will of William Cade
 dec^d coming on this day and doct^r J. M. Prince one of
 the subscribers upon and says that said instrument was
 published by said William Cade as his last will and testamen^t
 in his presence & that of William E. Clarke the other subscribing
 witness that said William Cade, name was seized thereto, by
 William E. Clarke at the instance & request of said testator and
 that he the deponent and said Clarke signed & attested the same
 as witnesses, at the request and in the presence of said testator
 and in the presence of each other, upon the day he said
 was said to, & deponent further says that said testator was,
 to the best of his belief, sane and disposing mind and
 memory J. M. Prince. It is therefore ordered by the Court
 that said instrument be recorded. Recorded as the last will
 & testament of said William Cade, deceased, J. G. Mungridge,
 filed by W. E. Clarke atty. January the 15th 1853 J. T. C. v. g.

In Writhe of
Levi H. Hester
Sec^d
 Know all men by these presents that I
 Samuel Washfield Woolen of Ware County
 and State of Alabama being of sound Mind
 and Memory do make & publish this my last Will and
 Testament. It my wife Susan Elizabeth. I give and devise
 unto my said wife Phyllis and twelve hundred dollars in cash or
 if she prefer it. She can have as for and equal share of my
 Estate after my executors shall have settled and disposed of the
 said debt under the direction hereinafter contained.
 I ordain and appoint Doctor Edmund C. Dennis my and
 Nathl. Woolen and my brother Richard Hester as Executors of the
 said will. The Court shall not require them or either of them
 to give security - nor shall they be required to obtain an order
 from the Court to make any sale or any part of my Estate -
 but I hereby invest them with full power to make sales if in
 the exercise of their judgment they may think it for the best
 or their good interest of the heirs so to do and lites to any property
 sold by them shall be taken and deemed as good without any
 order from the Court and if they my executors may think
 it best not to. So that my estate they have full power to make

And the arrangement and in one word to manage my estate both Real personal and mixed as may seem to them best for the interest of my creditors and heirs reserving in all cases the privilege to my wife if choosing one or the other of the promises made for her. I desire my Executors in case they should think it best to keep the property together to educate the minor children out of the common fund or property and in the event of their selling and making division of the property to give to the minor children an amount that in their opinions may be sufficient to educate them. Her aged above their equal share with the adult children and in the event she chooses chose an equal share with them. In case of the death of any of my children before arriving at maturity, I desire the share of such child or children to be equally divided among my own remaining children, in testimony whereof I have hereunto set my hand and seal, and published and this my last will and testament, in the presence of the witnesses signed below this 10th day of August in the year of our Lord 1852. James W. Woolen.

The above instrument was subscribed by James W. Woolen in the presence of each of us, and was at the same time declared by him to be his last will and testament and he requested, and we his presence signed our names thereto, as attesting witnesses, Alexander M. McDowell, Andrew Peckett, Joseph B. Peckett.

Estate of James W. Woolen. Probate Court December, 1852.
 "Woolen died" The day came on to be heard the Probate of the instrument, pronounced as the last will of said James W. Woolen, died, and now comes the said Richard Taylor, Jeremiah C. Dumas and Wyatt Woolen Executors thereon named, and also the minor heirs by J. M. Boyd Esq. the guardian ad litem to defend for them, and it appearing to the court by the testimony of Alex. M. McDowell one of the subscribing witnesses that a said instrument was signed and published by the said James W. on the day of its date and was attested and signed by him and Joseph Peckett and Andrew Peckett the other subscribing witnesses in the presence and at the request of said J. W., and that he was of sound mind at the time. It is ordered that said will be admitted to record, that letters testamentary issue thereon, and it appearing that by the directions of said will, the said Executors shall not be required to give bonds. And the said Richard Taylor, Jeremiah C. Dumas and Wyatt Woolen having qualified before the court. It is ordered that letters testamentary issue to them accordingly.

John H. Young
 Judge

Estate of A. S. Blank. Probate Court November 1852.
 "Blank died" This my last will and testament I leave and bequeath to my brother Edwin Blank all and every thing which I possess, own, including also a gold watch which I left with Francis Blank, when I was in Mississippi last year. I also request my brother Edwin Blank to pay all my just debts, the said above named A. S. Blank, attest A. Kendrick, E. D. Kendrick, Alex. P. Blank.

Testimony of Alexander P. Blank, one of the subscribing witnesses to the will of A. S. Blank, he being first duly sworn says that he was present on the day the same bears date and saw the said A. S. Blank sign and publish the same as his last will and testament and that he and Anderson Kendrick, E. D. Kendrick and James Sullivan signed the same as witnesses in the presence and at the request of said testator. For each other, I depose further says that Depment further says that said testator was of sound mind. Alex. P. Blank.

Probate Court. It appearing to the satisfaction of the Probate Court that publication has been made in the Linden Jeffersonian published in Meriwether County for three successive weeks for the reasons herein, and the execution publication of said instrument by A. S. Blank, on his last will, proved by the testimony of Alex. P. Blank, it is ordered that the testimony and instrument be received as the last will of said A. S. Blank, died. J. H. Young Judge.

Estate of Jane S. Price. Probate Court November 1852.
 "Price died" I Jane Price of Meriwether County in the State of Alabama, being sick and weak of body but of sound and disposing mind memory and understanding, and during the illness of my death and the uncertainty of the time, I resolved to the end that I may be the better prepared to leave this world when it shall please my God to call me hence, have now determined to do so, what disposition shall be made of my property after my decease and after maturity considering the circumstances and disposition of all those among whom I may have at said or the fulfil of my gratitude and affection my property and estate should be distributed. I do make publish and declare this my last will and testament, hereby revoking and making null and void all former last wills and testaments, also giving and bequeathing the name of said wills and testament, by me heretofore signed, and my will is first that after my decease my body shall be decently buried without ostentation or unnecessary expense, and that my funeral charges and just debts shall be paid by my executor hereinafter named, and as to the residue of my estate and property I do not be required for the payment of my debts general or charges and the expenses of my and about the execution of this my will. I give, devise and dispose thereof as follows, viz. I give and bequeath to my daughter Caroline and her heirs my negro girl Mary and my own chair. Item 2^d I give and bequeath to my daughter Sarah and her heirs a note which I hold on my son Reese Price for the sum of eight hundred dollars payable on the first of January next also my own table and bed. Item 3^d

I give and bequeath to my grand daughter Jane Simpson and her heirs my little negro girl Sarah. I give and bequeath to my grand son Daniel Robins and his heirs my negro man Arthur in condition however that said Arthur shall not be taken out of the county and thereby separated from his wife and children - I give to my son William my negro boy Dick. I give to my son George Simpson my negro boy Doby my eldest. I give to my sons Isaac Henry R and Rice each one dollar. I give the balance of my property what ever it may be not hereinbefore disposed of, I will to be equally divided betwixt my two daughters Caroline Doby and Louisa I disavow and I do hereby annul and appoint these Rice and George Simpson Executors to this my last will and Testament. In testimony whereof I have hereunto set my hand and seal. This 15th of October 1833. James Paine. Deed in presence of J. M. & Alexander. J. A. Patrick. J. S. Doby. The testimony of J. M. & Alexander one of the subscribing witnesses to the foregoing will taken in open court before the Probate Court March 21st held March 21st 1833 who being first duly sworn say that he was present and saw J. M. Paine sign seal and publish the foregoing instrument as his last will on the day the same was taken in open court at J. A. Patrick and J. S. Doby the other witnesses that he and the other witnesses corroborate the same in the presence of the said J. M. Paine and of each other at his request. J. M. Paine being sworn says he is a practicing physician and that J. M. Paine has a full and complete understanding and will of the contents and meaning of the said instrument and will execute the same as his last will and Testament. The probate of J. M. Paine's will commenced March 21st 1833. This court appeared to the probate at the time and place said Probate has been advertised for three successive weeks in Standard Jeffersonian published in Manner County for the year 1833. On this day comes Geo. T. S. Doby the executor named in said will and by Henry A. North Esq. their grand attorney and the executor of said will being sworn to the satisfaction of the court by J. M. & Alexander one of the subscribing witnesses. It is ordered by the court that said instrument be allowed as the last will and Testament of said J. M. Paine and that the same be probated.

Estate of James Paine J. James Paine of the county of and State of Alabama, do make public and declare this my last will and Testament in manner following. I will that I do my will and desire that all my just debts be paid. I will further more will that all my property and estate be and should be kept together for the use support & benefit of my wife and children until my youngest child attains the age of twenty one years and further if necessary until the death of my wife and when my youngest child shall attain a lawful age as aforesaid I wish that it is my will and desire that my property and estate should be equally divided among my four children then living and the lawful heirs of any of my children that may have died in the mean time the heirs of my deceased child to take the same share as if he had been living and until he or she is a minor child shall remain a lawful age as aforesaid. It is my wish that all

my children who may think proper to remain with the family and be supported from the use of my estate. I do hereby appoint my son Wm. Cambridge and James Cambridge Executors to this my last will and Testament and have them sworn without the necessity of obtaining the order of court to sell my personal property or produce of my farms as aforesaid for the benefit of my family aforesaid. I will to avoid all misunderstandings and misconstructions. my will is that there be no division of my estate until the death of my wife and until my youngest child attains the age of twenty one. I hereby revoking all heretofore made by me and declaring this to be my last will and Testament. Witness my hand and seal this 30th day of July 1833. James Cambridge. James Cambridge John Robinson. All his children. W. H. Hays. - The above will of James Cambridge as witnessed to probate the 19th day of May 1831.

Estate of James Cambridge Probate Court May Term A.D. 1831. - This day came on for hearing the probate of the instrument filed in court as the last will and Testament of James Cambridge deceased. A.D. 1833. And Wm. Hays one of the subscribing witnesses being duly sworn depose and said that he saw seal and published said instrument as his last will and Testament on the day the same was taken in his presence and that of John Robinson & C. Hays the other subscribing witnesses and that said deponent and the said Robinson & Hays attested the same. He is present of said deponent and at his request and in the presence of each other and depose further that said testator was of sound and disposing mind at the time of the execution of said instrument and the record and record of the court of said Cambridge and that all the same therein and court approved - J. C. Hays judge &c.

State of Alabama Manner County - Last Will & Testament - At the residence of C. H. Hays 19th of Sept 1833. But it shews to all persons concerned that on the nineteenth day of September one thousand eight hundred and thirty three that Margaret B. Devote wife of William I. Devote did call the undersigned to her bed side and did then and there signify her desire to make a will and no objections being interposed did make a verbal will as follows. It is my desire and I so will it to my beloved husband William I. Devote all my estate of whatever description to have and to hold the same during his natural life and there were the provisions of her last will devised on her death bed at the house of C. H. Hays in the hearing and presence of J. M. Paine. The fourth line from the top one the letter B is interlined. Said C. H. Hays Cornelia H. Devote. Charles H. Devote. His left 21st 1833. **Estate of Margaret B. Devote** - This day came Wm. I. Devote and presented to the court the written apmt of all the legal heirs of said decd. to the probate & establishment of the instrument proposed as the intestate's will of said decd. & it appearing that said heirs are of full age & the due execution of said instrument being made appear to the satisfaction of the court. It is therefore ordered and decreed that said instrument be received as the last will of said decd. and that letters of administration with the will annexed be granted to the said William I. Devote on his entering into bond in the sum of two thousand dollars. J. C. Hays judge &c.

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 Minor W. Gray's
 Last Will & Testament
 I Minor W. Gray of the County of Monroe & State of Alabama do make public & declare my last Will & Testament in writing & from following to wit: In First it is my Will and desire and I hereby direct that any debt due to me at the time of my death be immediately paid; As to the disposition of my Estate Real and Personal I make the following persons. To my wife Mourning I leave I hereby Will devise and bequeath the sum of Fifty thousand Dollars out of my Estate and also two additional tracts my Household & Kitchen furniture plate &c and Carriage and Harness and servant Sacks. To my Nephew Lt. Col. N. Steel I give and bequeath the sum of five thousand Dollars To my Nieces Mary Adams Rebecca Howard Martha Gray Eliza Gray & Adeline Gray I will and bequeath the sum of twenty five hundred Dollars each and to my Nephew James Gray I give and bequeath a like sum of twenty five hundred Dollars. To my friend John Robinson the wife of John Robinson I give the sum of five hundred Dollars. All the rest and remainder of my Estate of every kind and description I give devise and bequeath to my Brother John I Gray and to my Sister Rebecca Hall and Mary Camus in equal parts or I have that is to say my brother and his sister named are each to have no kind part of said remainder As to the specified legacies herein and hereby bequeathed to my wife and to my Nieces I direct that they be lawfully paid by my Executors herein after named as soon after the 1st day of January 1854 as may be convenient to my Executors in the settlement of the affairs of my Estate but to be paid out of the said 1st day of January 1854. I hereby nominate and appoint Mourning I Gray Executrix and my friends Levi Mcawley and Francis S. Lyon Executors of this my last Will and Testament nothing any and all other Wills by me before made be testimony of all which I the said Minor W. Gray have hereunto set my hand and seal on this the sixth day of November 1853. in presence of the witnesses named (Signed) M. W. Gray Esq. Witness R. B. Montague H. W. Reed James D. Browder "Codicil"

Since making and signing the foregoing Will. It has occurred to me that it would be proper to make a more specific provision in regard to certain of my servants which my wife may prefer to retain. In reference thereto of are to Nancy Nelson Cutler & her children and Lucy and her children it is my will and desire that in the event my wife shall prefer to retain them as her property that she be allowed to do so as a part of the provision aforesaid made for her. These servants are to be valued by H. W. Reed R. B. Montague or my Executors & then valuation charged to my wife on account of the persons made for her out of my Estate and are upon such valuation to become her property. Witness my hand and seal this 6th of November 1853. M. W. Gray Esq. Witness Wm. H. Childers after the name of Lucy substituted before signing - H. W. Reed. Wm. H. Reed James D. Browder
 To the Honorable James A. Young Judge of the Probate Court of Monroe County Ala. Your Obedient Servant Francis S. Lyon

respectfully represent that Minor W. Gray late of said County died in said County on the 8th of November last (1853) leaving a last Will and Testament heretofore filed in said Probate Court in which Will given petitioners has been appointed one of his Executors. The said Minor W. Gray died leaving a widow Mourning I Gray who resides in said County John I Gray a brother who resides in said County South Carolina and Mary Camus a sister a widow who resides in said petitioners is informed in Whitwell Henderson Co in the State of Tennessee and Rebecca Hall a sister wife of John I Gray who resides as petitioners has been informed in Crumpton Tennessee. Samuel W. Steel a nephew son of a sister of Isidore who resides in Colerburg Abbeville district South Carolina and some brother and sisters of the said Samuel W. Steel who as given petitioners informed live at Oak forest Breckell County North Carolina & all the wards of one Dr. Adams of said Oak forest whose names are not known to given petitioners. Given petitioners has heard of others of us other heirs at law of the said Minor W. Gray die. And he respectfully prays that said Will be admitted to Probate. J. S. Lyon
 By his Atty. Atty. D. D. D.

Answers of Probate Court January 2nd 1854.
 The undersigned and distributees are legates under the last Will and Testament of Minor W. Gray mentioned to wit Mary Adams Rebecca Howard Martha Gray Eliza Gray and James Gray by them authorized ad delere William E. Clarke appear in open Court on this the 2nd day of January A.D. 1854 and deny the facts and alleg. set forth in the petition of J. S. Lyon this day filed in Court saying that the paper submitted as the last Will and Testament of said Minor W. Gray die may be admitted to Probate and pray that the Allegations set forth in said petition may be directly proved according to the Statute in such cases made and provided. (Signed) W. E. Clarke Guardian ad litem for said Minor.

Probate of Will In the matter of the last Will of Minor W. Gray deceased In the Probate Court of Monroe County at a law held on the first Monday and second day of January A.D. 1854. Testimony of Decker James D. Browder and John Gray It being one of the subscribing witnesses who being put duly sworn depose & say that they were present on the 8th day of November A.D. 1853 and saw Minor W. Gray sign & publish the said Testament purporting to be his last Will and the Codicil thereto annexed as his last Will & Testament that they signed the same in the presence and at the request of said Isidore together with Robert C. Montague the other subscribing witness to the will and that they subscribed the Codicil with W. H. Reed the other subscribing witness thereto in the presence of said Gray. They each other on the day the same bears date. They further depose that said Gray was at the time of signing & publishing said Will & Codicil of sound & disposing mind & memory. In of said Court James D. Browder W. H. Reed Attest James A. Young
 Estate of Minor W. Gray This day came F. S. Lyon and Levi W. Sawyer and were in the Court that the contents of the foregoing petition were read at the last Will of Minor W. Gray deceased be admitted & it being read it appearing to the satisfaction of the Court that the time and place of making the said Testament has been duly attested and it further appearing from the testimony of Henry W. Reed and James D. Browder two of the subscribing witnesses thereto that said Will and the Codicil annexed were signed and published by said Minor W. on the day they respectively bear date no other persons and

for Young Judge & Co

3 In the name Frederick A. Brown do
make and ordain this my last will and
testament in manner & form following (My
gave and bequeath to my Dear Beloved
all my tract of land lying in township
each to have and to hold during her natural
life for a home and support for my family
or. And after her death a marriage Shanty
(My) Pease Bartholl & Harriet. Rebecca
to their children after them. Continuing my
entirely aware I also gave and bequeath to
my son, two choice cows & calves, or two cows
entire stock of hogs to her and the Saps
I gave and bequeath to my Daughter
cows and calves, or the cows with worth of
bequeath to my Daughter Francis two cows &
of them. I gave and bequeath to my
son & father or the worth of them.

Probate be not to transfer. I am
Yours truly
John C. Calhoun

cc. B3 to H. Burge. L.H.
The State of Alabama

Alabama. { Probate Court December term 1853. To any Sheriff

Exhibit A - Patent for a Patent Term 1874 To the Hon. Secy of State

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 Estate of Frederick H. Brown. } Particulars. } October Term 1853.
 Brown. } Deed. }
 To Wm. A. H. Esq. You are hereby the
 Order of, notified that by Order of the Honorable James H. Brown
 Judge of said Court, at a Court held on the 17th day of October, 1853
 for the County of Monroe and State of Alabama, you were appointed
 guardian ad litem to defend the interests of Frederick H. Brown, Maria
 Brown, Martha Brown, John H. Brown, Daniel A. Brown, & Emeline Brown
 minor heirs of Frederick H. Brown deceased in a certain cause wherein
 and instrument purporting to be the last will of said Frederick H. Brown
 deceased, have been propounded for probate, the interests of which minors
 you are required to defend according to law. Witness James H. Brown
 Judge of said Court at Office. This 17th day of October, 1853.
 James H. Brown, Judge

I acknowledge some of the within notice and accept the appointment Oct.
The 17th/53. A. A. Proof God ad Libitum.

Estate of } Probate Court October the 17th 1858. The undersigned
J. H. Brown Decd. } duly appointed Guardian ad Litem for Frederick Brown
in the matter of the last } Francis Brown Martha Brown wife of J. H. Brown Harriet
Will & Testament of } & Brown & Ephrasia } Brown minor heirs of J. H. Brown
J. H. Brown } appeared to defend their interest in the matter of
the Will & Testament of an instrument on file in said Court purporting
to be the last will and Testament of Frederick J. Brown decd. came into
Court and for himself & said minors says that he denies that said
instrument is the last will and Testament of said J. H. Brown decd.
and prays the Court to require third and legal proof of the same.
Henry C. Woolf his atty.

Estate of John A. McCall } State of Alabama, Monroe County. I, Jonas
Diage McCall } House of the aforesaid State and County, being in
my proper mind, be in the presence and fear of God a sinner and make
this my last will and testament (viz) after committing my immortal
soul to God, who gave it and my body to the Lord from whence it
was taken it is my wish after my just debts are all paid that the
one of my other property be kept together, and that my farm be kept
up for the support of ~~my~~ family and education of my younger
children. I also wish for my Martha to live with the children until
supported out of the proceeds of the farm and during her natural life
I also wish that my labor remain with the family and be sup-
ported from the farm: until my youngest living child arrives by my first
wife shall arrive at the age of 16 years: at which time I wish all my
old and new equal distribution made to all my living heirs but in the
event that my widow marries or leaves the premises and makes her home
some where else, then and in that case she will forfeit all claim to any part
of a support from the proceeds of the farm until the time hereinafter
appointed for a division of the property. It is also my wish and I do hereby
appoint my son Richard House executor of this my last will & testament
with full power to carry into effect the above written will. And to take
the full charge and control of all my business in testimony whereof
I have hereunto set my hand and affixed my seal. This 11th July 1851
Signed Jonas McCall Not. C. C. Hayson James C. Hayson V. L. Attorney.
Testimony of C. C. Hayson one of the subscribing witnesses that upon
this day that he was present and saw Jonas McCall sign & publish

The annexed instrument, her last will, on the day of its date and that he and James H. Grayson & Thomas S. Alexander, the other subscribing witnesses, signed the same as witnesses at the request and in the presence of the testator, witness further says that the testator was of sound and disposing mind at the time. In Open Court, attested & signed, Judge &c. J. H. Grayson, Secy. Upon the foregoing testimony it is ordered that said instrument be entered of record in the last will of Isaac Rogers, Special Term Probate Court. Maryland, held 2nd Monday August 1852. James A. Young Judge &c. Filed Dec^r 8th 1853. James A. Young.

Still of Jacob Rhodes. } I Jacob Rhodes do hereby make and publish this
 My last will and testament. 1st I desire first that all my debts be paid.
 2nd I give devise and bequeath all my property real and personal to my
 Nephew Titus Rhodes. and to the children of my Brother Solomon Rhodes to
 be divided equally among them. 3rd I hereby constitute my Executor that he
 may proceed to finish my own house in Newport according to the
 plan which I have commenced. and after the same shall have been finished
 and if it is to be sold by him publicly on such credit as he thinks best.
 and I give the directions about my other real estate. I hereby appoint
 Oliver H. Prince my Executor. At witness my hand and Seal. This 1st October
 1853. Jacob Rhodes. signed sealed published and declared in the presence
 of three persons who have signed the same as witnesses in the presence of the testator &
 of each other all Breeding. J. & Richardson. 1st of Nov.
 Probate Court Maraga County held the 30th day of November 1853.
 The probate of an instrument produced as the last will of Jacob Rhodes
 Decd. Dated the 1st October AD 1853. coming in to be heard J. & Richardson
 one of the subscribing witnesses being first duly sworn depose and say that he
 was present on the day the same was made and saw Jacob Rhodes sign
 and publish said instrument his last will and testament in his presence
 and that of Alfred Britting & W. B. Brown. the other subscribing witnesses
 that he and the said Britting & Brown signed the same in the presence
 and the request of the said Rhodes. and in the presence of each other.
 He further saith that the said Rhodes at was at the time of sound and disposing
 mind. J. & Richardson; and upon the testimony of the said Richard &
 it is ordered by the Court that said instrument be entered of Record as the
 last will of said Rhodes. James & Young Judges. Filed in Probate
 November 1st 1854. J. & Young.

Hall of } South Carolina Sumpter District: In the name of God
 Wm. S. Bee & Revue of Charleston & County being of sound
 in body but sound and disposing mind do make and ordain this instrument
 as and for my last will and testament. I give bequeath and devise
 the whole of my estate real and personal of description to my ^{dear} wife
 Louisa Bee hereby nothing and all other wills or wills by me hereto-
 fore made and I hereby nominate and appoint H. Waters Recorder &
 M. Anderson Executors of this my last will and testament. Signed and
 sealed in the presence of us at the request of the testator. This the 6th
 day of July 1855. In testimony whereof I have hereunto affixed my
 hand and seal. W. S. Bee *Wm. S. Bee* Witnesses J. B. Maynard Thomas Waters
 J. & D. Green
 South Carolina } for ordinary. William Lewis Judge of the
 Sumpter District. } Court of Ordinary for said District in the State of South Carolina

do hereby certify that the above writing contains a true copy of last will and testament of William S. Cooke deceased. Witness my hand and seal of office this 20th day of December 1852. William Lewis Clerk.

Will of W. S. Cooke. I, Arthur Robertson a Commissioner residing in the State of Virginia, of the County of Norfolk, on the 15th day of May 1853, the day by the Governor of the State of Virginia in pursuance of the laws thereof to take depositions, the acknowledgment of said will and the proof of wills and testaments, and legalizing my proceedings in the State of Alabama, and executed with me the said last named State, and duly qualified as such Commissioner in conformity to the laws of the said last named State, do hereby certify that the paper hereto annexed containing a true and perfect copy of the original last will and testament of W. S. Cooke deceased which has been proved and duly admitted to record both as a will of real and personal property in the County Court of Norfolk, and in the State of Virginia; and I do further certify that on the 11th day of May in the eighth hundred and fifty three in the said County of Norfolk State of Virginia personally, a friend before me the following persons: viz. John Cooke, John W. Gaillock, George H. Pate, Robert M. Pate, and Simon Wheeler. The said John Cooke, John W. Gaillock, George H. Pate, Robert M. Pate, and Simon Wheeler, being sworn to, and each of us do solemnly swear that the original last will and testament of W. S. Cooke deceased, of which the paper hereto annexed is a true copy the said original will being now before me as the said deponent, the said deceased testator, William S. Cooke, and we, each of us attested the same as witnesses at the request of the said testator at the time of said signing and attestation was more than twenty years of age, and was sound and disposing mind, and memory, and was John Cooke, John W. Gaillock, George H. Pate, Robert M. Pate, and Simon Wheeler, sworn and subscribed in the presence of the said Commissioner, and I the said Commissioner do further certify that said deponents specially subscribed their testimony above written in my presence, and I do further certify that the said subscribing witnesses personally known to me, and are respectable witnesses and are worthy of full faith and credit, and I the said Commissioner do further certify that the said original paper of which the annexed paper is a true and perfect copy has been proved before me to be the last will and testament of W. S. Cooke deceased, in conformity to the provisions of the laws of Virginia prescribing the mode of executing wills of real and personal estate. In witness whereof I have hereunto set my hand and seal of office this 19th day of May in the year eighteen hundred and fifty three. In the name of God amen. I, W. S. Cooke of the Town Portsmouth in County of Norfolk in the State of Virginia being of sound mind and disposing memory, do hereby make this my last will and testament in manner and form following this 19th day February 1853. viz. Item the 1st. I give and bequeath to my beloved wife Annabella Cooke all of my estate both real and personal of every description whatsoever both in the State of Alabama and in Virginia and wherever I may have any interest whatsoever either real or personal. I hereby give the whole to her and her heirs forever. Item 2^d. I hereby constitute and appoint my loving wife Annabella Cooke executrix of this testament and bequest. And I do hereby revoke all former wills and tes-

taments heretofore made by me. In witness of all of which I have set at my hand and seal this nineteenth day of February one thousand eight hundred and fifty three. Signed sealed and acknowledged in the presence of us John Cooke, John W. Gaillock, George H. Pate, Robert M. Pate, and Simon Wheeler. at a Court held for Norfolk County on the 15th day of May 1853 the foregoing last will and testament of W. S. Cooke was proven by the oath of John Cooke and John W. Gaillock two of the subscribing witnesses and ordered to be recorded. Attest Arthur Commissioner, Clerk of the County Court of Norfolk County in the State of Virginia do hereby certify that the foregoing is a true transcript from the records of said Court. In testimony whereof I have hereunto set my hand and affixed the seal of office the said Court this 20th day of May 1853 in the 7th year of the Commonwealth. Arthur Emerson, Clerk of the County Court of Norfolk County in the State of Virginia do hereby certify that the foregoing is a true transcript from the records of said Court. In testimony whereof I have hereunto set my hand and affixed the seal of office the said Court this 24th day of May 1853. A. Gayle Rec. for County Court of Norfolk County Virginia.

State of Alabama, Probate Court, July Term 1853. In the Court of the Probate Court of the County of Morgan. In the Court aforesaid on the 20th day of July 1853. J. D. Fox, Judge of the Court presiding, this day was produced to the Court a transcript of the last will and testament of William S. Cooke deceased of the County of Norfolk in the State of Virginia with the Probate thereof before the Court by John W. Gaillock, George H. Pate, Robert M. Pate, and Simon Wheeler. The said transcript was read and it appearing from said transcript that said last will and testament was made and published on the 19th day of February 1853. In the presence of John Cooke, John W. Gaillock, George H. Pate, Robert M. Pate, and Simon Wheeler the subscribing witnesses and was duly admitted to Probate in said Probate Court on the 19th day of May 1853. and further appearing that said transcript is certified in due form of Law. He ordered by the Court that the same be entered of Record and that the Executrix therein named be authorized to take upon her the burden of the execution of said last will in the State of Alabama. James T. Young, Judge &c.

offspring of Augustine Hales. This my last will and testament. I give to my wife Lucy S. Hales all the slaves I got by her and one thousand five hundred dollars in cash by her and all my negroes in the State of Virginia with the exception of such as I shall hereafter bequeath and also my my household and kitchen furniture and plantation utensils particularly I wish her to have my chamber bedstead mattress and robe and dressing bureau. I also bequeath her my grey horse called Mountain Hare, and also all my horse mules stock of every description at my plantation Shandy Hall. Item I give to my said wife Lucy S. Hales her life my plantation Shandy Hall and with plantation the benefit of the orchards with the aid of the marshes and pastures thence adjacent as they have heretofore used with the plantation. I also give to my said wife Lucy S. Hales in fee simple my lot at Warsaw. In the event of my wife Shandy Hall I mean Shandy Hall proper including the three shifts as the same are now used or cultivated with the benefit of

225. timber paper or necessary for the plantation whether the timbers
they be growing therein or any other lands contiguous or near thereto.
which are herein after mentioned: I give R. Augustine N. Saunders Augustus
N. Abraham. And Augustine N. Hatt. named after me! five hundred dollars
each in to come out of my Alabama estate and also out of my Virginia
estate: I give to my niece Sulist Anne Shackleford and my nephew
William B. Saunders all my personal or landed property in the State of
Alabama subject how ever to the legacies expressly charged thereon. I give
to my nephew John S. Braxton. Sam Schray and four hundred dollars to
come out of the Alabama estate and also out of my Virginia estates I give
a little negro girl from 6 to 12 years old a age from among the Slaves at
Shamira Hall to my little niece the Daughter of line Shackleford and
his wife Sulist Anne. I also gave in like manner to a negro boy now scarce-
ly my twelve years old to Augustine N. Saunders son - I give to daughter
my Stephen Williams B. Saunders my negro boy Anthony. I manumit late
my negro woman called Sally Chantson and gave to her eight hundred
dollars (\$800). At the death of my wife Lavinia Steele I give the lands
devisee to her for life to my Seize Sulist Anne Shackleford and to her
two sons Demand & Ferdinand Augustine. I also devise my Zelle Prater
and all the other lands adjacent to the Sheds of Shamira Hall and all not
included in the other devise above made to my said wife to my niece
Sulist Anne Shackleford and her two sons Demand & Ferdinand Augustine.
The white Oak Swamp is included in the ~~above~~^{last} devise. I direct that
my executor shall have erected a monument or cemetery at a place
I decorated by a stake just beyond my office to cost not less than
fifty thousand Dollars and the monument is to be not less than fifty
feet high and constructed before debts and legacies are paid.
I give to my niece Sulist Anne Shackleford and my nephew William
B. Saunders all my personal and landed estate in Alabama. I give to
Judge Lemax & his B. Barton each a Silver tea service to cost not less than
five hundred dollars each after their respective they are to go out to Henry
Shenton Lemax and the other to William B. Barton. It is my wish that any
debts due to me, or to become due to me and any crops or hams at the time
of my death shall be applied to the payment of debts I may owe and to
the payment of legacies. If these funds shall be insufficient for these
purposes it is my desire that my debts and legacies shall be made good
out of the profits of Shamira Hall and out of my Alabama estate jointly
and of the Zelle Prater estate also. I nominate and appoint my
wife Lucy J. Steele my executrix and my friends Thos. B. Barton Esq.
Shackelford, Edward Harvey Chamblaine and David Lemore the executors
of this my last will and testament and require that the Court in which
they or either of them shall qualify shall not demand of them any fees
in witness of the foregoing last will and testament I have here-
unto set my hand this 6th day of April 1857. Aug. Steele.

Signed and acknowledged in our presence by the said said Augustine shall
and this our attestation subscribed by us at the same time in her pres-
ence Wmter B. Smithy, R. A. Montgomery, P. Thornton Lemax, John Paul
Agnew, Virginia, et al. a Court of ^{Common Pleas} Session held at the ~~Courthouse~~
Richmond County at the Court house on Monday the 9th Day of
November 1857. a paper writing paper writing purporting to be the
last will and testament of Augustine Steele deceased. Whether say
^{family} presented for Probate. And thereupon on the motion of R. A. Claybrook
R. A. Claybrook attorney for the executors therein named Wmter

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B. Smith a Subscribing witness to said paper writing, came into Court and testified upon oath as follows that Mr Keale asked him to sign said writing as being his will that Judge John Taylor, Lomas, and his son P. Thornton Lomas were present that he the said Smith signed his name as a witness at the request and in the presence of Mr Keale, and also in the presence of Mr Lomas & his father, who also subscribed their names as witnesses to the said paper at the request of Mr Keale at the same time that when the said Smith entered the room Mr Keale arose from his seat from before the said writing having apparently just signed it and it was at that moment Mr Keale requested him to sign this name as a witness ^{meaning him the people in the room} to his will which is the one now presented to the Court for probate and the signature of the said Smith as a Subscribing witness to the said paper is his own signature subscribed thereon on that occasion, at the request of the said testator and in his presence that he the said Smith thinks Mr Keale was of sound mind and fully capable in all respects to make a will, at the time he the said Smith signed his name to said paper and at all other times so far as he could see or observe that he the said Smith does not recollect there were any other persons present at the time he subscribed his name to the paper in question as a witness besides the said Mr Lomas Mr Keale and himself and therefore the Court during the proof of this said subscribing witness deposes as the proof of one witness doth order that the said motion for the Probate of the said paper writing be continued, and that the other Subscribing witnesses be summoned to appear here at the next term of the Court to testify on behalf of said will or paper writing, And at another bar Court held for the County of Richmond let on Monday the sixth day of December 1852 on the motion of the executor therein named by R. A. Claybrook their attorney the probate of the will of Augustine Keale was continued to the next Court And a Court of monthly session held for the said County of Richmond, on Monday the 3^d day of January 1853 on the matter of Augustine Keale last will and testament and in continuation of the same on the motion of R. A. Claybrook attorney for the executor, in said paper writing named Robert G. Montgomery a Subscribing witness to said will, came into Court and upon his oath doth testify as follows to wit that he was requested by Augustine Keale the testator to come to Shandy Hall to witness his will this is the paper which he witnessed at that time in the presence of all the witnesses whose names are signed to the said paper writing and in the presence of Augustine Keale the testator he was called on by the said Augustine Keale the testator to witness this will and he Augustine Keale acknowledged it to be his last will and testament on that occasion when he subscribed his name on that occasion as a witness and that the signature of his name to the said paper writing as a subscribing witness is his own genuine signature subscribed as aforesaid, And that the said Augustine Keale the testator fully competent to make or to execute any other conveyance that he testified to this form what above he observed at the time and from his intimate acquaintance with the testator he recollects distinctly that on the occasion that the attestation aforesaid Master B. Smith was present his will Judge John Lomas and P. Thornton Lomas and that all the other Subscribing witnesses Subscribed their names at the time and in the presence said at the request of the said testator Judge John Taylor Lomas another Subscribing witness to the will being a. is called into Court by the proposers of said paper writing as said last will & testament of Augustine Keale dead to testify further in regard to the said paper writing in addition to the testimony of Master B. Smith and of Robert G. Montgomery already taken on the case. And the said John doth upon oath testify as follows that the said paper is altogether in the hand writing of the

deponent the same was written by him or confirmed with him directions given to him by the said Augustine Neale, much of the said paper is, partially or substantially a transcript of a former will and codicil executed by the said Augustine Neale, before this deponent was requested to prepare the paper which is now subscribed to the County Court of Richmond for probate. That agreeably to the directions given by the said Augustine Neale the claims of the former will and codicil, were then substituted in this deponent as was pointed out to him by the said Augustine Neale, into the writing now propounded with additions or alterations as required by the said Augustine Neale. That the said writing as prepared by this deponent according to the said Augustine Neale's directions, was read by the said Augustine Neale and approved of by him. Being the same which is now propounded, and after being so read and approved by him the same was duly executed and acknowledged by the deceased as his true last will and testament, and the execution and acknowledgment thereof were on the same day the said Neale, being duly attested by William B. Knutson, Robert G. Montgomery, Presley Morrison, Sonae and this deponent in the presence of the deceased and in the presence of each other all of the witnesses being then and there present in the same room with the deceased, at the time he so executed and acknowledged said paper as his last will and testament, and the said witnesses did then and there subscribe their names to the said paper as aforesaid in the presence of the testator and of each other. This deponent further testifies that the said Augustine Neale was during all the time aforesaid as well of preparing the said paper writing as the execution and acknowledgment and attestation and subscription of the said writing one mind and memory, and of abundant completeness as was manifested to this deponent as to make a valid testamentary disposition of his estate, and that he was in the opinion of this deponent in the full and free exercise of faculties and of his will in performing the acts aforesaid. The attestation of the paper writing now propounded in the subscription of this deponent's name is the true and genuine signature of this deponent, and therefore the paper writing now propounded according to the oath and testimony of William B. Knutson, Robert G. Montgomery and John Saylors Sonae three of the subscribing witnesses thereto. It is ordered that the same be recorded as the last will and testament of Augustine Neale died in the month of July 1854 and David Sonae an executor therein named and who made the same and who intend, ~~into~~ into acknowledgment of their bond without account according to the provision of the said last will, ~~and to~~ ^{in the sum of} fifty thousand dollars. Committed as the law directs. Certificate is granted them for obtaining probate of the said will as also obtaining probate of the said will is law from County being reserved to the other executors named in the said will to go on in Probate when they shall think fit. Note F. H. Pendleton clerk.

clerk-officer Richmond County Court January 7th 1853. I F. H. Pendleton clerk of the County Court of the County aforesaid in the State of Virginia. Do hereby certify that the foregoing is a true copy of the last will and testament of Augustine Neale deceased and of the oath and depositions of three of the subscribing witnesses, thereunto admitted to record in the said County Court. In witness whereof I have hereunto set my hand and affixed the seal of the County Court of Richmond in the State of Virginia at the Court house thereof The day and year above written. F. H. Pendleton Clerk

State of Virginia } I Robert H. Carter Presiding Justice of the County Court of Richmond in the State aforesaid do hereby certify that F. H. Pendleton whose genuine signature appears to the foregoing signature certificate is the proper officer, and was at the time of signing the same clerk of the said Court duly qualified and sworn and that full faith & credits are due to his official acts and that the said County Court is one of Record having general jurisdiction given under my hand this 7th of January 1853. R. H. Carter. P. J.

Will of A. B. Smith } The last will and testament of me Arthur B. Deceased } Smith of Loudon Warrings County Alabama. Item 1st. It is my will and desire that after my decease that my body shall be decently interred, and that my executors hereinafter named shall pay my funeral expenses out of any monies out of any monies that may come into his hands belonging to my estate. Item 2nd. It is my will and I hereby direct that my executor shall pay, my just debt out of any monies that may come into his hands as soon after my decease as may found practicable. Item 3rd. It is further my will and desire that my executor hereinafter named shall take into his possession all my property of every kind including my books and accounts and shall settle up my estate in a legal manner and that after my debts and funeral expenses are paid and my estate finally and legally settled up, I hereby will and bequeath the entire remainder of my estate of every description whatsoever to my dear brother John W. Smith Jr. my executor hereafter named to have and to hold the same for the life and separately use and in trust, and for the benefit of my aged and dear father John W. Smith Sr. hereby constituting and appointing my said brother John W. Smith Jr. the trustee and to manage and to pay over to my said father from time to time the monies of my estate as he may need them or is necessary or may become necessary for his support and enjoyment of the same during his natural life, and after the death of my said father I will and desire that the said property of any remaining in the hands of my said brother as trustee of my father, shall remain in the possession of my said father at his death. I shall remain and belong to my said brother and sister living at the death of my said father to be equally divided among them. I hereby nominate and appoint my dear brother John W. Smith Jr. the executor of this my last will and testament, giving him full power to carry up my estate as directed in this my last will and testament. For witness whereof I have this 27th day of January 1854, caused to be signed and sealed my hand and seal. A. B. Smith. Signed sealed in the presence of us this 27th day of January 1854. F. H. Pendleton James Knutson. Filed January 31st 1854. Set for Probate March 7th 1854. J. V. Young Judge.

Estate of A. B. Smith } By the Orphans Court of Warrings County after the Probate of the will } of the testimony of F. H. Pendleton J. Clerk. being coming to the last will and testament of said dec. now on file for probate in this Court. personally came and appeared in Open Court the above named witness who upon oath duly administered, deposes as follows to wit. That they were present and saw the said testator execute the said will now on file and shown to them that they signed the same at his request, at witness thereto in his presence and the presence of each

228 then after the said testator had signed his name thereto, in our presence, that the said testator at the time of the execution thereof was of sound and disposing mind and memory, that the execution thereof the said will was delivered to the executor therein named as the testator last will and testament, that the writing now shown us and on file is the same as executed as above described. J. H. Siddons, James Lamb born to and subscribed in open court. James A. Young Judge.

Will of Wm J. Rice Int 3 In the name of God amen. I Wm J Rice of South Carolina & Harcourt County being weak in body but of sound and disposing mind do make and ordain this instrument as said for my last will and testament I give bequeath and devise the whole of my estate, both real and personal of every description to my dear wife Jane Anna Rice, hereby revoking any and all will or wills by me heretofore made, and I hereby nominate and appoint W. Waters Rice and C. M. Anderson my Executors of this my last will and testament. Signed and sealed in the presence of us at the request of the testator this sixth day of July 1852 in testimony whereof I have hereunto affixed my hand and seal. W. J. Rice. C. M. Anderson. J. R. Magrant James Waters J. A. Deems. South Carolina & Harcourt County. I William Lewis Judge & Clerk of the District Court of the County of Harcourt for said District in the State of South Carolina do hereby certify that the above writing contains a full and true copy of the last will and testament of Wm J Rice Esq. died. attested by hand and seal of J. Rice this 20th day of December 1852. William Lewis. P. J.

Will of John W. Gilliam In the name of God amen. I John W. Gilliam of the County of Danvers and State of Virginia being of sound mind and not sick in body do make and ordain this my last will in manner and form as follows viz. 1st I wish all my just debts first paid by the proceeds of sale of my Alabama plantation. 2nd I give and bequeath to my beloved wife, one third of my estate both real and personal to have and to hold during her natural life. 3rd I give and bequeath to my beloved wife children Joseph P. Gilliam John William and Samuel John Gilliam the sum of five thousand dollars each and to Herman J. Gilliam the sum of two thousand dollars to complete their education these sums being over and above the distributions shares of my estate. the balance of my estate after carrying out into effect the foregoing provisions I wish equally divided among all of my children to wit Mary Eliza P. Gilliam Susan F. Joseph P. John W. William J. and Samuel G. Gilliam. I hereby appoint my son in law May Robt. Abbott and my friend or Richard Adams of Alabama and Joseph P. Gilliam my Executors of this my last will and testament solemnly revoking other wills made by me heretofore. I hereby ordain and proclaim all this my last will and testament. In testimony whereof I hereunto affix my hand and seal this 14th day of November 1853. The words proceeds of my son Joseph P. Gilliam witnessed before signing J. H. Gilliam Esq. signed sealed in presence of C. H. Smith James P. Boicean at a County Court held for Danvers County on the 18th day of January. A.D. 1854. This last will and testament of John W. Gilliam it is provided and proved by the oaths of C. H. Smith & James P. Boicean subscribing witnesses hereto and is ordered to be recorded, and on

motion of Robert A. Abbott one of the executors therein named and who oath stands and together with Stating Abbott, Stating Abbott & James Abbott and William J. Abbott his learned friend entered into and acknowledged a bond in the penalty of one hundred and forty thousand dollars. Estimated as the law directs certificate is granted him for obtaining a probate of said will in due form liberty being reserved to the other executors named in said will to join in said probate whenever they think fit. Test. C. H. Hargrave Clerk. State of Virginia & to wit I Charles Hargrave Clerk of the County of Danvers County, Clerk of the County for the said County of Danvers in the State of Virginia do hereby certify that the foregoing is a true transcript from the records of the said Court in testimony whereof I have set my hand and annexed the seal of the Court this 17th day of January 1854 in the 7th year of the Commonwealth. C. H. Hargrave Clerk. Virginia Danvers County to wit I James H. Boicean Presiding Justice of the County Court for the said County of Danvers in the State of Virginia do certify that C. H. Hargrave who hath given the preceding certificate is Clerk of the said Court and that his said attestation is in due form given under my hand and private seal (having my seal of office) this 17th day of January A.D. 1854 in the 7th year of the Commonwealth James H. Boicean, Presiding Justice of Danvers County Court. Filed Feb 18 1854 J. A. Young Judge

Probate Court June Term 1854. State of Virginia & to wit I Charles Hargrave Clerk of the County of Danvers County, Clerk of the County for the said County of Danvers in the State of Virginia do hereby certify that the foregoing is a true transcript from the records of the said Court in testimony whereof I have set my hand and annexed the seal of the Court this 17th day of January A.D. 1854 in the 7th year of the Commonwealth James H. Boicean, Presiding Justice of Danvers County Court. Filed Feb 18 1854 J. A. Young Judge. Order of Court. This day came Sarah A. Thompson widow of Wm. C. Thompson late of Danvers County deceased, and she propounded for Probate an instrument purporting to be the last will of William C. Thompson deceased it is therefore ordered by the Court that the Probate of said will be set for hearing on the fourth Monday and Tuesday fifth day June, and that publication thereof be made by advertisement for three successive weeks in the Linden Expressman a newspaper published in said County for Mr. Rebecca Thomas a non resident heir of said deed to appear and contest the if he think proper, and it is further that S. Emma C. Cadie another heir of said Deed cited to appear at said term and contest if he think proper.

The State of Alabama & Probate Court. A.D. 1854. Mangle County & to the honorable James A. Young of the Probate Court in & for the County aforesaid: Your petition Sarah A. Thompson respectfully sheweth unto your honor that on the day of May in the year 1854 William C. Thompson died in said County leaving first duly made and published his last will and testament in writing which is herewith filed in this honorable Court for probate your petition further sheweth that she was the last and

Headed Chap. Int. East Will & Testament

Now all men by these presents that I Headed Chap. Int. of Marriagebounty and state of Alabama being at this time in good health and in the full possession of my reason taking into consideration the certainty of death and the uncertainty of the time when it may occur do make & publish this my last Will and Testament. First, I give and bequeath to my wife Headed Chap. Int. as long as she remains unmarried and my widow all of my property Real Personal Movable of some description whatever of which I may be seized and possessed. Second, I ordain and appoint my wife Headed Chap. Int. as executor of this my last Will and Testament with full power to employ such agent or agents as she may deem expedient and necessary to aid her in the management of her affairs. The Court shall require no security of her nor shall it be required of her to obtain from the Court any order for sale or other document to authorize her to sell, hire, buy, rent or lease any property but she shall be free to act according to her own discretion and the best of her judgment in every case for the interest of herself and our children during her widowhood as aforesaid. But in the event of her Marriage I do ordain and ordain that the Judge of the Probate or other legally authorized Court shall appoint three discreet disinterested persons to divide all the property between her and our children equally share and share alike and appoint her executor for the children. And this I declare and publish to be my last Will and Testament hereby revoking all former Wills by me heretofore made. In testimony whereof I have hereunto set my hand and Seal and do publish and declare this to be my last Will & Testament in the presence of the witnesses named below this 1st day of December in the year of our Lord one thousand eight hundred and fifty two (1852). (Signed) Headed Chap. Int. signed sealed published and delivered by the said Headed Chap. Int. as and for his last Will and Testament in presence of us who in his presence and in the presence of each other and at his request have hereunto subscribed our names as witnesses on the day and date above written. Thos H. Walker, Demopolis, Ala. R S McElhannan, Demopolis, Ala. Luther G. Horton, Demopolis, Ala.

Probate Court Mearings County, Ala. Term held the first Monday of February 1854. The Will of Headed Chap. Int. coming on for Probate & Robert S McElhannan and Thomas H Walker being first solemnly sworn as witnesses depose and say that they were present on this day the said instrument being date and saw the said Headed Chap. Int. sign seal & publish said instrument as his last Will and Testament that they and Luther G Horton the other subscribing witnesses signed the same as witnesses in the presence and at the request of said testator and that they all signed the same in the presence of each other. They further say that said testator was of sound and disposing mind & memory at the time. Thos H Walker R S McElhannan. It is ordered by the Court that said instrument be admitted to record upon the foregoing testimony of Thos H Walker & R S McElhannan two of the subscribing witnesses as the last Will of Headed Chap. Int. J. A Young Judge &c

Estate of Wm C. Thompson

Probate Court Some Term A.D. 1854

This day came Sarah A. Thompson widow of William C. Thompson late of Mearings County dec'd and presented a will and instrument purporting to be the last will of Wm C. Thompson dec'd. It is therefore ordered by the Court that said the Probate of said Will be set for hearing on the fourth Monday and the rules of the day of said Court and that publication thereof be made for three consecutive weeks in the London Jeffersonian a news paper published in said County for Mrs Rebecca Thomas a non resident here of said dec'd to appear and contest if she think proper and it is further ordered that Erwin E. Cade another heir of said dec'd be cited to appear and contest if he think proper. J. A Young Judge &c

The State of Alabama Probate Court A.D. 1854 Mearings County. To the honorable James A Young Judge of the Probate Court in and for the County aforesaid your petitioner Sarah A. Thompson respectfully sheweth unto your honor that on the day of May in the year 1854 William C. Thompson died in said County having first made his last will & Testament in writing which is herewith filed in this honorable Court for Probate. Your petitioner further sheweth that she was the lawful wife of said testator in his life time and at the time of his death. That at the time of his death he resided in said County. That his next of kin who survived him are Erwin E. Cade & Mrs Mary Thomas. That said said Erwin E. Cade resides in said County and is over twenty one years of age and that Mrs Thomas resides in the State of Texas with her lawful husband Frank Thomas and that she and her said husband are both over the age of twenty one years. And your petitioner prays that said will be duly admitted to Probate as the last will and Testament of said dec'd deceased. Sarah A. Thompson by W. M. Brooks

Will of Wm C. Thompson. I William C. Thompson of the County of Mearings and State of Alabama being in full health but of sound mind do make declare and publish this my last will and Testament as follows: After the payment of my just debts and funeral expenses I give and bequeath to the annual Alabama conference of the Methodist Episcopal Church South the sum of four thousand dollars to be used and expended in such manner as said conference may consider most conducive to said Methodist Episcopal Church South. The said sum of four thousand dollars to be paid by my Executive hereinafter named as follows to wit: one thousand dollars on the first day of January 1856, one thousand one the first day January 1857

one thousand on the first day of January A.D. 1858 one thousand the balance due on the first day of January A.D. 1859. I give devise and bequeath to my beloved wife and lands, slaves, cash on hand, notes and all of the property real, personal and mixed, which I shall die seized and possessed of, and here by constituted and appoint her my sole Executrix with request that the Probate Court will not require account from her but in granting her letters testamentary on this my last will and Testament. In writing whereof I have hereunto set my hand and seal this first day of May in the year one thousand eight hundred and fifty four.

W. C. Thompson. (Seal)

The foregoing last will and testament of the said Wm C Thompson was signed by him in our presence we subscribed our own names as witnesses thereto in his presence on the day and year therein mentioned.

Wm C. Clarke. (Seal) F. M. Prince.

Probate Court, Marengo County, held the 26th day of June A.D. 1864 at the Court house in London. The probate of the foregoing instrument as the last will of William C Thompson deceased coming on to be heard this day and William C Clarke one of the subscribing witnesses thereto being duly sworn says that he was called on by said Thompson to prepare his will, that he did so in accordance with his instructions and submitted the foregoing instrument to him as such, that it was carefully read over by him and approved by him and was executed by him by signing his name in thereto in his the said Clarke's presence, and in the presence of Frank M. Prince the other subscribing witness on the day of its date and that he and the said Frank M. Prince signed the same as witnesses at the request of the said Thompson and in his presence. witness further deposes that said Thompson was at the time of executing said will of sound and disposing mind.

W. C. Clarke.

upon the foregoing testimony it is ordered by the Court that said instrument be admitted to record as the last will and Testament of said William C Thompson and that letters testamentary issue to the widow therein named.

James A. Young, Judge of the

Citation The State of Alabama Probate Court June Term 1864
Marengo County. To any sheriff of the State of Alabama
Estate of Wm C Thompson. Greeting you are hereby commanded
To without delay to cite Edwin E. if to be found in your County to be and appear before the honorable Judge of the Probate Court at a Court to be holden in London for the County of Marengo on the 1st Monday of June 1864 and show cause if any he can why a certain instrument proposed by Mrs Sarah A Thompson as the last will of the late husband William C Thompson deceased, should fail not and have you her

and there this citation with your endorsement thereon which James A Young Judge of said Court at Office this 3rd day of June 1864 and in the 18th year of the independence of the United States.
J. A. Young, Judge

Last Will & Testament

of
Susanna Jones

(Copy)

Filed & Recorded June 27th 1865

J. A. Young, Judge

I Susanna Jones of the County of Lincoln and State of Virginia do hereby recite all former Wills by me at any time made and make this my last Will & Testament in manner and form following to wit: Item 1st I bind to said J. Jones trustee for my nephew William M. Jones the following negro viz: Chamberlain and Murren and his increase to hold the same for the use and benefit of my said Nephew William M. Jones during his natural life and at his death the said trustee shall convey the said slaves and their increase to the children of the said William M. Jones should there be any to be equally divided between them, but should the said William M. Jones leave no child or children or issue of child or children and then the said trustee shall convey the said slaves and their increase to the 4 sons of Richard Jones of the State of Alabama viz: James Augustus Richard and William to be equally divided between them should either of the said sons of Richard Jones die without issue then the portions of said son shall be equally divided between the other

Item 2nd I bind to Thomas W. Webster trustee for my niece Sarah A. Matthews the following negro viz: Philander & Sarah and her increase and my Spanish bred steed and his clothes and my trunk bedstead and his clothes 7 chairs & chests and two trunks to hold the same during the natural life of my said niece Sarah for her sole and separate use and benefit. Neither the said property nor the profits arising from the same shall be in any manner subject to the control or liable to the debts or contracts of her husband Thompson B. Matthews and at the death of my said niece Sarah the aforesaid slaves and their increase the said trustee Thomas W. Webster shall convey to the 4 sons of Richard Jones of Alabama viz James Augustus Richard & William to be equally divided between them and should either of them die without issue the portions herein given to that one shall be equally divided among the other. The articles of house hold furniture mentioned above Sarah at the death of my said niece to her surviving children should she leave any estate to the 4 sons of Richard Jones as was directed in the case of the slaves mentioned above.

Item 3rd I bind to said Thomas W. Webster trustee for my Nephew William M. Jones the land on which I reside and my remaining negroes namely John Louisa, Sally, Phidalia and Lucy and their increase to hold the same for the use and benefit of my said Nephew William M. Jones during his natural life and at his death the said trustee shall convey the same to the children of the said William M. Jones should he leave any to be equally divided between them but should he leave no child or children or issue of child or children then the said trustee shall convey the same to the 4 sons of Richard Jones of Alabama viz James Augustus Richard and William to be equally divided between them and should either of them die without issue his portion shall be equally divided between the other should the said trustee Thomas W.

Whether think it to the interest of my said nephew Arthur to sell the land in this state, I leave to him and my nephew Arthur should decide as I hereby confer on the latter full power to sell and dispose of the same and move the proceeds on other lands or return it in specie or money which other lands or money shall pass to the remaindermen in all respects as the land herein devised.

Item 5th The remainder of my property not herein specified I desire to be sold and the proceeds thereof and any money which may be due to me or of which I may be possessed I wish applied to the payment of my debts if this should be insufficient I wish my negro slaves out until money enough be raised to pay off my debts but if it be more than sufficient I wish the surplus divided into 3 equal parts one part thereof to be sold for William Rogers one other part thereof to Thomas Webster trustee for Sarah Matthews and the remaining part to Thomas Webster trustee for Arthur Rogers to be held for the same purposes subject to the same restrictions and pass in the same way as the slaves heretofore given in the preceding items.

Then the 5th I do hereby appoint as my executors Thomas W Webster and Samuel P. Day - My testimony whereof I have hereunto set my hand and affix my seal this 19th day of April in the year 1848 - (Signed) Susanna Jones

Signed sealed and published as the last Will and Testament of Susanna Jones in our presence and attested by us at her request in her presence and in the presence of each other (Signed) Ed. S. Brown, Samuel G. Woodcock, Thomas S. Woodcock.

In Andover County Court 3rd Dec 1849 Then the last Will and Testament of Susanna Jones dec^d was this day sworn in Court by three subscribing witnesses thereto and ordered to be Recorded that Thomas Webster one of the executors therein named appeared before the Court and refused to take upon himself the burden of the Execution thereof. On motion of Samuel P. Day the other executor who made oath as the said decedent and together with S. P. Brown, how E. A. Blanton and James W. Allen his decessors entered into acknowledgment a bond in the penalty of \$1000 Conditioned according to Law - Certificate of Probate of said Will is granted to him in due form Test. C. S. Leigh. Attesty Date C. S. Leigh. C

Last Will and Testament of Nancy Lane of the County of Barren and State of Alabama of Nancy Lane dec^d I do hereby make declare and publish this as and for my last will and testament in manner and form following - that is to say: Item 1st I give and bequeath to my son Nathan B. Lane the following negro or slaves, to wit: Moses, Lavin, Toney, Jim and Isaac negro men; and Betty a negro woman and her children Hampton, Phillis and Elvina a negro woman named Mary and her child Josiah - Old Phillis & Margaret negro women together with the future increase of the females. I also give and bequeath to my said son Nathan B. Lane the proceeds of a draft drawn in my favor by Temptation for the sum of Eighteen hundred dollars, on John W. Winston & Co of Mobile and accepted by them - the same having been received by me in payment for two negro men at one and a Prisoner recently sold by me -

Item 2nd I give and bequeath to my grand daughter Ann Maria Hedge daughter of Dr. Alexander Hedge of Barren County aforesaid the following slaves: Amy and her children Martha, Rachael, Ephraim, Rachel Cassandra and Thomas together with the future increase of the females thereof so long and to hold the same as her separate property and estate free and excepted from the debts liabilities and contracts of any husband she may marry - and in the event that the said Ann Maria die leaving no child surviving at the time of her death then I will and bequeath said slaves (in this item named) to the sisters of the said Ann Maria to be equally divided among them, and held by them respectively in like manner as above bequeathed as their sole and separate property.

Item 3rd I give and bequeath to my grand sons George Caina Sutherland, ~~James~~ Sutherland and Jack Sutherland sons of John Sutherland of the State of Texas one league and one Sabote of land in the State of Texas; it being the same land sold and conveyed to me by said John Sutherland by deed dated 24th day of August 1847 and it being also the only land owned by me in said State of Texas, and I also hereby limit that the said land shall not be divided until the youngest of my said grandsons Jack Sutherland shall have become of age - when the same shall be divided into three equal parts (equal in value) and one third portioned to each of my said grandsons aforesaid named - In the mean time it is my will that either of them may settle upon and cultivate any portion of said land this devise is made upon this condition that neither of the above devisees shall alienate his interest in said land until the said partition shall have been made, and should either of said parties die before said partition leaving no child living, then his undivided interest shall descend to the survivors.

Item 4th It is my will that out of the money which my said son Nathan B. Lane shall receive from my estate he shall purchase and give to my said grandson George Sutherland a negro

Item 1st After my death as he conveniently can and that he purchase and give to each of my other two grandsons Levin S. Cunningham and Jack Cunningham a negro man as they shall respectively become of age - said negro to be young and able bodied

Item 2nd The land upon which I now reside together with the improvements thereon I give and devise to son Levin B. Lane to have and to hold the same unto him the said Levin B. Lane and his heirs forever

Item 3rd The rest and residue of my Estate I give devise and bequeath to my said son Nathan B. Lane with the expectation that he will dispose of the same as I have requested him;

Item 4th I desire that there be no sale of any property I may leave after my death and that my said son Nathan B. Lane shall pay all the expenses which may be incurred in the execution of this my will

Item 5th The foregoing unequal distribution of my property results from partiality which I feel for any one of my children and grand children more than for the others or from any want of affection for any of them; but because my other children and grand children have now or will have property enough to support them comfortably and for other reasons which my children will properly appreciate.

Item 6th I hereby nominate and appoint my said son Nathan B. Lane my sole executor - and I hereby direct that my said executor shall not be required by the Probate Court to give bond for the faithful performance of his duties as such executor.

In witness whereof I have hereunto set my hand and seal this the 1st day of July A.D. 1851

(Signed) Nancy Jane Lane

Signed sealed published and declared by the said testatrix as and for her last will and testament before us who in her presence and at her request have subscribed our names as witnesses thereto (Signed) F. B. Bryan N. S. Williams Alex. Sledge

And published the foregoing will in the presence of F. B. Bryan N. S. Williams & Alexander Sledge, as and for my last will and testament and in the second item thereof gave and bequeathed to my grand daughter Ann Maria Sledge certain slaves therein named and their future increase to be held by her as her sole and separate property and a estate and directed in said second item that in the event of the death of said Ann Maria Sledge leaving no child the said slaves and their increase were to be equally divided among the sisters of the said Ann Maria - now by way of codicil to the said will which I desire and direct to be taken and considered as a part and parcel of the said will. I hereby revoke that clause of the said item which provides that said slaves & their increase are upon the death of said Ann Maria leaving no child to be equally divided among the sisters of the said Ann

Maria - and I hereby give and bequeath said slaves & their increase to the said Ann Maria as her sole and separate property & Estate to be disposed of by her at her death as she may will and direct - In witness whereof I hereto set my hand & seal this February 6th 1852. (Signed) Nancy Jane Lane signed, sealed, published and declared by the said Nancy Lane in our presence who at her request and in her presence and in the presence of each other have subscribed our names as witnesses

I. H. Sledge } F. B. Bryan
Filed May 15th 1852. 1st for Jane Lane - J. H. Fleming, J. P. &c

Last Will
of

Elizabeth Bonnett
In the name of God Amen: I Elizabeth Bonnett of the county of Sumpter and State of Alabama, being but weak in body but of sound mind and memory for which I give thanks to Almighty God and considering the uncertainty of this mortal life - do hereby make ordain and publish this my last will and testament hereby working all things by me made as follows: First I give and bequeath unto my grand daughter Maria E. Moore wife of Hans Moore my negro man named Peter to have and to hold unto her the said Maria and the heirs of her body in trust nevertheless to the said Hans Moore and upon the following conditions that the said Hans Moore shall at my deceders funeral pay for convey and deliver unto my grand daughter Mary Jane Ryan wife of James Ryan a negro girl worth two hundred dollars which said negro girl is to be conveyed to said Mary Jane for her sole and separate use and so as to be exempt from the debts contracts or liabilities of her said husband James Ryan and upon the performance of which said requirement in the condition above named by said Hans Moore the said Peter shall rest absolutely in the said Maria E. Moore his wife but to remain to her sole and separate use and the heirs of her body free and exempt from the debts contracts or liabilities of him the said Moore's otherwise should said Moore fail to comply with the above condition the said negro shall be sold and the proceeds equally divided between the said Maria E. Moore and Mary Jane Ryan and this be to their sole and separate use as before specified and in the same manner as if though the condition above had been complied with. Secondly I have a claim to certain real Estate in the town of Pensacola Florida and should my right and title over be established I desire that same be divided equally between my grand children before named and my other grand daughter Elizabeth Ann Sanders wife of Alexander J. Sanders and my two other grand children Robert Francis Breen and Charles Walker Bonnett and their heirs.

Thirdly I have a claim to certain negro slaves in Georgetown South Carolina and should my right and title to the same be established I desire that they be equally divided between all my said grand children as before named. Fourthly I desire that any such species of property real and personal which I may have at my death either law or equity except the negro man Peter bequeathed as aforesaid shall be equally divided between the said named persons and their heirs according to the laws of descent of the State with this proviso as before made that the said negro man Peter and

1884. The said will as required to be presented for the said Mary Jane or the process of the sale of said Peter shall in either case be kept separate property of the said Maria E. Norrid and the said Mary Jane and their heirs and their bodies exempt from the liabilities of their husbands as aforesaid - and that whatever property may lawfully be received by me or by my grand children as above named shall belong to them and shall be and as inure to them in the same manner that is to say to their sole and separate use and as their separate property excepting however the said Robert Francis Benn and Susan Bonnoza who will take in their own right. I further provide that my son Charles D Bonnoza should he be living at my death be included inheriting any estate that I may leave he having been provided for by me in witness whereof I have hereunto set my hand and affixed my seal this 20th day of May A.D. 1884

In presence of (signer) Elizabeth Bonnoza (read)
 Jas. A. Rushing, W. H. Hollingshead James Foley

Talia March the 15th 1884 Just going Judge 20

Deposition of To Charles F. Kargerhoff and Thomas Will
 We reporting full confidence and fidelity have appointed you and each of you commissioners to take the testimony of James M. Rushing to be read on the last of a certain cause pending in our Probate court for the county of Marengo between Robert Roberts & Off and Hanes Moore & Maria E. his wife & other heirs of Elizabeth Bonnoza we therefore hereby authorize and require you or any one or more of you that you cause the said James M. Rushing to come before you or any of you on or more of you at such time and as you may appoint for the purpose and after causing him to be duly sworn as witnesses in said cause that you then and there proceed to take his examination and continue from day to day until the same be completed, and the said examination reduce into writing read to and a cause to be signed by the witness, and certify the same to us under the hand and seal of each of you as may take the same and the said examination so taken on oath signed and certified as aforesaid and the commission you will then carefully close up and seal and direct and transmit the same to the clerk of said court with all convenient speed -

Witness Just going clerk of said court at office this 5th day of April A.D. Eighteen Hundred and fifty five and 49th year of the Independence of the United States

Jas. A. Young Clerk

Interrogatories to be propounded to James M. Rushing Item 1st Were you acquainted with Elizabeth Bonnoza in her last time of her life? Item 2nd Were you present at any time when Mrs Bonnoza executed a will? Item 3rd If you look at the annexed instrument and state whether the same was signed & published as his last will or not and whether or not you attested the same as a subscribing witness and whether the other persons whose signatures are subscribed were present at the time and whether or not the same was done at the request and in the presence of Mrs Bonnoza Item 4th What was the condition of mind of Mrs Bonnoza at the time of her death?

By attorney - S. C. Lyon

Answers of James M. Rushing to the annexed interrogatories of 1884 the case pending in the Probate court of Marengo county Alabama when Wm. H. Roberts is plaintiff and Hanes Moore and Maria E. his wife are defendants - Answer to Interrogatory 1st I was Answer to 2nd I was and the annexed instrument was on the day and date it bears signed and published as he last will and testament which was by me written and I signed the same as a subscribing witness thereto and the other parties whose names are subscribed thereto were present at the time and subscribed the same together with myself in the presence and that of each other at the request the instrument bears date the 22nd November 1884 and is the same signed and published by the said Elizabeth Bonnoza which is hereto annexed -

Answer to 3rd For the said Mrs Bonnoza was of sound mind and in full possession of all her mental faculties J. M. Rushing sworn to & subscribed before me this 15 April 1885. C. F. Kargerhoff
 The State of Mississippi Clerk of County of Charles C. May who is one of the commissioners appointed in pursuance of the enclosed decree hereby certify that I have this day caused the said witness James M. Rushing to come before me at my office in Enterprise in said county of Clark and after having duly sworn him according to law propounded to him the annexed interrogatories and that the foregoing are his answers thereto reduced to writing which I have caused him to subscribe to before me - Given under my hand and seal this 15th day of April A.D. 1885 - Charles F. Kargerhoff J.P. (read)

I, Charles F. Kargerhoff, known all men by the presents that I residing of County of Marengo Alabama being sick and weak of body but of sound mind, depositing mind, memory and understanding considering the certainty of death and the uncertainty of the time thereof to the end that I may be the better prepared to leave this world when it shall please my God to call me hence have now determined to direct what disposition shall be made of my property after my decease and after maturely considering the circumstances and condition of all those among whom as my heirs at law or the object of my gratitude or affection in my judgment my Estate should be distributed I do make publish and declare this to be my last will and testament hereby revoking and making null and void all former last wills and testaments and writing in the nature of last wills and testaments by me heretofore made and my will is, that after my decease my body shall be decently buried without ostentation or unnecessary expense and that my funeral charges and just debts shall be paid by my Executor herein after named and as to the residue of my Estate and property with which God has blessed me and which shall not be required for the payment of my debts funeral charges and the expenses in and about the execution of this my will and the administration of my Estate I give devise and bequeath thereof as follows (read)

Item 1st I devise and so will that my house and lot in the city of Charleston in the State of South Carolina situated on East Bay within twelve months after my decease be sold at

fuller attention to the highest price for such a on a credit as my
 Executor may deem best. Item 5th I give and bequeath my two
 little negroes Lavin and John children of Mary who is owned
 by Samuel P. Bennett to remain with and become the property
 of said Samuel P. Bennett his heirs and assigns the said
 Samuel P. Bennett paying to my Estate the sum of six
 hundred dollars within one year after my decease -
 Item 6th I give and bequeath to Samuel P. Bennett one hund
 red dollars for the use and benefit of my faithful old
 servant Lewis to be bestowed on him as said Samuel P.
 Bennett may think proper. Item 7th I give and bequeath
 to my former most faithful servant Sophia now of the
 City of Charleston \$5000 alias fifty dollars. Item 8th
 I give and bequeath to my dear friend Harish Her of the
 City of Charleston \$500 alias fifty dollars and to my friend
 Eliza Her sister of Harish \$500 alias fifty dollars
 Item 9th I give and bequeath to my nephews Henry and
 Berwick Bennett a suit of black cloth each and to Bennett
 a good silver chain less watch these articles to be bought by
 my Executor and paid for out of the funds of my Estate
 Item 10th I will the residue of my Estate after deducting the sums
 bequeathed in the several items above be equally divided
 among my two nieces and nephews Caroline Austin Montgowny
 Martha Francis Bennett and Thomas Robert Mooly
 Item 11th I will that my Executor after my decease buy a suit of
 Mourning each for my servants Lewis & Mary and pay for the
 same with money of my Estate and deduct the same before
 a division then of And I do now nominate and appoint
 my friend Samuel P. Bennett of Ala and Samuel L. Montg
 omery of La Sar to be the Executors of this my last will and
 testament I witness whereof I the said Margaret B. Austin
 have to this my last will and testament contained on one
 sheet of paper set my hand and seal this 2nd of January
 1852 = Thom. C. Robinson. Caroline M. Bennett Rice Wm.
 In the presence of (Signatures) Margaret B. Austin & P.
 State of Alabama Probate Court held the 12th day of January 1852 the
 Waringo County Probate of the will of Margaret B. Austin deceased coming
 on this day to be heard it appears to the satisfaction of the court that
 publication has been made for three successive weeks for the non resident
 heirs to appear and contest said will if they think proper If further
 appears from the testimony of Caroline or coroner late Caroline or
 Bennett one the subscribing witnesses that said instrument was
 executed & published by said Margaret B. Austin the day after date
 as her last will & testament and by her and Thom. C. Robinson &
 Rice Wm. sign as subscribing witnesses at the request and in the
 presence of said testatrix and that said testatrix was at the time of same
 a disposing mind it is therefore ordered by the court that said instrument be
 entered of Record as the last will and testament of said Margaret B. Austin
 J. A. Young
 Judge &c

In the matter of the Probate of the testimony of Mrs. Caroline M.
 of the will of Margaret B. Austin & P. Comm. Edw. Caroline M. Bennett
 Austin & P. I do
 I one of the subscribing witnesses to
 said will. The said Caroline M. being first duly sworn before me
 this day depose and says that she knew the said Margaret B. Austin
 who died in Waringo County about the day of Jan. 1852 that
 she was present on the 20th day of January 1852 and saw her said
 Margaret B. Austin sign said and publish said instrument
 which annexed as her last will and testament the said the said
 deponent signed her name thereto as a witness as did likewise
 Susan C. Robinson and Rice Wm. the other subscribing witnesses
 at the same time in the presence of the said Margaret B. Austin
 and at her request and in the presence of each other and dep
 onent further says that she knows of not the will being made
 by the said Margaret B. since the publication of the one hereto
 annexed. She further deposes that said Margaret B. Austin was at
 the time of the publication of said will of sound and disposing mind
 memory and further deponent saith not = C. M. Connor
 Given Nov 20 1852 = J. F. Young Judge &c
 In the name of God Amen I William McAllister of Waringo
 County in the state of Alabama being of sound and disposing
 mind memory and understanding but mindful of the uncertainty
 of life do make and publish this my last will and testament hereby
 revoking and annulling all wills and testaments by me heretofore
 made. And first and principally I commit my soul to God who
 gave it and body to the Earth whence it came and as to such
 world by Estate as it has please God to entrust me with I disp
 ose of the same as follows to wit: I give and bequeath unto
 my dear wife Agnes McAllister for and during the term of
 her natural life the whole of my property real and personal
 and should she find it necessary to her own support and maint
 enance or for any other cause to be judged of by her to sell one
 or more of my slaves she shall be at full liberty to do so and
 each purchaser from her shall thereby acquire complete and absolute
 title to each slave or slave I so sell. I will and direct my exe
 cutor from and after the death of my wife Agnes McAllister to keep my
 slaves together and work them on my plantation for and during the
 term of three years or so long as it may be required by the proceeds of
 labor to provide a fund sufficient for their transportation to the
 Republic of Liberia on the continent of Africa and for their mainte
 nance and support one year after their arrival in said republic and
 at the expiration of said term of three years or as soon as such fund
 shall be provided by the labor of said slaves (which I hereby
 direct my executor to apply to the transportation and support of said
 slaves) I will and direct my executor to remove all my slaves
 to the said Republic of Liberia and to provide for their maintenance
 and support for the term of one year after their arrival in said
 Republic. If however and if said shall prefer to remain in the
 United States in slavery to being sent to Liberia they are to be per
 mitted to do so and to select their own master or owner and my exe
 cutor is hereby directed to sell such slave or slaves as wishing to
 remain to the person or persons as selected at such price as shall be found
 upon by the interested persons to be selected by my executor

Charles McAllister & Wm. McAllister
 of Waringo County Alabama

And in the event of my decease and wish that my plantation should be kept on a work as long as it may be necessary for the purpose of disposing of the use of all the negroes, mules and other stock on said plantation with all the tools and farming utensils. Thirdly - I give and bequeath unto my executor herein after named from and after the death of my wife Agnes McElister the trust to and for the use of the Alabama conference of the Methodist Episcopal Church South all my property real and personal of every kind and description as well that which I may leave at my death as that which may be made by the labor of said slaves over and above the purposes aforesaid and the proceeds of such sale of such of said slaves as may prefer to remain in the United States, the whole of said property to be under the direction and control of said conference to be sold or otherwise disposed of as the said conference shall deem best and the proceeds thereof to be appropriated according to its own discretion. In & Whereby I nominate and appoint Lewis B. McElister Executor of this my last will and testament Signed sealed published & declared by the said William McElister at his last will and testament in our presence and signed by us as witnesses at the request of the said William McElister and in his presence and in the presence of each other this 10th day of May A.D. 1853 (Signed) William McElister (Seal)

C. Wilcox, John D. Fisher, John H. Denton
In the matter of the Probate of the last will and testament of William McElister Deceased of Marengo County Alabama
Interrogatories to be propounded to Lewis Wilcox one of the subscribing witnesses to the last will & testament of William McElister Deceased whose testimony is to be used in the Probate of said will before the Honorable James H. Young Judge of the Probate Court of Marengo County Alabama. Interrogatory Please state whether you were a subscribing witness to the last will and testament of William McElister late of the County of Marengo County & State of Alabama now Deceased and if so please state who else were subscribing witnesses to said will & testament and that his signature thereto was genuine? Please state how you know that he signed and executed the said instrument as his last will & testament & when and where was the said instrument executed and how did you become a subscribing witness thereto? and please state what was the age of the said William McElister at the time he signed and executed said instrument Interrogatory Please state whether you signed the said instrument as a subscribing witness in the presence of the said William McElister as his last will and testament and please state whether or not you the said subscribing witness were present at the time you signed the said instrument and signed the same in the presence of the said McElister as his last will and testament. Interrogatory Please state whether the said William McElister at the time he signed and executed the said instrument as his last will and testament

was of sound mind and disposing memory please state whether you look upon the paper here to attached & marked exhibit 'A' and which purports to be the said last will and testament of the said William McElister and say whether or not it is the instrument which he signed and executed as his last will and testament and which you signed as a witness
Interrogatory Please state all the facts within your knowledge which will go to show that the paper propounded to the Probate Court of Marengo County Alabama as the last will and testament of the said William McElister of which Exhibit 'B' purports to be the said will is the same instrument which you signed and which said McElister executed as his last will and testament and please state all the facts within your knowledge which will tend to show that the said McElister knew and understood the contents of the said instrument and executed the same as his last will and testament and that the witnesses whose names appear on said instrument as subscribing witnesses thereto signed the same in his presence (Signed) Lyon & John W. Hooper

Attest for Congress
The State of Alabama & Le. John C. Pettibone Nathan Mason Elmore S. Cornish & Rush Fuller Esq. we relying full confidence in your fairness and fidelity have appointed you and each of you Commissioners to take the testimony of Lewis Wilcox to be read on the trial of a certain cause pending in our Probate Court for the County of Marengo between Lewis B. McElister Executor of William McElister Deceased Plaintiff and Agnes McElister widow & others heirs of said Deceased Defendant we therefore hereby authorize and require you or any one or more of you that you cause the said Lewis Wilcox to come before you or any one or more of you at such time and place as you may appoint for the purpose and after examining him to be duly sworn as witness in said cause that you then and there proceed to take his examination up the annexed Interrogatories and continue from day to day until the same be completed and the said examination reduced into writing read to, and cause to be signed by the Witness and certify the same to us under the hand and seal of each of you as may take the same and the said examination now so taken on oath signed and certified as aforesaid and this commission you will then carefully close up and seal and direct and transmit the same to the clerk of our said Court with all consent of said Judge J. A. Young Clerk of said Court at office this fifth day of June A.D. Eighteen Hundred and fifty four and 48th year of the Independence of the United States
Jas. A. Young Judge

The State of Alabama by the order of the court commissioned to us
 Hartford County I directed from the Hon. Probate of Merings
 County in the State of Alabama I found on the 5th day of June 1854
 that we have this day caused Lewis Wilcox who before me is
 is known to us personally to come before us at the office of
 Nathan Moses Esq in Cushing in said county of Hartford
 State of Connecticut on the 15th day of June A.D. 1854 for the
 purpose of taking his deposition to be read in evidence on the
 trial of a cause pending in said probate court of said Merings
 county in the State of Alabama in a matter of the Probate of
 the last will & testament of Mrs. Woodlister late of said county of
 Merings Decd. Between Lewis B. McClister executor of Mrs.
 McClister Decd. Plaintiff & Agnes McClister widow & other heirs
 of said Decd. And the said Lewis Wilcox being duly sworn to
 speak the truth the whole truth & nothing but the truth in the
 premises to the interrogatories propounded to him answers as
 follows. Answer to Interrogatory 1st I was one of the subscribing witnesses to
 the last will & testament of the late Mrs. McClister deceased
 The other witnesses are John D. Fisher & John W. Wenzley
 Answer to Interrogatory 2nd Mrs. McClister informed me of his
 intention to make a will disposing of his property, as
 set forth in Exhibit A a few days subsequently he called
 upon me to become a witness to the same. The will was docu-
 mented on the 10th day of May 1853 in the office of John W.
 Wenzley in Demopolis was signed in my presence by Mrs.
 McClister who acknowledged it to be his last will & testament.
 We requested me to become a subscribing witness which I did not
 know his age at that time but should think him 60 or 65 years of
 answer to Interrogatory 3rd I signed the will as a subscribing witness in the
 presence of said Mrs. McClister as his last will & testament. The other
 subscribing witnesses John D. Fisher & John W. Wenzley were present
 at the time & signed their names in my presence & in the
 presence of the said Mrs. McClister as his last will & testament.
 Answer to Interrogatory 4th I prepared Mr. McCallister in the full possession of
 his mental faculties of sound mind & disposing memory the paper
 attached to the interrogatories & marked Exhibit A & which purports to
 be the last will & testament of Mrs. McClister as his last will and
 testament and the same signed by me as subscribing witness.
 Answer to Interrogatory 5th I have witnessed but one will for Mrs. McClister. In a conver-
 sation with the Mrs. McClister about the time of the execution of this will without
 solicitation on my part, he gave me reasons for the disposition which
 he was making of his property & he desired after his death that of
 his wife they should be set free and as he attributed (he said)
 his property in life to the blessing of the Lord upon his labors he
 desired the remainder of his property to go to the support of gospel &
 recognize the accompanying instrument ~~for my signature~~
 marked Exhibit B as
 the same executed by Mrs. McCallister as his last will & testament
 from my own signature there as well as the signature of John D. Fisher
 & John W. Wenzley never having signed but one myself & being
 familiar with the signature of Mrs. Wenzley & Fisher & never having
 with them signed as witness any other will for Mrs. McCallister. On
 the day of the execution of said will & at the request of Mrs.

McCallister accompanied him to the office of Mr. Wenzley when
 we met Mr. Wenzley & Fisher the other subscribing witnesses Mrs.
 McCallister remaining we will attend to that business now
 whereupon Mr. Wenzley produced the instrument marked
 Exhibit A attached to them interrogatories addressing himself
 to me McCallister said you acknowledge this to be your
 last will & testament to which Mrs. McCallister replied
 in the affirmative and then signed it as such in the
 presence of us all & each of the witnesses whose names
 appear in the will subscribed in the presence of McCallister
 & in the presence of each (signed) Lucius Willcox
 Nathaniel Fuller and Nathan Moses two of the commissioners
 in the annexed commission named hereby certify the we
 did on the day & year & place in the caption mention take
 the deposition of said Lucius Willcox after he had been
 duly sworn according to Law and that answers to the
 Interrogatories propounded to said Willcox were written
 down by himself and carefully read over by him in our
 hearing and understood throughout and by him affirmed
 and signed in our presence and we hereby certify that the
 said deposition of said Willcox has not been out of our
 possession until sealed with the interrogatories commission
 & and addressed to Hon. Jas. A. Young Judge of Probate
 Court in and said witness our hands & seals this 10th day
 June A.D. 1854. (Signed) Nathaniel Fuller J.P.
 Nathan Moses J.P.

State of Alabama I showing it is represented to all men
 August 9th 1854 I once to die and I Henderson T. Ware being
 Merings County I down & in mind to hereby declare this
 my last will and testament 1st It is my will that all
 my just debts be paid & 2nd It is my will that all my property
 shall be kept together during the natural life of my wife and
 at her death (or soon) thereafter as my executor may think
 to the interest of the legatee all to be equally divided between
 my children my wife both showing the advancement to
 each child should there be any money on hand or should any
 accumulate before a division of the the estate it is my will that it
 be paid over to the youngest children to make them equal with
 the alan and the balance if any to be appropriated as my
 executor may think best. 3rd I hereby appoint as trustee for
 my daughter Josephine now Sophia Leavitt Thomas D. Ware and
 Rufus C. Ware to receive for her in trust a child's part of my
 estate and to have and manage the same for her paying
 her the net income annually or as her necessities may require
 during her natural life and at her death she shall have
 the privilege of selling it to whom she may desire but in
 case she should die without will or heirs of her body it shall
 revert back to my estate and be equally divided between
 my children but these shall be nothing contained in
 this clause to prevent said trustee from buying or selling
 any property for her benefit &c. It is my will and desire
 that my executor shall make provision for and see that
 my old negroes are well taken care of.

Last Will & Testament
 of Mrs. McClister

349 State of Alabama vs. James Brandon Jr. & Benjamin
Marango County. 3 Palmer. We representing full confidence
in your soundness and fidelity have appointed you and each
of you commissioners to take the testimony of Wm. R. Palmer
B. M. Palmer Benj Palmer & James Brandon to be read on the
trial of a certain cause pending in our Probate Court for the
County of Marango in the matter of the estate of the last will and
testament of Elizabeth Smith deceased
We therefore hereby authorize and require you or any one or more of
you that you cause the said Wm. R. Palmer B. M. Palmer Benj Palmer
& James Brandon Jr. to come before you or any one or more of you
at such time and place as you may appoint for the purpose and
after causing them to be duly sworn as witnesses in said cause
that you then and there proceed to take their examination upon
the Interrogatories and cross Interrogatories annexed to this commis-
sion and continue from day to day until the same be completed
and the said examination reduced into writing ready to and caused
to be signed by the witnesses and certify the same to us under
the title hand and seal of each of you as may take the said and
the said examination so taken on oath signed and certified as
aforesaid together with the Interrogatories and cross Interrogatories
and this Commission you will then carefully close up and seal and a
direct and transmit the same to the Judge of our said Probate
Court with all convenient speed. Witness James A. Young Judge
of said court at Office this 15th day of February A.D. eighteen
hundred and fifty six and a 80 year of the Independence of
the United States. J. A. Young Judge of Probate Circuit
Marango County Alabama. The court will take the examination
of each other in this case J. A. Young Judge
State of Alabama. In the Probate Court Interrogatories
Marango County. To be propounded to Wm. R. Palmer
B. M. Palmer Benjamin Palmer and James Brandon the answer
to which are to be read in said cause in due order per being in said
Probate Court upon a paper purporting to be the last will and
testament of Elizabeth Smith formerly of Burke County in the
State of Georgia and lately of said Marango County Alabama
deceased.

Interrogatory 1st Did you know Elizabeth Smith formerly of Burke County
in the State of Georgia and if so how long did you know her
where did you know her? what was her age and the condition
of her mind in January 1855 what became of her?

Interrogatory 2nd Do you know whether the said Elizabeth Smith is now
living? and if she is dead did she leave a will or not? you will
please look upon the paper hereto attached marked Exhibit A
estate whether you know anything about it? (You can see it
before and if so when & where who was present was Elizabeth
Smith present and did you see her sign her name to said paper
or make her mark and did she speak of it at the time as her
will? was it read to her did she hear and understand it? who
witnessed it and did each of you sign your name to it as witness
for the estate in presence of said Elizabeth Smith and in the presence
of each other and at whose request on what day was that
and what was the condition of her mind at that time was

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it in such a condition as to enable to understand what she was doing
Interrogatory 3rd Do you or either of you know anything engaged for that will
go to show that this paper marked Exhibit A is the last will of
said Elizabeth Smith if you state it fully & particularly
George G. Lyon atty for B. M. Smith
Cross Interrogatories to the said witnesses filed by Wm. R. A. Young
Guardian ad litem for the minor heirs of Elizabeth Smith deceased
Interrogatory 1st At what time and under what circumstances was said probate will made
and executed what was her disposition mentally and physically at the time
she at the time or not under the influence of a weak mind who in and who
to sign said will what influences were exerted upon her to
induce her to sign it did each of you witness it at her
request and in her presence did you see her sign it & did you
witness it at the same time did she declare it at the same time to
be her last will and testament what was her age at the time
state whether other matter or thing that may benefit the contestants
as fully as if interrogated thereto W. N. Macleod & Co ad litem
The State of Alabama vs. the Honorable James A. Young
Marango County. 3 Judge of the Probate Court in and
for said county. The undersigned Benjamin J. Smith would
reimburse unto your Honor that his mother Elizabeth Smith late
of Burke County in the State of Georgia died on the 11th day of May
A.D. 1854 at the residence of the undersigned in Marango County
in said State of Alabama being a last will and testament
which is hereto appended marked Exhibit A and is prayed
to be taken as a part of this petition that the witnesses to
said last will of Elizabeth Smith viz William R. Palmer
Samuel W. Palmer and Benjamin Palmer reside in Burke
County in State of Georgia and the witness James Brandon
resides in Marion County in said State of Georgia
that the said Elizabeth Smith left the following heirs at
law or next of kin viz - Wm. your petitioner who is over 21 years
resides in Marango County and Mary Ellen Patterson wife of Robert
Patterson who is over 21 years resides in Jefferson County Georgia
Josephine Brown aged 20 years (California) aged 16 years John
Brown aged 14 years Melton Brown aged 12 years Reuben
Brown aged 10 years and Julia Brown aged 8 years -
All of whom are the children of Martha Brown wife of
James A. Brown who was a daughter of said Elizabeth
Smith who died before said Elizabeth - and all now
reside in Burke County State of Georgia Mark Lower
Ethelma Lower who are over 21 years reside in said County
State of Georgia and Elizabeth Lower wife of Mark Lower
who is over 21 years resides in Horton County State of Texas
Virginia Youngblood wife of Abram Youngblood aged
about 20 years & who resides in Jefferson County in State of
Georgia Robert B. Lower who is about 18 years & Smith Lower
aged about 16 years both reside in Burke County Georgia
and all of whom are the children of a son James wife of
Robert Lower & who was the daughter of said testatrix
Elizabeth Smith & who died before the said Elizabeth
The undersigned would further represent that the estate left
by said Elizabeth Smith consists of money and notes &c is