

I did know Elizabeth Smith at my life & ever since my recollection of any person she lived in Burke County Georgia she was an old lady I don't know her age she was of sound mind in January 1853 she went from this State to Alabama soon after -
 I have heard that Elizabeth Smith is dead and I know she died here a while I have seen the paper marked Exhibit A before at Benjamin Palmer's house in Burke County Ga on the 15th January 1853 there was present James Brandon Samuel W. Palmer Benjamin Palmer and William H. Palmer Elizabeth Smith was present and did sign her name to the made her mark to said paper and said at the same time it was her will it was read to her and she did understand it -
 William H. Palmer Samuel W. Palmer Benjamin Palmer and James Brandon Palmer witnessed it and signed their names in the presence of each other and in the presence of Elizabeth Smith it was done by the request of Elizabeth Smith on the 15th day of January 1853 -
 She was of a sound mind and understood what she was doing -
 I know nothing - Announced Subscribed and sworn to before us this the twenty first March 1853 -
 Commiffioners William H. Palmer James Brandon Jr. J.P. George Palmer - J. Samuel W. Palmer
 I did know Elizabeth Smith at all my life I was raised in the same family she being my sister I suppose she was 70 or 80 years old when she left my house in the year 1853 and went to live with her son Benj. T. L. Smith my sister's mind was sound for all of her age -
 I believe she died in about twelve months after she left Burke County Ga. she did leave a will the paper her to attached marked Exhibit A was made and executed at my house before the notary and myself by the request about the thirteenth of January 1853 -
 James Brandon Esq. William Palmer Samuel W. Palmer and Benjamin Palmer witnessed it Elizabeth Smith was present and I saw her sign it or she made her mark in presence of us all and declared it to be her will - it was read to her and she did understand it and she was in good health at the time as she ever was and of as clear an understanding her mind was as good as when we last saw of her age -
 I know this to be her will because she declared it to be so signed in the presence of before sworn to this 21 March 1853 -
 James Brandon Esq. Samuel W. Palmer J. George Palmer - Commiffioners
 It was on the 15th day of January 1853 at her request she was in good health and sound mind as any woman I ever saw of her age she voluntarily signed it without being influenced by any person or did sign it in her presence and she declared it and declared it to be her will she was about 80 years of age I know nothing more - Announced Subscribed and sworn to before us this 30 day of March 1853 -
 William H. Palmer
 James Brandon Jr. J.P. Samuel W. Palmer
 George Palmer

In the name of God amen I Elizabeth Smith
 of said State and County being of advanced age and knowing that I cannot shortly depart from this world of trouble I right and proper both as respects myself and my family that I should make a disposition of the little effects that I may have on hand when I am called from this world of trouble it has been my lot to have had as much of this world's goods as has been for my comfort for which I hope that I am thankful to him from whom every blessing flows and being of sound mind and memory I therefore make this my last will and Testament hereby revoking and annulling all other heretofore made by me having already disposed of nearly all that I have been blessed with to my children and grand children -
 I give and bequeath my soul to God who gave it my body by decent interment to its mother Earth
 I direct and direct that all my just debts be paid by my Executors as early as possible after my decease if there be any
 I give and bequeath to my little Grand son Smith (over the sum of three hundred Dollars to be put in the hands of his Guardian as soon as can be after my decease -
 I give and bequeath all the balance of my property note and money that may be on hand at my death to my beloved son Benjamin T. L. Smith he who has taken care of me in my old age -
 I hereby constitute and appoint my beloved son Benjamin T. L. Smith my true and lawful executor to carry this my last will and Testament into full and complete effect signed sealed declared and published by Elizabeth Smith as her last will and Testament in presence of us this 15th of January 1853 (signed) Elizabeth T. Smith
 William H. Palmer S. W. Palmer
 James Brandon Jr. J.P.
 In the Probate Court of the County of Burke Georgia to be pronounced Marriages County J. to William H. Palmer S. W. Palmer Benjamin in Palmer and James Brandon the answers to which are to be used in evidence in a matter pending 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 Hally of said Marriages County Alabama deceased -
 I do you know Elizabeth Smith formerly of Burke County in the State of Georgia and if so how long did you know her when did you know her what was her age and the condition of her mind in January 1853 and what became of her
 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 and state whether you know anything about it did you ever 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 last will was it read to her did she hear & understand it & take witness of it & did you sign your names to it as witnesses thereto in presence of each other

304 Elizabeth Smith and in the presence of each other and at her request request to what day was that and what was the condition of her mind at that time was it such a condition as to enable her to understand what she was doing?

Integ. 305 Is you or either of you know anything not exigent for that will go to show that this paper marked Exhibit A is the last will of said Elizabeth Smith of your State it fully & particularly George L. Sporn Atty for said Elizabeth Smith.

306 of Interrogatories to the said witnesses filed by Henry A. Moorhead - Guardian ad litem for the minor heirs of Elizabeth Smith Decd.

Integ. 307 At what time & under what circumstances was said pretended will made and executed what was her situation mentally & Physically; was she at the time or naturally of a weak mind? Who induced her to sign said will & what influence were exerted upon her to induce her to sign it and each of you witness it at her request & 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 any other matter or thing that may benefit the contestants as fully as if interrogated thereto
W. S. W. of Gan ad litem

The Last Will and Testament of John B. Bruce Decd.

See Minute Entry page 214 or Minute 9-

State of Alabama

Probate Court March Term 1857
Marion County
Estate of John B. Bruce Decd.
To any Sheriff of the State of Alabama having You are hereby commanded without delay to cite M. S. Chelson and Henry S. Bruce Jr. 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 Marion on the 3rd day of April A.D. 1857. and show Cause if any they have why an instrument on file in said Court purporting to be the last Will & Testament of John B. Bruce deceased should not be admitted to Probate. Return fail not and have upon them and there this citation with your endorsement thereon. Witness James A. Young Judge of said Court at Office this 25th day of March 1857. And in the 8th year of the Independence of the United States. Given 25th day of March A.D. 1857. J. A. Young Judge C.

He acknowledge Legal Service of the within notice - M. S. Chelson
J. B. Bruce.

The State of Alabama
Marion County
Estate of John B. Bruce Decd.
Probate Court March Term 1857
To any Sheriff of the State of Alabama having You are hereby commanded without delay to cite Julia S. Bruce, Newton Bruce, Sarah J. Bruce, John Benton Bruce, Elizabeth Bruce, & Henry Bruce minors of 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 Marion on the 2nd day of April 1857 and show Cause if any they have why an instrument on file in said Court purporting to be the last will and Testament of John B. Bruce deceased should not be admitted to Probate. Return fail not and have upon them and there this citation with your endorsement thereon. Witness James A. Young Judge of said Court at Office this 25th day of March 1857. And in the 8th year of the Independence of the United States. Given 25th day of March 1857. J. A. Young Judge C.

Executed March 25th 1857 in full. E. J. Watlington Sheriff.

Answers & Guardian

The State of Alabama - Marion County
Estate of John B. Bruce Decd.
I Samuel Chelson hereby accept the appointment of Guardian ad litem of Newton Bruce, Sarah Bruce, Serena Bruce, John Benton Bruce, Elizabeth Bruce, & Henry Bruce, in the matter of the Probate of the last Will and Testament of said John B. Bruce and hereby advises you this notice & consents that the hearing may take place forthwith and for answer on behalf of said minors, minors that the paper purporting to be the last will & Testament of said deceased is not the will of Deceased & avows &c. and pray the Court to require strict and legal proof of the same April 3rd A.D. 1857.

Filed April 2nd 1857 Samuel & Chelson Guardian ad litem

The Last Will & Testament of John B. Bruce dec'd In the name of God, Amen—
 I, John B. Bruce of the County of Mavengo in the State of Alabama, being of sane and disposing mind and memory, but weak in body, being mindful of the uncertainty of life, do make declare and publish this my last will and testament in words following to-wit: First, I desire that I be decently buried.— Second— It is my will that the following slave, to-wit— Mary— and her three children named Eliza, Martha & Mary be sold by my Executor hereinafter named, and the proceeds of such sale applied to the payment of a debt due to James S. Gibson of South Carolina— and if there be any excess after paying said debt, that the same be applied to the payment of a debt due from me to Arthur M. Lewis of Mavengo County.— I do further direct that my negro woman Charlotte and her child be sold by said Executor, and the proceeds of such sale be applied to the payment of and Execution of any said debt to which I am bound.— Third: It is my will that any lands which I have heretofore conveyed to secure debts which I owe to Mann Newton, Enos Rogers, and Marshall Hart (if they are not sold before) be sold at the end of the present year, and the proceeds of said sale applied according to the provisions of said deed, and if there be any surplus of money arising from the sale of the above described lands and slaves that the same be applied to the payment of any other debts.— Fourth: It is my desire that my cotton crop, white and grey, 1856 stand on hand, and also the cotton crop which may be made in 1857, be shipped to Patrick Swin Co or Mobile, and the proceeds thereof applied to the settlement of what I may owe them, and for such groceries & supplies as may be required this year.— Fifth it is my will and desire that all my just debts be paid as soon as can be done without a sacrifice and for that purpose I empower my said Executor to sell at public or private sale for cash or on credit as she may find most beneficial for my Estate, all the above said property and such other as may become necessary.— Sixth— After the payment of all my just debts I give and bequeath unto my beloved wife Elizabeth Bruce all the rest and residue of my property for her support & maintenance during her life, and for the support of her children according to her discretion. It being my desire that my other children who are able to take care of themselves, should by their own exertions support themselves, and that the property which may be left after the payment of the debts should be applied by my wife to her own support and that of such of my younger children as are not old enough to provide a support from their own exertions.— Seventh and lastly— I nominate my beloved wife Elizabeth Bruce Executor of this my last will & testament and desire that she be allowed to qualify as such without giving any bond as Executor.— In testimony whereof of which I have hereto set my hand and seal this the 24th day of February A.D. 1857.
 Signed and published by John B. Bruce in our presence and attested by us in his presence on the day and year aforesaid. The name being written for John B. Bruce by J. A. Young at his request
 J. H. Riddle. J. A. Young.

Probate Court of Mavengo County Alabama, April Term A.D. 1857.
 Testimony of D. W. Riddle one of the Subscribing Witnesses to the foregoing Will of John B. Bruce taken before the Honorable J. A. Young Judge of Probate of Mavengo County aforesaid in Open Court at a Term held the 2nd day of April A.D. 1857.— The said D. W. Riddle being first duly sworn deposes & says that he was present on the 24th day of February 1857, the day said will bears date, and saw said J. A. Young at the request of John B. Bruce sign his name, and heard said Bruce publish his said Will as his last will and testament, that he & Dr. J. Riddle the other Subscribing witnesses subscribed their names to said instrument as attests in the presence and at the request of said Bruce and in the presence of each other.— And that said Bruce was at the time of signing & publishing said instrument of sane and disposing mind & memory.
 Sworn & Subscribed before me in Open Court. April 2nd 1857.
 J. A. Young, Judge &c.

Mavengo County & State of Alabama. Probate Court held 2nd of April 1857. and It is ordered by the Court that the foregoing instrument be admitted to record as the last will & testament of John B. Bruce dec'd.—
 J. A. Young, Judge &c.
 Filed March 20th 1857. J. A. Young, Judge &c.

The Last Will & Testament of Hermann Pope dec'd. See Minutes Entry Book 4 Page 335.

Citation. Estate of Hermann Pope dec'd. Probate Court January Term 1857
 To any Sheriff of the State of Alabama
 Greeting: You are hereby Commaunded without delay to cite John S. Pope, Alexas Pope, Frank Pope, Willis Pope, Robert Pope, & Celestia Pope, Celestia Bailey wife of John S. Bailey, Wulda Horwood wife of James Horwood, and Celestia Pope infant child of Vastine J. Pope dec'd 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 Linden for the County of Maricao on the 25th day of January 1857. and show cause if any they have, why an instrument dated the 26th July 1856 purporting to be the last will of Hermann Pope deceased should not be admitted to Probate as such. If you fail, not and have upon them this Citation with your return must thereon. Witness: James V. Young Judge of said Court at Office this 2nd day of January 1857. and in the 51st year of the independence of the United States.
 Signed 2nd day of January 1857. Dec'd in Sheriff's Office by day of January 1857 Executed by Wm. Bailey - Celestia Bailey - Alex Pope - Willis Pope - Celestia Pope - E. T. Watling Treas. Sheriff

Will. State of Alabama } in the name of God, Amen -
 Maricao County } Hermann Pope the wife of P. J. Pope deceased.
 being weak in body but of sound and disposing mind & memory do hereby make execute and declare this my last will and testament in manner and form as follow: - I hereby give and bequeath to my daughter Wulda Pope and to John Pope & Alexas Pope the sum of one hundred dollar each, to be paid out of my estate hereinafter mentioned to my brother in law Abraham S. Pope I bequeath and give the rest of my individual estate in trust for the Education of my Young children. Francis V. Pope, Robert Pope, Willis Pope & Celestia Pope. - said estate consist of about twelve or fifteen hundred dollar, which was received by me being my interest in the Estate of my Brother Wm. P. Shultz, dec'd formerly of Louisiana, which money has been expended by me in the payment of debts due by my husband's Estate as follow: - viz. One note given by Vastine J. Pope, Executor to Wm. S. Bailey for \$280 & due January 1855. and one note made payable to Wm. S. Bailey due for \$500. due January 1856. & a credit on note made payable to Wm. S. Bailey for \$75 & \$600. paid to Wm. S. Bailey administrator of the Estate of Vastine J. Pope dec'd. - I further will that the above named Estate is to be paid over to the above named J. S. Pope at the direction of my husband's Estate without interest and for the purpose of carrying out this my last will and testament I hereby nominate and appoint my brother in law Abraham S. Pope Executor to the above Will. - This 26th July 1856.
 Hermann Pope.

Signed Sealed and acknowledged by Hermann Pope & declared by her her last will and Testament in the presence of us who have been requested to witness the same. This 26th July 1856. Teste Celestia S. Bailey, Wm. S. Bailey.

Probate Court Maricao County State of Alabama.
 In the matter of the Probate of the Will of Hermann Pope deceased. } January Term - held the 28th day of January A.D. 1857.

The Testimony of Wm. S. Bailey one of the Subscribing Witnesses to the foregoing Will taken in open Court who being first solemnly sworn depose, and says, that he was present on the day said instrument bears date, and saw Hermann Pope execute said instrument and declare the same to be her last will and Testament, that she was of sane & disposing mind at the time, and that she also signed the same in presence of Celestia Bailey the other Subscribing witness who together with deponent signed their names to said instrument as witnesses by the request of said Testatrix, and in her presence, and in the presence of each other and deponent further says that neither he nor the said Celestia Bailey desire any interest or benefit from said Will.
 Wm. S. Bailey
 Subscribed in Open Court before me by Wm. S. Bailey.
 J. A. Young Judge P.

Estate of Hermann Pope dec'd. Probate Court held January 28th 1857.
 This day came on for Probate the last Will of Hermann Pope deceased, and now this day came said Celestia and likewise came the minor heirs of said Testatrix & it appearing to the satisfaction of the Court from the Testimony of Wm. S. Bailey one of the Subscribing witnesses to the said Will that the same was duly and properly executed by said Testatrix on the day the same bears date, as provided by Statute - It is therefore ordered by the Court that the same be admitted to Record as the last will and Testament of said Hermann Pope deceased, and that letters testamentary be granted thereon.
 James V. Young Judge P.

Will of Elizabeth Finch

See minute Entry Book C.
Page 82.

Citation. The State of Alabama
Maruogo County

Probate Court

Elizabeth Finch dec.

At a Court held in Linden, for the County of Maruogo on the 30th day of June 1856. and show cause if any they have why this will and testament of said Court purporting to be the last will and testament of Elizabeth Finch deceased late of said County should not be admitted to Probate as the last will of said dec. - Heron fail not and have upon them and thus this citation with your endorsement thereon. Witness James A Young Judge of said Court at Office, this 16 day of June 1856. and in the 80th year of the independence of the United States. Signed 16th day of June 1856.

Probate Court

June 16th 1856.

James A Young Judge of said Court at Office, this 16 day of June 1856. and in the 80th year of the independence of the United States. Signed 16th day of June 1856.

Given 16th day of June 1856. Received in Sheriff's Office 17th day of June 1856. Executed June 19th 1856. in full. at D. L. L. L. by J. P. President City.

Notice

C. England

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Sarah McGhee, Mrs. Finch, Sarah C. Finch, Mrs. Finch, and Elizabeth Finch, infants under the age of 21 years, and heirs at law and the next of kin of and distributees of the Estate of Elizabeth Finch dec. except the appointment as such Guardian to represent the said infant in the matter of the Probate of the will of said Elizabeth Finch dec. July 15th 1855 John T. Thomas.

Filed July 14th 1856. Jas. A. Young.

Will.

I Elizabeth Finch of the County of Marengo and State of Alabama, do make and declare this to be my last Will and Testament, as follows:- After the payment of my debt and funeral expenses I direct my Executor hereinafter named, to sell of my lands of which I should die seized-including my dwelling house and lot, in the town of Dayton, on such terms as he may think most conducive to the interest of my Estate, and the proceeds arising from the sale of such of my said lands other than my said dwelling house and lot, I hereby direct my said Executor to divide equally between my beloved daughter- Susan Ann Finney, and Sarah Caroline McGhee, and the proceeds arising from the sale of my dwelling house and lot, I direct my Executor to divide into three equal parts.- and to give one part thereof unto my beloved Grand daughter- Elizabeth Emily Finney, one third to my beloved Grandson- John Finch McGhee- and the other third to the Children of my late beloved Son, Daniel Finch, or my said daughter Susan Ann Finney, in addition to the above and what I have heretofore given her. I give and bequeath the following Slave, to wit: a man named Sam, a woman named Charity- a Boy named Billy and a girl named Alabama, and one half of my house hold furniture. To my beloved daughter Sarah Caroline McGhee, in addition to the foregoing, and what I have heretofore given her. I give and bequeath the following Slave to wit: Nancy, Mary, Ann and her child, Robert, Sarah, and Mary Ann.- the other half of my house hold furniture & four hundred Dollars in cash, to make her equal with my daughter Susan, to whom I give a carriage which cost that amount. - To my said Grandson John Finch McGhee in addition to what I have herein before given I give and bequeath my Slave, Charles & Margaret. To my said Grand daughter Elizabeth Finch Finney, in addition to what I have heretofore given, I give and bequeath my Slave, Betsey & Josephine. To my beloved grandson William T. Finney, I give and bequeath my Slave, Betty & Oliver- and one half of the proceeds arising from the sale of my horse, mules, cattle, Hogs and stock of every description, and wagons and planting utensils, which I hereby direct my Executor to sell on such terms as may conduce most to the interest of my Estate. - To my beloved granddaughter Martha Finch England for and during her natural life and at her death to such Children as may survive her I give and bequeath my Slave, Harriet, Jane, Gilbert and Nelson with the future increase of the female thereof.

my Slave Spown, and the other half of the proceeds arising from the sale of my horse, mules, cattle, hogs, stock of every description, wagons & planting utensils, but if said granddaughter should die leaving no child her surviving, I give and bequeath the property aforesaid given her, to the Children of my late son Daniel Finch, to the Children of my said daughter Susan A. and Sarah C. and my grandson William T. Finney, to be divided into four equal shares, one fourth share to the Children of my late son Daniel, one fourth to the Children of my daughter Susan A., one fourth to the Children of my daughter Sarah C. and one fourth to my grandson William T. Finney. - To the Children of my late grandson, Daniel, I give and bequeath in addition to the foregoing my Slave Maria and five hundred Dollars in cash and a note for \$500 made by him in his lifetime which I have surrendered to his family since his death. - To my beloved Son's daughter, Elizabeth Finch Finney, in addition to a note for \$500 which I hold against her husband, and which I have surrendered to him, I give and bequeath my negro Girl, Charity. I hereby constitute and appoint my friend William C. Clarke of Dayton Executor of this my last will and Testament, in anticipation of I wish to set my hand and seal, this fifth day of May, in the year of our Lord one thousand eight hundred and fifty five. Elizabeth Finch dec.

Attest W. C. Clark, Springfield, Mo. Do. J. Young, Secy. Filed in my Office June 16th 1856.

Probated Will.

In the matter of the Probate of the Will of Elizabeth Finch deceased. State of Alabama, Marengo County, Probate Court, July Term 1856. Testimony of Miles G. Clark one of the subscribing Witnesses to the aforesaid will, proposed as the, as Executor of said Elizabeth Finch, who being first duly sworn deposes and says:- That he was present on the fifth day of May 1856 at P.M. and saw the said Elizabeth Finch execute the same in his own hand and Shown to him, that she requested William C. Clarke to sign her name for her, who signed her name to said instrument in her presence and in the presence of deponent Miles G. Clark, that the other subscribing witnesses, and that he the deponent and the said Clark signed their names thereto as witnesses, in the presence of said Elizabeth and her request, and also in the presence of each other. And on being cross examined by John T. Thomas Esq. the guardian ad litem for the minor heirs at law, the deponent further says that said testament was to the best of his judgment of same and disposing mind and memory.

W. C. Clark.

This day came William C. Clarke the Executor named in the instrument proposed for Probate as the last will of Elizabeth Finch, and likewise came the minor heirs at law of said Elizabeth by John T. Thomas Esq. and the acknowledgment of the service of notice required by law by James L. Correll & wife and by John T. McGhee for his children who are minors, and by Mr. James and wife being proved to the satisfaction of the Court, and the Probate

of said instrument being heard, and it appearing to the testimony of Wm. F. Nelson one of the subscribing witnesses now here taken and reduced to writing and signed by him that said Will was duly & properly executed. It is therefore ordered by the Court that said will be a instrument be admitted to record, as the last will & Testament of said Elizabeth Smith - and the said William C. Blake now here files his Bonds in \$10000 Dollars with John W. Smith & J. B. Gaines as sureties and qualifies as Executor of said Will. It is therefore ordered by the Court that said Bond be approved and recorded and that letter testamentary on said will be granted to the said Blake, accordingly, and it is further ordered that Robert C. Buchanan, Ed Smith, Robt L Marshall, Egell, & Saml H Rogers be appointed Commissioners to appraise the personal estate of said Elizabeth.

J. A. Young, Juv.

Last Will of Sarah A Thompson

See Minutes Entry Book C. on page 81 & 89

Notice.

To you Mr. Bonds and Ann his wife, John Pembert and Fannie his wife, and Foster Tenell, who with the rest of the said James Tenell are the next of kin of Sarah Altona Thompson late of Maricopa County deceased. You are hereby notified that James C. Tenell as the Executor of the last will of Sarah Altona Thompson, dec. has made application to the Probate Court of said Maricopa County to prove the last Will & Testament of the said Sarah Altona Thompson deceased. And that Monday the 28th day of July, A.D. 1856 is set for hearing said application, at sundown in said County, the place of holding said Court. When and where you can attend and show cause why said application should not be granted. Given under my hand & Office in Tucson, this the 8th day of July, A.D. 1856.

J. A. Young, Judge of Probate, J. M. C. We acknowledge legal service of the within notice, this 10th day of July, A.D. 1856. J. W. Pembert, F. S. Pembert, W. M. Brooks & E. Brooks, F. S. Tenell. Executed July the 16th, 1856. in Foster Tenell, the Clerk for Court.

Answer of J. M. C.

In the matter of the Probate of the Will of Sarah A Thompson deceased. - Pending in the Probate Court of Maricopa County - Arizona. On the 28th of July, A.D. 1856. The undersigned was duly appointed by said Court Guardian ad litem for Foster Tenell a minor to defend his interest his interest in the matter of the Probate of said will comes into Court and enters said appointment and waives further notice and for answer on behalf of said minor says that he denies that the said instrument is the last will & Testament of the said Sarah A Thompson and prays the Court to require strict and legal proof of the same. Henry A Woolf Gen ad litem for Foster Tenell.

W.C.

Filed 28th July, 1856. - I, Sarah Altona Thompson of Maricopa County, hereby make and declare my last Will and Testament as follows: I desire that my plantation shall be kept up, and my hands worked thereon. I will settle, and pay, and my Executor hereinafter named shall pay out of the proceeds throughout the sum of Twelve Thousand Dollars to the "Alabama Annual Conference of the Methodist Episcopal Church South." I then direct my property of every description to be divided into five equal shares, and hereby give and bequeath to my sister Ann Brooks, to my brother James C. Tenell, my sister Fannie Pembert and the children of Jack Thompson dec. deceased, one of each said share. I give and the other share I give and bequeath to my brother Foster Tenell and James Thompson of the County of Choctaw, to be equally divided between them. I give and to my sister Fannie, my home and lot on which I am now living in Dayton for which she is to account in the division of my property as aforesaid, at a fair valuation provided she does not sell the same, but resides therein. - I desire my slaves to be divided in families so as to separate them as little as possible. - I hereby appoint my brother James C. Tenell Executor of my

of this my last Will and Testament, in witness whereof I have
set my hand and seal, this 6th day of July A.D. 1856.

Witness Joshua T. Heard. Frank Prince.

Probate of Will. - In the Matter of the Will of Mrs Sarah Eltona Thompson. Probate Court. Maricopa County July Term A.D. 1885. held July 25th A.D. 1885.

The testimony of Joshua T. Nelson on of the subscribing witnesses to the will of Mrs Sarah Altona Thompson deceased who being first duly sworn deposes & says, that he was present on the 6th day of July 1856 and saw Mrs Sarah B Thompson execute the instrument now here produced and shown to him bearing said date and attested by him & Doct. Frank Prince as her last will and Testament. That he and the said Frank Prince signed the same at her request and in her presence as witnesses and also in the presence of each other. He further testifies that Mrs Thompson was to the best of his knowledge and belief, of sane and disposing mind and memory at the time of executing said will. - Joshua T. Nelson.

This day came James L. Donell the Executor named in the instrument in writing heretofore produced as the last will of Mrs Sarah Thompson deceased, and likewise came Foster by Donell junior by Henry H. H. Esq. - and the Probate of said instrument being heard, and it appearing to the satisfaction of the Court that all of the next of kin of said Testatrix have had ten days notice as required by Law - and it further appearing by the testimony of Joshua T. Heard one of the subscribing witnesses that said instrument was duly executed and published by said Testatrix on the same day as her last will and testament on the day the same bears date. It is therefore ordered by the Court that said instrument be recorded as the last will and testament of said Sarah Thompson deceased - and that letters testamentary be granted thereon.

Jack Young Judge etc.

Filed July 12th 1856 & admitted to second probate July 28th 1856
Jas Young Judge.

Last Will of
Richard Green
Dec?

See Minute Entry Book G pages 128 & 129.

Citation

The State of Alabama
Marengo County
Estate of
Richard Chen dec^d

Prostate Court, August Term 1856
To my Sheriff of the State of Alabama
Greeting: You are hereby commanded
without delay to take Virginia Green
a minor about 16 years of age.

Richard Green married about 20 years ago, and Margurith a
minor about seven years of age. Children and his of said Richard Green Sr.
and Margurith Bond of the he found in your County to be and appear before
the Honorable Judge of the Probate Court at a Court to be holden in session
for the County of Monroe on the second Tuesday of October 1856. and then
cause if any they have why an instrument proposed this day by
said John Green the last Will and Testament of said Richard Green dated
the 12th August A.D. 1852. Should not be admitted to Probate as due
said Will &c. - Wherein said not and have your then and there their
action with your endorsement thereon. Wilson Judge of said
Court at Office, this 26th day of August A.D. 1856. and for the 80th
year of the independence of the United States. - Signed 26th day of
August 1856. J. A. Hyatt. Judge of the Probate Court.

August 1856. C. T. Wallington, Esq.
 Accounted on Araminta Bond, September 12th 1856. on Virginia Green
 Richard Green, Accounted on Margarita Green by personal delivery
 on 11th Dec. Enc. September 6th 1856. C. T. Wallington, Esq.

Answer.
of God as the

The State of Habama
Mazengo County

Probate Court
Estate of Richard Green deceased.

George C. Lyon hereby accept the appointment of Quirican ad litem
of Thomas Green, Richard Green, Manandla Green, in the proceeding
in the matter of probating the last will and testament of said
Richard Green dec'd and hereby warns further notice and command that
the hearing may take place forthwith, and for answer on behalf of
said minor, hereby deny that the paper purporting to be the last will
of Richard Green is not the will of said Richard Green as asserted -
I say the Court to receive such and legal proof of the same.
Witness my hand and seal this 15th day of October 1856.
George C. Lyon, Quirican ad litem.
Filed October 15th 1856. James H. Young

Petition

Ex^{to} H^{on}ble James A. Young Judge Probate of Morgan County and State of Alabama - We undersigned Thomas H. Hottel of said County respectfully represent unto you Honorable Court that Richard Green late a Citizen of said County, departed this life in said County on the 23rd of August instant first having made and published his last Will and Testament, which is hereto attached and signed by him as a part of this petition - that said last will and Testament of said Testator bears date on the 11th day of August A.D. 1852. and was signed sealed and published in presence of W. Hittell, L. S. Chambers, and R. G. Hornston as witnesses thereto, as will fully appear by reference to said Will. - that said Hittell resides in Wilcox County, that said Chambers resides in Morgan County and said Hornston in

Madison County - That said Testator dies leaving a Widow Frances G. Green, who resides in Waringo County and the following named children to wit: Araminta Bond a widow and a daughter of said Testator, who resides in Waringo County. Adelia Bennett wife of Walter M. Bennett, who resides with her husband at Palo Alto, Chickasaw County, in the State of Mississippi - Susan Haff a Widow and a Daughter of said Testator, who resides at or near Murfreesboro Rutledge County in the State of Tennessee all of full age and competent minds. - Virginia Green a daughter about sixteen years of age, Richard Green a son about twelve years of age and Margaretta a Daughter about seven years of age, all residing with their said mother and as soon as said - The undersigned as will be seen by said Will, is appointed therein the sole Executor thereof and he therefore prays your Honorable Court, to admit said last Will and Testament to probate in your Hon. Court in the mode and manner pointed out by the Code of Alabama in such cases provided and your petitioner will ever pray &c.

The J. Woolf, by Brooks & Woolf attys.

Wm.

The State of Alabama - I know all men by their parents, that I Waringo County, Richard Green of the County & State aforesaid, being of sound and disposing mind and memory, do hereby make publish and declare this my last will and Testament hereby revoking all former Wills by me at any time heretofore made: - First - I give and bequeath to my wife Frances G. Green, the following named negro Slaves to wit: Abby, Harriet, Billy, Mary Ann, Lucinda, Tom, Bob, Emily, Captain, Old Charlotte and old Rose, and their children and future increase, for and during the term of her natural life, and after the death of my said wife, the said Slaves and their future increase, will and bequeath to my three children, Virginia, Richard, and Margaretta Green, to be equally divided between them. Second - I give and bequeath to my daughter Adelia Bennett wife of Walter M. Bennett the following named negro Slaves to wit: Silva, Ervin, Amanda, Manphis, Frank Jane, Rosanna, Jerry, and Caroline, and the children and future increase of the females, for and during the term of her natural life, and at her death to her children then living to be equally divided among them, said property I give and bequeath to my said daughter Adelia for her sole and separate benefit and support, to be free and exempt from the contracts engagements of and liabilities of the said Walter M. Bennett or any future husband of the said Adelia. Third - I give and bequeath to my daughter Araminta Bond wife of John A. Bond, the following named Slaves viz: Suley, Henry, Charlotte, Leud, Solomon and Mary, and the children and future increase of the females, also one hundred thirty acres of land upon which they now reside, also forty acres of land lying in Chickasaw County Creek Swamp adjoining the land and plantation of William Langford on the west side and (numbers not recited) the said two hundred acres of land and the above named negroes and their increase, I give and bequeath to my said daughter Araminta for her sole and separate

use benefit and support during the term of her natural life, and after death to be equally divided among her children, said land and negroes not to be subject to the contracts debts and liabilities of the said Araminta Bond, or to be disposed of by him or any future husband of the said Araminta. Fourth - I have therefore given to my daughter Susan Haff wife of Wiley Haff, four hundred acres of Land which I value at ten dollars per acre, also a negro Ind Rosetta which I value at six hundred dollars. In addition thereto I give and bequeath to her a negro man named Nat. The said land and negro and the children and increase of the said Rosetta, I give and bequeath to my said daughter Susan, for her sole and separate use benefit and support during the term of her natural life, and at her death to be equally divided among her children. The said property not to be subject to any contract debt or liability of the said Wiley Haff or to be disposed of by him in any manner whatever, nor by any future husband of the said Susan. Fifth - I will and bequeath to my son Richard Green the following named negroes, Leud, Sada, Solomon, Eliza, another Child Josiah, John, Adam, Joke, Old Martha & Child, the children and increase of the females. Sixth - I will and bequeath to my daughter Virginia Green the following named Slaves to wit: Gilbert, Rose, Mable, Jack, Cherry, William, Tom, Polly, Amy, Nancy and her child, Scotland, Della, and Lucinda, and the children and future increase of the females, for the sole and separate use benefit and support of my said daughter Virginia for and during the term of her natural life, and at her death to the heirs of her body then living, to be equally divided among them, said property not to be subject to the debts, contracts or liabilities of any husband of the said Virginia nor disposed of in any way by him. Seventh - I will and bequeath to my daughter Margaretta Green, the following named Slaves to wit: Ladine, Anne, Malinda, Tommy, Emily, Ann, Susan, her child Carice, Henry & Martha and the children and future increase of the females, for the sole and separate use and benefit of my daughter Margaretta during the term of her natural life, and at her death then to the heirs of her body, said property, not to be subject to the debts, contracts or liabilities of any husband of the said Margaretta. Eighth - It is my will and desire that my wife Frances G. Green, shall have her dower allotted and set apart to her out of all my (said) (not known before bequeathed) according to Law, and that the said dower shall at the death of my said wife, shall descend to and become the property of my son Richard Green. Ninth - It is my will and desire that the remainder of my lands and plantation shall remain undivided and be used and cultivated in conjunction with my wife's dower for the joint use support and benefit of my said wife and my three youngest children, Virginia, Richard and Margaretta, until they shall respectively arrive at the age of twenty one years, or marry. It is also my will and desire that all of my household and kitchen of all kind of stock of grain and provisions, stock of mules, horses, Cattle, Sheep and hogs, plantation tools, and all other tools and implements, wagons, Oxen and Carriage, shall remain on said plantation for the use and support of my wife and three youngest children aforesaid, until the death of my wife, and until the said children

last named shall arrive at the age of twenty one years, or marry, when the same shall be equally divided between them. - Twelfth. It is my will and desire that all my lands exclusive of the two hundred acres, given to my daughter Annamaria Rouse, and all slaves of my wife dowry, shall be equally divided between my two daughters Virginia and Margaretta when they shall arrive at the age of twenty one years or marry. - Thirteenth. It is my will and desire that the slaves herein bequeathed, to my said three younger children shall be kept upon the plantation together, with their portion property, and the plantation in connection with my wife dowry to be cultivated with their negroes in connection with my wife's negroes, for the joint use, support and benefit of my said wife and three younger children Virginia, Richard, and Margaretta Green. During the lifetime of my wife, and until the said children shall respectively arrive at the age of twenty one years or marry. Fourteenth. It is my will and desire that all of my household and kitchen furniture, plantation tools and implements, stock of all kinds, provisions &c. together with ^{any} and ^{every} article and description of property remaining on said plantation at the death of my wife, shall belong to and be equally divided among my said three younger children Virginia, Richard & Margaretta Green, and to be sold by my Executor for that purpose of necessity. - Fifteenth. - I hereby give and bequeath to my gold watch and chain to my son Richard Green. - Sixteenth. - I give and bequeath to my grandson Francis Leathery one Saddle Horse and a negro slave named Lenna with her future increase, and in case the said Francis Leathery should die without issue it is my will and desire that the said slave Lenna shall belong and become the property of my daughter Adelia Bennett, upon the same conditions and restrictions as the other property bequeathed to her in the second article of this will. - Seventeenth. I do hereby nominate constitute and appoint Thomas J. Worley sole Executor to manage my Estate and to execute and to carry into effect the provisions and execution of this my last will and Testament. In testimony whereof I have hereunto set my hand and affixed my seal of this the Twenty eighth day of August, A.D. Eighteen Hundred and forty two.

Richard ^{my} Green Seal
Signed Sealed and published in our presence as witnesses, by the above named Richard Green as his last will and Testament on the day & year therein mentioned. Wm. Kithrell
R. D. Chambers, W. H. Houston.

Probate of
Will.

Probate Court } October Term 1852 A.D.
Marion County } The testimony of Wm. Kithrell one of the subscribing witnesses to the foregoing instrument being first duly sworn deposes and says, that he does not recollect any distinctly any circumstance connected with the execution of said instrument, and that the signature of his name is genuine, and that he himself the

Name of Richard Green is in his hand writing, and that he has no doubt that Mr. Green signed his name in his presence, and that he attested the same as witness in his presence, but has no distinctly recollection of it, nor of the other witnesses being present. He further says that at the period of the will Mr. Green was to the best of his knowledge and belief of sane mind and memory. W. Kithrell.

I certify the foregoing Testimony of Wm. Kithrell was taken before me as above stated and after being reduced to writing was by him signed and the Probate of said will continued until the 2nd Monday in November next for further testimony. October 18th 1856.

Jas. A. Worley Judge &c.

Probate Court Marion County - November Term 1856.
The testimony of Robert T. Chambers who being first duly sworn in open Court deposes and says, he was present on the day said instrument bear date, and saw Richard Green sign the same by making his mark, who then and there declared the same to be his last will and Testament, that he together with Wm. Kithrell and Robert T. Houston the other subscribing witnesses at the request of said Green signed the same as subscribing witnesses and in the presence of said Green and of each other, he further says said Green was at the time of signing said instrument of sound and disposing mind and memory, he further says that the name of said Green was written by said Kithrell, and that said Green could not write. - Robert T. Chambers.

On the foregoing Testimony it is ordered by the Court that said instrument be admitted to record as the last will and Testament of said Richard Green dec'd. November 10th 1856.

Jas. A. Worley Judge &c.

Filed for Probate August 26th & set for let
Term 1856. Jas. A. Worley Judge.

Bond of The State of Alabama - Marion County. Given all men by the present that we the Sherrif, James O'Wolf, Edward J. Walling and Thomas and Henry O'Wolf are held and jointly bound unto James A. Worley Judge of Probate Court for the County of Marion and his successors in office in the sum of one thousand thousand dollars, to the payment of which and the interest thereon, we bind our selves on our own execution, and administration jointly & severally, jointly by these present, sealed with our seals and dated the 15th day of November, in the year one thousand eight hundred and fifty six. The condition of the above obligation is such that whereas the above bounden Thomas O'Wolf has this day been duly appointed

571.
 Executor of the Will of Richard Green deceased.
 State of Marengo County. Now if the said Thomas Woolf
 shall and do will and truly perform all the duties which he
 or may be by Law required of him, as such Executor
 then the above obligation shall void. Otherwise to remain in
 full force. The Woolf and Jas Woolf (decd. C. J. Washington
 decd. Winfield Woolf decd. Henry A. Woolf decd.
 Approved November 15th 1856.

J. A. Young Judge.

572.
 Last Will & Testament of James Longgon decd. See Minutes Early Book of page 571.

Citation.

The State of Alabama Probate Court September Term 1854
 Marengo County. To any Sheriff of the State of Alabama -
 You are hereby commanded without delay to cite John Williamson, and
 Williamson his wife, 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 2nd Monday of October 1854,
 and contest the proceedings relating to a paper filed in said Court
 purporting to be the last will and testament of James Longgon (decd.)
 if they see proper and according to Law in such cases made and
 provided: - Return said act and have you then and then this citation
 with your endorsement thereon. Witness James R. Young Judge of said
 Court at Office, this 11th day of September 1854. Spiced 11th day of
 September 1854. J. R. Young Judge.
 In'm Sheriff, 12th September 1854. Executed on John Williamson &
 wife 2nd October 1854. At D. James Sheriff by Robt. Kennedy ds

Citation.

The State of Alabama Probate Court June Term A.D. 1852.
 Marengo County. To any Sheriff of the State of Alabama -
 Citation. You are hereby commanded
 without delay to cite John Williamson
 and Lucinda Williamson his wife.
 They Longgon, Margaret Longgon, B. Fuller and Eliza Fuller
 his wife 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 second Monday of Aug-
 ust 1854, and show cause if any they have why an instrument
 on file in said Court purporting to be the last will and testa-
 ment of James Longgon late of said County deceased should
 not be admitted to Probate. Return said act and have you then
 and then this citation with your endorsement thereon. Witness
 J. Young Judge of said Court at Office, this 26th day of June 1852.
 Spiced the 26th day of June 1852. J. A. Young Judge.
 In'm Sheriff, Office 20th day of July 1852. & Executed on B. Fuller & wife
 Eliza Fuller August 7th 1854. W. C. Oliver, Sheriff by H. Keverly ds.
 Executed on Mary Longgon and Margaret Longgon July 18th 1852. At
 London, Sheriff, By H. D. Hittley, D.S. John Williamson and Lucinda
 Williamson not found in my County, July 26th 1852. W. C. Oliver Sheriff
 by H. Keverly ds. Executed on W. C. Oliver, Sheriff by H. Keverly ds.
 July 12th 1852. Alfred Watch July 14th 1852. Raffle not found
 July 1852. At London Sheriff.

Will.

In the name of God, Amen. I James Longgon of the County of
 Marengo and State of Alabama being of sound and disposing
 mind, make and ordain this my last will and testament -
 I give to my two daughters Mary and Margaret as tenants in
 common my house and lot in London, all the house hold and
 kitchen furniture appertaining to the same, all the provision that

Executor of the Will of Richard Gunn deceased
 State of Marengo County. Now if the said Thomas Woolf
 shall and do will and truly perform all the duties which he
 or may be by Law required of him, as such Executor
 then the above obligation to be void otherwise to remain in
 full force. *Thos Woolf* *Jas R Woolf* *Geo T Washington*
Geo D. Wankila Woolf *Adm* *Henry H. Wolf* *Adm*
 Approved November 1856. *Ja N Young Judge*

Last Will & Testament *See Minutes Entry Book Page 1521*
James Longgon Dec *+ 571.*

The State of Alabama *Probate Court* September Term 1854
 Marengo County *To my Sheriff of the State of Alabama -*
 You are hereby Commauded without delay to cite John Williamson and
 Williamson his wife, 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 Linden for the County of Marengo, on the 2nd Monday of October 1854
 and contest the proceeding probating of a paper filed in said Court
 purporting to be the last will and testament of James Longgon Dec
 if they see proper and according to Law in such cases made and
 provided: - Return said not and have your return and then this citation
 with your endorsement thereon. Witness James R Young Judge of said
 Court at Office, this 11th day of September 1854. Spaid 11th day of
 September 1854. *J. R. Young Judge*
 Had in Sheriff's Office 12th September 1854. Executed on John Williamson &
 wife, 3rd October 1854. At D. Sumner Sheriff by Robt Haverly d's

Citation.

The State of Alabama *Probate Court* June Term 1854.
 Marengo County. *To my Sheriff of the State of Alabama -*
 Estate of *James Longgon dec* *without delay to cite John Williamson*
 and Luanda Williamson his wife.
 Mary Longgon, Margaret Longgon, R. Fuller and Eliza Fuller
 his wife, 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
 Linden for the County of Marengo, on the second Monday of Aug-
 ust 1854 and show cause if any they have why an instrument
 on file in said Court purporting to be the last will and testa-
 ment of James Longgon late of said County deceased should
 not be admitted to Probate. Return said not and have your return
 and then this citation with your endorsement thereon. Witness James
 R Young Judge of said Court at Office, this 26th day of June 1854.
 Spaid the 26th day of June 1854. *J. R. Young Judge*
 Had in Sheriff's Office 26th day of July 1854. Executed on R Fuller & wife
 Eliza Fuller. August 7th 1854. W C Oliver, Sheriff by R Haverly d's
 Executed on Mary Longgon and Margaret Longgon July 11th 1854. At D.
 Sumner, Sh. & By W D Whitley, D. John Williamson and Luanda
 Williamson not found in my County. July 26th 1854. W C Oliver Sheriff
 Marengo County. Executed on W J Fanto. *Alfred Watch* James
 July 11th 1854. Alfred Watch July 14th 1854. Haverly not found
 July 1854. *A R Sumner Sh.*

Will.

In the name of God, Amen. I James Longgon of the County of
 Marengo State of Alabama being of sound and disposing
 mind, make and ordain this my last will and testament -
 I give to my two daughters Mary and Margaret as tenants in
 common my home and lot in Areola, all the home lots and
 other furniture appertaining to the same, all the provisions that

that may be on hand, the stock of hogs and cattle, the horse, and the growing crops, I also assign them the use of the servants now on the lot until the end of this year. I give this to my two daughters Mary & Margaret, in consideration of their ^{long} faithful and affectionate devotion to me during years of helplessness and affliction. - The remainder of my property, consisting entirely of Negroes, I desire to be equally divided among my four daughters viz. Eliza Fuller, Lucinda Williamson, Mary Longgon and Margaret Longgon. - I appoint Samuel Strudwick Executor of this my last will and Testament. In witness whereof I have hereunto set my hand on this 17th day of April 1852.

James Longgon.

Attest James S. Ruffin. Clerk of Probate, W. S. Garrett.

Probate
File:

The State of Alabama } Probate Court November Term 1852
Marion County } Wm J. Garrett being first duly sworn according to Law, says that he knew James Longgon in his lifetime, that on or about the 17th day of April 1852 he saw James Longgon execute the foregoing instrument as his last will by making his mark therein - that said James Longgon called upon deponent to sign the same as a witness of the fact of it being his last will that deponent did sign the his name to it, in the presence of James Longgon and Alfred Hatch and James Ruffin, and that he saw the other witnesses also sign their names thereto, as witnesses, in the presence of said Testator, that the said James Longgon appeared to be perfectly rational and spoke about his business as if he understood what he was doing.

W. J. Garrett.

Probate Court } one the foregoing testimony of W. J. Garrett
November Term } one of the subscribing witnesses. It is ordered that the foregoing instrument be admitted to record as the last will of James Longgon dec. -
Jas A. Young, Judge.

The State of Alabama } In the Honorable Court of said County
Marion County } Judge of Probate Court of said County.
The undersigned would represent unto your honor that that James Longgon late of said County died in said County at his residence in Arcola, on or about the 28th day of May, 1852, leaving a paper purporting to be his last will and Testament which is hereby appended, whereby the undersigned is appointed the Executor of the said last will, and the undersigned hereby declares that he such Executor of said last will. The said James Longgon left the following named persons who are his children and heirs at Law viz. Eliza Fuller aged over 21 wife of Fuller residing at Darius residing in Greene County, Lucinda Williamson aged over 21 wife of John Williamson residing in Butler County, Mary Longgon aged over 21 and residing in Marion County, and Margaret Longgon aged over 21 years and residing in said Marion County.

S. Strudwick.

Filed for Probate the 26th June 1852, & set for August Term 1852.
Jas A. Young, Judge &c.

Last Will & Testament
of
Robert C. Morrison
Dec.

See Minute Entry Book Page 123.

Citations.

The State of Alabama }
Marion County }
Estate of
R. C. Morrison (de)

Probate Court October Term 1856.
Tracy Sheriff of the State of Alabama, Greeting
You are hereby commanded without delay to cite W. G. Phillips, the wife Andrew Phillips, Calisto H. Morrison, Anderson H. Sample, and Nelly Sample his wife, W. J. Russell & Mary J. Russell his wife and James Morrison if he found in your County, to be and appear before the Honorable Judge of the Probate Court at a Court to be holden in said County for the County of Marion on the third Tuesday and 17th day of November A.D. 1856, and show cause if any they have why an instrument purporting to be the last will and Testament of Robert C. Morrison dec. should not be admitted to Probate as such. - You are not to admit them there they appear without your endorsement thereon. Witness James C. Young Judge of said Court at Office, this 29th day of October 1856, in the 8th year of the independence of the United States.

Jas A. Young, Judge &c.

Filed 29th day of Octo. 1856. We acknowledge the above service of the within Citation this 3rd day of November 1856.
Mary Jane Russell, James J. Morrison, W. J. Russell, Nelly Sample & A. Sample, & G. Phillips, & S. Phillips, - C. Morrison.

Will.

In the name of God, Amen. I Robert C. Morrison of Marion County State of Alabama, do make and declare this my last will and testament in manner and form following - First I resign my soul into the hands of Almighty God, hoping and believing in the promises of my Lord, by the merits and mediation of Jesus Christ, and my body I commit to the earth to be buried at the direction of my Executors hereinafter named. I desire my body to be decently interred and after my death that my funeral expenses including a suitable monument to my grave, be just paid and the just debt that I may be owing at the time of my death. - First I give and bequeath to my daughter Catharine Matilda Morrison the following described land to wit: The South East quarter of section seven (except thirty acres of the north side, west of north West quarter of section seven, South East quarter of North West quarter, twenty-two acres of the south side, and bounded by the Mississippi Road of west half of South West quarter of section eight. North East quarter of section eighteen, except about twenty eight acres which lies South of Dry Branch, containing in all about four hundred and four acres, all of Township Tenth, of Range, four East - also a negro woman by the name of Harriet & her children, Lydia, John & Nelson, together with all their natural increase - two feather Beds, full furniture, all the other extra and fixtures that she has had appropriated to her own use since she has been to the years of maturity, also one good gentle horse or

Wife, and my Puggy and hainet, and the said Catharine Matilda Morrison, is to be taken care of by Robert C. Morrison Jr. during her lifetime, and to treat her kindly during her life - should the said Robert C. Morrison die before the said Catharine M. Morrison shall be at liberty to choose her home with whom she may wish to live, and her expenses to be paid out of any property they may have except the above described land, which the said Robert C. Morrison Jr. is to have, and the said Catharine M. Morrison is to have six sitting chairs and as much of the bedward furniture as she may want, or may be on hand at the time, and such other things as she may select out of what is on hand at the time and at the death of the said Catharine M. Morrison, the said Robert C. Morrison Jr. is to have all the personal and real estate that she the said Catharine M. Morrison may be left to her by me, and the interest, for the expenses, care and attention he may have been at with her the said Catharine M. Morrison. 2^d I give and bequeath to daughter Milly wife of Henderson Sample, one negro girl Fanny and her two children, Alex & George, and her increase, to her and the heirs of her body. 3^d I give and bequeath to my daughter Prudence, S. wife of A. P. Philips, Fanny & Dora. - 4th I give and bequeath to my son Robert C. Morrison one negro boy Tom. - 5th I give and bequeath to my daughter Mary Jane, wife of W. J. Russell, one negro boy Martin. - 6th I give and bequeath to my Grandson James M. Morrison two hundred and fifty Dollars, to be paid to the said Guardian of J. M. Morrison. - Also I desire that my trusty old negroes, Leah, Dine, Arthur and Flora to be put up among my heirs, to the lowest bidder who shall be bound to the rest of my heirs, to support the said slaves in decent manner and at their death to be buried decently. - 7th I wish and desire the balance of my property may be sold at public sale, and after my funeral expenses and my just debts paid - I wish three discreet and disinterested persons to be selected to value all the property that I have given to my heirs and make each heir equal with other with the exception of my daughter Catharine M. Morrison part, is to remain as is heretofore named and my Grandson James M. Morrison is only to have the two hundred and fifty Dollars before named, and do revoke and annul all former wills and all former wills, and do appoint my son Robert C. Morrison my sole executor to this my last will and testament. In testimony whereof I have hereunto set my hand and affixed my seal this 2^d day of February in the year of our Lord and Saviour One thousand eight hundred and fifty six.

Robert C. Morrison (Sd.)

Attest James Kimbrough, Milinda Porter, Harriet Saffin.

Probate
Hills.

Probate Court, Marengo County, held Nov 17th 1856. The testimony of Jas Kimbrough one of the subscribing witnesses to the foregoing instrument

who being solemnly sworn deposes & says that he wrote the foregoing will for Robert C. Morrison at his request & according to his instructions, that said Morrison signed & published the same as his last will & testament in his presence & in the presence of the other witnesses Milinda Porter & Harriet Saffin on the day the same were given & that he the deponent & the said Milinda Porter & Harriet Saffin subscribed the same as witnesses in the presence & at the request of said testator & in the presence of each other. And he further says that said Morrison was of sane & disposing mind & memory at the time of executing said will.

I certify that the foregoing testimony of Jas Kimbrough one of the subscribing witnesses to said will was this day taken before me in open Court & signed by the said Kimbrough. Attest Jas. A. Young Judge Filed for Probate Oct 2^d 1856 & set for hearing the 17th Nov 1856.

Jas A Young Judge

Last Will

John McKee died

See Minutes Entry 1 Book 5 pages 336 & 337.

Citation

The State of Alabama
Harrison County
Probate Court, July Term 1852.
To my Sheriff of the State of Alabama
Greeting: - You are hereby commanded
without delay to cite John S. Adle
Louise, Josephine Rives, Wm. Frederick, Henry Chappard, Pauline
Beatrice, Elvira Keaton, & Corine Emma, McKee, minor children
of said John McKee, late of said County, deceased, 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 Linden, for the County
of Morgan, on the 2nd Monday of August 1852, and show cause
if any they have, why an instrument on file in said Court purpor-
ting to be the last will and Testament of said John McKee should
not be admitted to Probate: Where said not and have open them
and have this citation, with your endorsement thereon. Witness
my hand & the Seal of said Court at Office, this 22nd day of
July 1852, and in the 7th year of the independence of the
United States. Given 22nd day of July 1852.

John A. Young, Judge &c.
In my Sheriff's Office 21st day of July 1852 I executed John McKee
& Adle Louie, McKee, J. Rives, McKee, W. F. McKee, P. B. McKee,
E. H. McKee, & C. E. McKee, July 25th 1852. J. A. Young, Judge &c.

Pition

To the Honorable James A. Young Judge of the Probate Court for
Harrison County in the State of Alabama: - Your petitioner Mary
Josephine McKee, widow of the late John McKee, who at the time
of his death was a citizen of said County, represents that on
or about the 15th day of June last the said John McKee
deceased last life in the City of Philadelphia, leaving a Last will
and Testament which is hereto attached and filed in Court dated
May 6th 1852, in which said will your petitioner is appointed
Ex-ecutor. Your petitioner further represents that said John McKee
left the following children, Victoria Sammons wife of Turner
Sammons who resides near the town of Aberdeen in the State of Missis-
sippi John S. McKee, Adle Louie McKee, Josephine Rives,
William Frederick, Henry Chappard, Pauline Beatrice, Elvira Keaton,
& Corine Emma McKee; all of whom are minors, and reside with your
petitioner in said County. - Your petitioner now prays and
wishes for Probate, her said last will and Testament be duly admit-
ted to her. - Mary Josephine McKee, By her Counsel, Spence & Bond.

Answer

The State of Alabama
Harrison County
Probate Court August Term 1852.
The undersigned duly appointed by said Court
Guardian ad litem for the minor heirs of the Estate of John McKee
die, to defend their interest in the matter of the Probate
of an instrument on writing on file in said Court purporting
to be the last will and Testament of said deceased. One and
for answer in behalf of said minors denies that the instrument

is the last will and Testament of said John McKee die, and prays
the Court to require strict and legal proof of the same.
Henry A. Woolf Guardian ad litem for said minors.

Well.

I John McKee of the County of Morgan and State of Alabama,
do make public and declare my last will and Testament in
manus and form following to-wit: First It is my will and desire,
and I hereby direct that any and all just debts ~~be paid~~ I may owe
at the time of my death be paid and discharged. Second I will
devise and bequeath to my wife Mary McKee, all my property
effects estate & choses in action of every kind and description,
whether the same be real personal or mixed property & estate. In
this the better to enable my said wife to maintain and support her-
self, and to raise and educate my children in such manner as
she may deem suitable and best by keeping ~~my~~ my Estate together
if she thinks proper so to do, or in the event of such change in
the ~~event of an~~ situation and circumstances of the County
as would in her judgment render a sale of my Estate ne-
cessary to enable her to sell and convey the same, and need to
invest and use the proceeds for her benefit and also for the
benefit of my children as aforesaid. In making this pro-
vision by which I devise and bequeath my entire Estate, my
wife as aforesaid, I do not intend to be understood as wanting
in affection for my children, or as unwilling to make suitable
provision for them. I have great confidence in the judg-
ment and prudence of my wife, and am satisfied therefore
that she will do whatever ^{may be} necessary for the benefit of my
children: If she should dispose of the property & Estate by
gift or will, I feel assured that she will not fail to do
equal justice to all my children, and if she should die without
making such disposition, the law makes what I regard a fair
just and equal distribution, and with this all should be content.
I hereby appoint my wife the said Mary Josephine McKee Execu-
trix of this my last will and Testament, and devise and bequeath
to her the custody, management and tuition of my minor children
and I hereby request and direct that she be clothed with my
say Bond, and security in either capacity, and being satisfied
that my wife will manage my Estate, justly & properly not only for
herself and my children, but for any creditor I may leave, I request
that she be released from answering to the Court any inventory
or appraisement of my Estate. - In Witness whereof I have
hereunto set my hand and seal - this 6th day 1852.

John McKee (died)
Witness: F. L. Lyon, Ch. Rives.
Testimony of Oliver H. Rives one of the subscribing witnesses
to the foregoing will who being duly sworn says that he saw the
said John McKee sign and seal the foregoing will on the
day the same was made, that the same was signed and
sealed in the presence of the other subscribing witnesses I before
said that the other ^{above} subscribing witness Oliver H. Rives and the other
subscribing witness F. L. Lyon signed the same as witnesses at the same

Probated,
this 10.

of the said John McRae at the time he signed and sealed the same as approved and in his presence. That said McRae was perfectly sane and rational at the time he sealed & signed the said will.

O. H. Prince,
sworn to and subscribed before me, August 12th 1854, in Open Court.

John Young Judge

Probate Court
Marion County August Term 1854. It is ordered by the Court that the foregoing instrument be recorded as the last will and testament of John McRae deceased on the testimony of Oliver H. Prince one of the subscribing witnesses thereto.

John A. Young Judge

Filed July 22nd 1854. John A. Young Judge.

Last Will
of
Truhart Tucker
Dec.

See Minute Entry p. pages 122. 168.

Citation

The State of Alabama
Marion County

Truhart Tucker

David L. Tucker, Wm. A. Tucker, and Francis J. Haley wife of James Haley, Mary Ann Glap and Annathan Glap her husband and husband of Dunning and John A. Dunning her husband, after he found in your County to be and appear before the Honorable Judge of the Probate Court at a Court to be holden in Landon for the County of Marion on the second Monday of November 1856. And show cause if any he have why a certain instrument propounded by Jeremiah L. Tucker as the last will of Truhart Tucker dec. should not be admitted to Probate. Return fail not and have you then and thus this citation, with your endorsement thereon. Witness James A. Young Judge of Probate said Court at Office this 11th day of October 1856: and in the 81st year of the independence of the United States.

Spued 11th day of October 1856. Rec^d in Sheriff's Office 11th Oct 1856. Executed on Johnathan Glap and wife & J. A. Dunning under 23rd October 1856. Ed Wallington Sheriff By J. Glap D. S. Executed on Richard H. Tucker, Wm. A. Tucker, D. L. Tucker and James Haley & wife October 18th 1856. Ed Wallington Sheriff By J. Glap.

Citation

The State of Alabama
Marion County

Truhart Tucker dec.

Without delay to cite, Lemuel J. Tucker is 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 Landon for the County of Marion at the Court to be holden on the second Monday of November 1856 and show cause if any he have why an instrument propounded in by Jeremiah L. Tucker as the last will of Truhart Tucker dec. should not be admitted to Probate as such. Return fail not and have you then and thus this citation with your endorsement thereon. Witness James A. Young Judge of said Court at Office this 20th day of October 1856. and in the 81st year of the independence of the United States.

James A. Young Judge.
Spued 20th day of October 1856. Rec^d in Sheriff's Office 20th day Oct 1856. I acknowledge legal notice of the within citation to 2nd Mrs. Lemuel J. Tucker. attest J. A. Young.

Wid.

In the name of God Amen. I Truhart Tucker of the County of Marion & State of Alabama being of sound mind and memory, and considering the uncertainty of this frail and transitory life, do therefore make ordain, and full and declare this to be my last will and testament.

Testament. That is to say, I have deeded to Francis Haley my daughter, & three forty acres of land and to James Haley one forty acre lot. I give unto Jeremiah Tucker East half of North West quarter, the west half of north east quarter, both of section thirty four township fourteen, of range three east. I give to my son Samuel T. Tucker the east half of South West quarter, and West half of South East quarter, of section thirty four, of township fourteen, of range three east. I furthermore desire and it is my will that the balance of my land which I have be sold, and the proceeds arising therefrom to be equally divided amongst the balance of my heirs - those first named that I have given lands to, to receive his share of the proceeds. I further desire all my live stock, plantations, tools, horse hold and kitchen furniture to be sold. Also the crop of provisions that may be on hand, and the proceeds to be equally divided between all my heirs. I further desire all my servants to be equally divided among all my heirs, by three disinterested persons, to be chosen by my children. I likewise make constitute and appoint my son Jeremiah T. Tucker to be my Executor of this my last will and testament. In witness whereof, I have hereunto set my hand and seal, this the 22nd day of August in the year of our Lord one thousand eight hundred & fifty six. (1856) Thahart Tucker (Sd)

Witness J. C. Jones, W. T. Hoxa, W. P. Jones.

Probate
m. -

order

Probate Court - Marengo County - November Term 1856.
The testimony of J. C. Jones, W. T. Hoxa and W. P. Jones the subscribing witnesses to the foregoing instrument, who being duly sworn in open Court, severally depose and say, that they were present on or about the day said instrument bears date, viz: the 22nd day of August 1856, and saw Thahart Tucker execute said said instrument who then & there declared the same to be his last will and testament, that they severally signed the same as witnesses in the presence and at the request of said Thahart Tucker. They further depose that said Thahart Tucker was of sane and disposing mind & memory, and that, and they know of no undue influence being used to procure said will. J. C. Jones, W. T. Hoxa, W. P. Jones.
On the foregoing testimony of J. C. Jones, W. T. Hoxa, and W. P. Jones the subscribing witnesses thereto, it is ordered by the Court that the foregoing instrument be admitted to Record as the last will and testament of Thahart Tucker deceased.
November 10th 1856.

Jat A Young Judge &c.

Filed Sept 11th 1856. admitted to Probate Nov 10th 1856.

Jat A Young

Last Will & Testament
Mary F. McCarty
Dec.

Citations.

The State of Alabama
Marengo County

Probate of

Mary F. McCarty dec'd

widow Mary A. Swilley wife of John A. Swilley - Thomas M. Drummond

Hamilton Manley and Sarah Manley if to be found in your County

to be and appear before the Honorable Judge of the Probate Court at

the holden in Loudon for the County of Marengo on the second

Monday of December 1853 and show cause if any they have why

an instrument on file in said Court purporting to be the last will

and Testament of Mary F. McCarty deceased, should not be admitted

to Probate. - When fail not, and have you then and there this Citation

with you and return thereon. Witness, James A. Young Judge of

Said Court at Office, this 11th day of October 1853, and in the

7th year of the independence of the United States. Given 11th

day of October 1853. Jat A Young, Judge by Law John

Excuted on Virginia Drummond, Mary A. Swilley wife of John A. Swilley

1st day of November 1853. I A Short Sheriff Junior, C. By J. A. H. S.

Excuted on Thomas M. Drummond Hamilton Manley Sarah Manley

not found Nov 17th 1853. H. B. desuena Sheriff by J. A. H. S.

Probate Court October Term 1853.

To any Sheriff of the State of Alabama

Greeting: You are hereby commanded

without delay to cite Virginia Drummond

Mary A. Swilley wife of John A. Swilley - Thomas M. Drummond

Hamilton Manley and Sarah Manley if to be found in your County

to be and appear before the Honorable Judge of the Probate Court at

the holden in Loudon for the County of Marengo on the second

Monday of December 1853 and show cause if any they have why

an instrument on file in said Court purporting to be the last will

and Testament of Mary F. McCarty deceased, should not be admitted

to Probate. - When fail not, and have you then and there this Citation

with you and return thereon. Witness, James A. Young Judge of

Said Court at Office, this 11th day of October 1853, and in the

7th year of the independence of the United States. Given 11th

day of October 1853. Jat A Young, Judge by Law John

Excuted on Virginia Drummond, Mary A. Swilley wife of John A. Swilley

1st day of November 1853. I A Short Sheriff Junior, C. By J. A. H. S.

Excuted on Thomas M. Drummond Hamilton Manley Sarah Manley

not found Nov 17th 1853. H. B. desuena Sheriff by J. A. H. S.

Widd.

Marengo County Ala. October 7th 1853.

Give to H. F. Drummond, State of Ala. Marengo County Mary F. McCarty share in the Plant Road at Demopolis, and as much money as will make in value \$2000. Give to Thomas M. Drummond half the lot of land belonging to Mary F. McCarty that is, half of the estate & parcel of Mary Drummond dec'd and as much money as will make in value \$2000. Give to Ebenezer M. Swilley, the smallest Boy Bile as long as he will go in value, and the balance of the \$2000 in money out of the estate of Mary F. McCarty - And also the boy Bile will remain her her lifetime, and after her death will go to her heirs after body. - I want Virginia A. Drummond one half of the share of the land, belonging to the Estate of H. Drummond dec'd, now belonging to Mary F. McCarty and as much money as will make up the two thousand dollar. I want Sarah and Hamilton Manley to live with C. W. McCarty, and to be guided by him in every respect, and also their property as long as he lives, or as long as he is able. If there is any trade to be made for the above named children he has the power granted him by Mary F. McCarty to do so. The land over and by the creek that is, the Ungeron Land, shall be divided equally between Thomas Sarah and Hamilton. The notes given in name of C. W. McCarty shall go for Mary F. McCarty will be by C. W. McCarty will be settled by C. W. McCarty and of the Estate of Mary F. McCarty - And the negroes of the Estate of Mary F.

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McCartney shall be valued and divided equally between
Sarah and Harrison. - Mary S. McCartney.
Witness M^r Drummond. Charles M. McCartney.

Probate Court - Marengo County, December Term 1853.
Testimony of Charles M. McCartney who upon oath duly admin-
istered says, that he is one of the subscribing witnesses to the
foregoing instrument. That said instrument was written by
Thomas M. Drummond, at the request and according to the direc-
tions of W^m Mary S. McCartney. That the same was then read
over to her within her hearing and assented to by her. That
she signed the same in his presence and that of the said Thomas
M. - said that he and the said Thomas M. signed their names
thereto as witnesses at her request, and in her presence on the
day the same were dated. He further testifies that said
Brittain was at the time of same and disposing mind. -
C. M. McCartney.

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Last Will & Testament }
of } Brittain J. Pope Dec } See Minute Entry Book Page 258

217.
I, Brittain J. Pope of the County of Marengo and State of Alabama
being in my right & proper mind, do hereby make my last will and
testament which reads as follows: - First - I will that all my property
shall be kept together on my present plantation, and worked as one
common farm, and the proceeds to go pay all my just debts, and
educate my children. - Second - As I have given my daughter Ma-
menta C. Thomas, formerly Maminta Elizabetta Pope, one negro girl
worth about five hundred dollars, I will and desire that the rest
of my children shall have the same amount in money or negroes
to be given out of my estate as they become of age or marry, in
order that they may have alike of my property. - The remainder I
do remain on my plantation during my wife Herman Pope's
natural life, and the proceeds of the labor of the hands after
the debts being paid, to be equally divided amongst all children. -
And - I do make and appoint my son Vastine J. Pope sole executor
to this my last will and testament, without giving Bond and
Security in any way or shape, whatever. - In short he is invested
with the authority to manage the effects of my estate as fully
as I do at this time - live or he died, as the case may be. - And at
the death of my wife Herman Pope, he Vastine J. Pope, is to have
my property both real estate and personal, equally divided amongst
all my children, observing the part that each of them may have
already received. - This the 8th of February 1852. As witness
my hand and seal.

Brittain J. Pope. *[Signature]*

Filed March 7th 1852.
W^m T. B. Jones. John Williams
Filed March 7th 1852

Agst Will & Testament
Of
Maria S. Hogan, dec'd

In the name of God, Amen: I Maria S. Hogan of the County of Marengo, and State of Alabama, being of sound mind, and being duly admonished, that if behooves all persons, in life, to prepare for death. do hereby make and publish this my last will and Testament: when the spirit ascends to God, who gave it, the body I wish conveyed to the grave at Bethel Church, in Greene County, next the remains of my beloved sister, Frances F Minor, with a simple monument, indicating my name age &c.

I wish and desire all my property be kept together, except my house hold furniture while I wish, authorizing and empower my Executors to sell: and my plantation tented until all my just debt and legacies, hereinafter specified are paid off and satisfied, after which I give and bequeath as follows:-

1st I promised Erastus Smith Esq of Hartford Ct. agent for the house of Messrs P. & H. of the said Mary: He would uphold or stay the collection of a judgment they have against Mr James S. Lyon of Mobile, as security for my late husband Col Wm B Hogan - until I could get thro' all my non liabilities. I would provide for its payment - the original amount I understood to be between \$700 or \$800. but interest has accumulated since, and I wish authorizing and empower my Executors hereinafter named, after paying all my individual debt, to pay the sum of eleven hundred dollars, towards the satisfaction of the said judgment against the said James S. Lyon. I provide for the satisfaction of this judgment solely to protect Mr Lyon from loss, and not because I feel legally or morally bound to pay it, except as far as the promise to Mr Smith goes. - 2^d I have executed and delivered to Mr J. Jones and Alexander W. Smith of the City of Mobile, a deed conveying all my right title and interest in & to certain real Estate lying and being in the said City, and known as the wharf property, formerly owned by my late husband John B Hogan. - In trust to secure the payment of certain debt, in said deed fully described, to Caswary D. Samuels & William B. Sheppard out of the rents and profits of or sale of said real Estate alone: said deed bears date the 9th day of June AD 1857. And I wish its provisions fully carried out. And so ever as and if the said debt, or claims to Samuels & Sheppard are paid and satisfied out of the rents and profits of said real Estate and without a sale thereof, I give and devise to Sarah V. Stacy B Hogan wife, one of the two my house, on Commerce Street, known as part of the said wharf property, to them and their own separate use and benefit, and free from the control of their husbands, should they have husbands. And the undivided remainder of said real Estate, lying and being in Mobile: I leave my Executors to take possession of and rent out the same and pay over annually to John B Hogan Jr one half of said rents, until Ann Maria Hogan Boyd shall marry, die or become twenty one year of age; and invest the other half of said rents in some safe way at legal interest under the control or management of George A. Lyon Esq, as he may think most profitable for the said Ann Maria B. & her heirs; and he the said George A. Lyon is hereby to use the interest of the portion allotted to Ann Maria Hogan Boyd, in educating her if he think it advisable. And at her marriage or majority, I desire and hereby authorize and empower my said Executors to her the said Ann M. A. Hogan a complete and full title to all the said real Estate lying in Mobile - And the two Story Brick Store House, I have devised to Sarah V. Stacy B Hogan & to her

sole and separate use, she might free from the liabilities or control of her husband, should she have one. - And in the event of the said Ann Maria dying without issue then I give and devise all that portion allotted to her as above, to Ann B. Hogan, wife of Wm B Hogan & Lucy B. Hogan share and share alike, and free from the liabilities of the husbands of the said Sarah V. Stacy, should they have husbands. -

3^d My good and faithful Flora, the mother of none, all my Negroes, I leave to the especial tender care of my nieces and Cousin Jane F. Henson, hoping they will provide for her comfort - And I wish my Executors to retain sufficient monies in their hands to allow and pay over to the said Flora an annuity of Fifty dollars. -

4th To Lucy B Hogan I give and bequeath the sum of Fifty dollars per annum until she marries, or receives the possession of the two Story Brick Store House. -

5th I give and bequeath to Ann Maria Hogan Boyd for her sole and separate use and free from the liabilities of her husband, should she have one, all the lot of silver marked "M & H" which I bought at the sale of my late husband's Estate. And I wish request that my Executors George A. Lyon will keep it safely deposited for until she attains the age of majority or marriage, and if she should die without issue, then I give the said lot of silver to John B Hogan Jr. -

6th To the Rev. William Henry and to each of my Executors I give and bequeath a living ease, to be selected by George A. Lyon Esq, and to last not less than Fifty years, as a good memento of my debt of regard for them: And I give and bequeath to my nephew George A. Minor my own library of books, and to John B Hogan Esq I give and bequeath all the books, formerly owned by his Father & now in my possession. -

7th I desire and hereby authorize and empower my Executors to apportion the indebtedness of the Presbyterian Church of Semopolis amounting to, I believe, four hundred dollars, and pay it out of the means appropriated to the payment of my own debts. -

8th After the payment of my just debt and legacies as aforesaid, I wish so soon as convenient to my Executors, the sum of certain hundred dollars sent on to Judge Toles of Henderson, Kentucky, to purchase a negro land a piece for each of my four nieces. - The daughters of my late beloved Sister Ann V. Crab, viz: Mrs Maria M. Smith, Miss Maria East & Miss West, and settle the said negroes on my said nieces, in such a way, that they will not be subject to the liabilities or control of their respective husbands. -

9th After all my just debt and legacies as aforesaid are paid off, I give and bequeath to my Cousin Jane F. Henson, wife of Luther G. Henson the following slaves viz: Fannie, Minnie, & her child, Betty, Miller, Emma, William, John, Emma, Harriet, Dick, and a child, Daniel, Susan, Arthur, & Tom, to her and her sole and separate use and control, free from the liabilities and control of her said husband. And in the event of her dying without issue, then paying to my two thousand dollars (as hereinafter provided) to my said Cousin Jane, I hereby request her to emancipate the wife and children as named above, viz: Fannie, her wife, and Arthur, Betty, Miller, Emma, William, John, & Emma & their future increase according to the Laws of the State of Alabama. And in the event of the said Jane F. Henson dying without issue, then I give and bequeath to her the same condition. -

10th After the payment of all my just debt and legacies as aforesaid, I give & bequeath unto Maria Houchette, wife of Geo. Houchette the following negroes, viz: Henry Perry, Dick, Ann, Mary, James, Harry, Ann, Phillis, Anthony, Nancy, all my silver marked "M & H" to her own and sole and separate use and benefit, and free from the liabilities or control of her said husband. - And in the event of her dying without issue, then I give the said negroes and silver marked "M & H" to Ann F. Henson and her children. -

11th After all my just debt and legacies as aforesaid are paid off, I give & bequeath my niece Frances Minor the following negroes, viz: Maria, Young Flora, Bayard, Tom, Sarah, & Newton. - To her sole & separate use and benefit, and free from the liabilities and control of her said husband, should she have one; and in the

will of her dying without issue. Then I give and bequeath said negroes to Ann & Friend and her children.

12th After all my just debts and legacies as aforesaid are paid off, I give and bequeath to my niece Lucy Minor the following slaves viz: Louisa Childs & Ned & Polly, Toher so as and separate use and benefit, and free from the liabilities or control of her husband should she have one. And in the event of her dying without issue then I give and bequeath to said slaves to Ann & Friend and her children.

13th After all my just debts and legacies as aforesaid are paid off, I give and bequeath to my nephew a negro named Henry Phillips Minor a negro man named Madison.

14th After my just debts and legacies as aforesaid are paid off, I desire and hereby authorize and empower my Executors, to sell and convey as they shall think proper, all my real Estate lying and being in Mingo County and Greene County, and known as my plantations - And in the words of Ann Maria Hogan Esqrs not attaining a good title to the part of the said Estate allotted to her as in item 10th. I desire the proceeds of the sale of my said plantations to be invested at legal interest by George Colver Esqr as he may deem proper, able for the said Ann Maria, until she arrives at the age of twenty or marries, then to come it to her in such way as that she will obtain the sole and separate use and benefit of it. But if the said Ann Maria shall obtain a good title to the real Estate in whole then or that portion allotted to her in item 10th then and in that event, I give and bequeath the proceeds of the sale of my plantations to my niece Maria Thomsen.

15th In the year 1846 I executed and delivered to Watto Richardson, a negro man, who I purchased of Cyrus Decker, a conveyance release or manumission as he was called in consideration of his faithful services to me, and the sum of \$2500 to have released, and by said conveyance did release and relieve the said Watto from the bonds of slavery, so far as I was liable of under the laws of Alabama. And I hereby desire and request my Executors to protect the said Watto so long as he shall live in the State, and if the said conveyance shall not have the effect to emancipate him, whenever he shall die, I wish and request my said Executors to do any act in the premises, by which the said Watto may be emancipated or released from slavery. And I have also promised the said Watto upon his paying or causing to be paid to my Cousin Jane F. Houston, or in the event of her dying without issue him to her brother Wm. Thode, and her sister Ann Maria Thode, the sum of \$2500.00 then to emancipate his wife Fannie and her future increase, and his children viz: Short, Potter, Betty, Clara, William. Ann & Emma and their future increase, and his children by force to have the title with him. I hereby request if the said \$2500.00 which I consider a fair valuation of Watto wife and children, paid, that my said Executors, and Jane F. Houston will leave the said Fannie - Short - Potter, Eliza, William, Ann & Emma, and their future increase emancipated according to the laws of the State of Alabama, and their debts and legacies as aforesaid paid off. I wish, in consideration of the faithful services of my two boys Henry & William that they be emancipated, if they request it, and I hereby request my Executors to have them emancipated according to the laws of Alabama if they request it, and furnish each with \$100 dollars out of my Estate to defray their expenses, but if they do not desire or request to be emancipated, then and in that event, I give and bequeath them to my Cousin Jane F. Houston in the same way as the portion I have allotted to her in item 10th.

17th Maria a mulatto woman, now living in the city of Mobile, formerly owned by my late husband Ann B. Hogan, purchased by me at the time she was sold under mortgage by the hands of Mobile, was bought by me under a promise that she should be sold allowed to buy herself, she pays one ten dollars per month wages, and all over that amount she applies to paying for herself. I gave \$500.00 for her, but now value her at \$2000 and if she will come that amount to be paid to my Executors, I hereby authorize and request them to have her emancipated according to Law.

18th I leave as a dying request to my Cousin Jane F. Houston, that she will take care of my late husband, and allow her forty dollars per annum for her allowance.

19th I hereby appoint Lydian C. Houston, & George H. Hogan my Executors of this my last will and testament, having the most implicit confidence in their integrity, and the fidelity with which they will perform the trust.

20th In the event of my dying, not being able to have the said \$2500.00 as required in item 10th I desire that she go to "M" Jane F. Houston, in the other negroes allotted to her, until she can pay for herself.

21th I wish my old man to select for himself an owner among the children of my late husband Col. Hogan, and I hereby give and bequeath the said negro man to the person he may so select as his owner.

22th I give and bequeath after the payment of my just debts and legacies as aforesaid to my Cousin Jane F. Houston, my negro man Isaac, also the same way and upon the same conditions already made to said Jane.

The words "which I brought at the sale of my late husband's Estate" in item 8th crossed before signing this my last will and testament.

Witness under my hand and seal this 1st day of June in the year of our Lord one thousand eight hundred and forty seven.

Ann Maria Hogan Esqrs
Signed, sealed and published as and for the last will and testament of the above named, Maria Hogan, in the presence of us, Col. Taylor, Wm. B. Hogan,

in the Matter of the }
last will of Maria Hogan }
Dated }
in the County of Mingo, }
State of Alabama, }
this 1st day of June 1847.

Witness: Sarah B. Hogan & Lucy H. Hogan, all minors and parties interested, coming to appear and choose Guardians ad litem to represent them. It is now shown and it is ordered that J. B. Esqr, be appointed Guardian ad litem to represent them at the hearing of instrument proposed as the last will and testament of Maria Hogan deceased.

Protested
and
witnessed

In the Matter of the last }
will of Maria Hogan }
Dated }
in the County of Mingo, }
State of Alabama, }
this 1st day of June 1847.

At the day being the 15th day of December A.D. 1847, held a second time thereof day of said Term came on for hearing and protest the instrument heretofore proposed by Lydian C. Houston and George H. Hogan, as the last will of Maria Hogan, and in appearing to the satisfaction of the Court that all the parties interested in the Estate of said Maria Hogan, and all the legacies under said will who reside within the State of Alabama have been called to appear before the Court and that all those who reside without the State as yet forth in the petition of the proponents have been notified by advertisements published in the Mingo Patriot to appear & show cause why said instrument should not be admitted to probate. And the day comes the said proponents, and likewise comes Eliza Bonchelle and Maria Himp, and Francis Minor, Contestants, by their Attorney, and upon the motion of the said proponents their said petition is read, and it is now shown appearing that Wm. B. Hogan one of the subscribing witnesses to said instrument, is beyond the jurisdiction of the State, and it is further appearing upon the testimony of Edward C. Taylor and Doctor Robert H. Hogan who was the family physician of the said Maria, that the said instrument proposed as aforesaid was signed by her and Maria S. Hogan, and published by her as her last will and testament. And that they and the said Eliza Bonchelle and Francis Minor, signed the same as witnesses in her presence and at her request. And that said Testator was of sane and disposing mind at that time which was the day the same was made. And the Court adjudged, ordered and decreed that said instrument be recorded as the last will and testament of said Maria Hogan (that latter testimony for Thomas) And it is so ordered that the hearing of the Contest to said will proposed be continued.

Chair

Given under my hand and seal, this the 20th day of July A.D. 1857. Maria A. Morgan (Seal)

John D. Leattin. dec^d

Petition

Filed July 27th 1857. J. C. Young Secy &c

Citation

Return executed on James L. Tonell Wife Elizabeth & Family August 10th
1854. Thorge J. Cade not found Sept 15th 1854.
E. T. Watlington Sheriff

The State of Alabama
Marion County.
Estate of
Jas D. Patton Sen.
Deceased.

Probate Court July Term 1857.
I, my Sheriff of the State of Alabama, being
You are hereby commanded without delay to
cite Thos. Wade if to be found in your
County to be and appear before the Hon.
Judge of the Probate Court at a Court to be holden in said
County of Marion on the 11th Monday of August
1857, and show cause if any she has why an instru-
ment on file in said Court purporting to be the last
will and testament of John D. Patton as deceased should
not be admitted to Probate. Herein fail not and have
show then and show this citation with your endorsement
Witness my hand and the Seal of said Court at Office
Milledgeville 27th day of July AD 1857, and 32nd year of the independ-
ence of the United States. Issued 27th day of July 1857.

Ja. B. Young, Judge.

Return I hereby acknowledge legal notice of the within notice and
waive all further notice August 1st 1857. Thos. Wade.

Order on
In the matter of the
Estate of the Probate
John D. Patton Sen.
Deceased.

Probate Court Marion County, Alabama -
September Term held the 23rd Monday 9th day
of September 1857.
The testimony of Joseph L. Browning one of
the subscribing witnesses to the foregoing instrument produced as the
last will of John D. Patton Sen. deceased by James L. Tinsley and Rich.
R. Pickens the executors therein nominated who being first duly sworn
in open Court, testify and says that he was present on the day the
said instrument was made, and saw the said John D. Patton Sen. sign
and heard him declare and publish said instrument as his last will &
testament, that at the request of said Patton he and Wm. C. Clarke Esq.
signed the said instrument as witnesses in the presence of said Patton and of
each other, he further testifies that said Patton was of sound sane and
disposing mind at the time of signing and publishing said instrument
as his last will and testament aforesaid.

Ja. B. Young.

The probate of the instrument heretofore produced as the last will
of John D. Patton Sen. coming on this day to be heard and it appearing
that all the legal heirs of said John D. Patton have been duly cited
to appear, and it further appearing from the testimony of Joseph L.
Browning one of the subscribing witnesses to said instrument, and
here to him reduced to writing and signed by him, that said instrument
was duly executed by said John D. Patton Sen. on day of its date.
It is therefore ordered and decreed that said instrument be entered of
as the last will and testament of said John D. Patton Sen. and
that letters testamentary thereon issue to Richard R. Pickens and James
L. Tinsley the executors therein nominated.

Ja. B. Young, Judge &c.

Seal

Will.

Last I John D. Patton, of the County of Marion and State of Alabama, being
of sound mind, and conscious of the solemnity of this life, do hereby make,
publish, and declare to my last will and testament as follows to-wit:-
1st I desire that my body be decently interred, and that my funeral be
conducted in such manner as my executors shall direct. My body I bequeath
to God, who gave it; and my property, Real personal and mixed, of every
description I devise and bequeath as follows:- To my daughter Elizabeth F.
Tinsley. I devise all of my real estate not hereinafter disposed of, for
and during her natural life, and at her death to such child or
children of hers as may survive her, and the descendants of such
child or children as may then be dead, share and share alike, excepting
the said descendants shall take the share to which their deceased parent
would have been entitled if alive. I also give and bequeath unto
my said daughter, Elizabeth all of the slaves I may own at my death,
excepting such as I hereinafter specifically disposed of, to be
held and enjoyed by her for and during her natural life, and at
her death to such child or children as she may leave her surviving
and to the descendants of such child or children as may be dead
such descendant to take the share to which their deceased parent
would have been entitled if living. I further give to my said
daughter the remainder of my property not hereinafter specifically
disposed of, subject to the payment of each specific bequest
as I shall hereinafter create. 2nd If my said daughter Elizabeth
shall die leaving no child or children surviving, nor the descendant of
any such child or children, and descendants of such child or
children shall die before attaining the age of twenty one years
leaving no lineal descendant living, her or them surviving, I devise
and bequeath all of the property heretofore devised and
bequeathed to my said daughter, to the daughter of children
of my daughter Thos. Wade which she now has or may
hereafter have, and the descendants of such children of said
children as may then be dead, such descendant to take
the share to which their deceased parent would have been be-
entitled if living. 3rd To my said daughter Thos. Wade I
leave in addition to what I have heretofore given her, I
devise my tract of land in Marion County, known as the
"Browning's tract" containing about 240 acres. I also give
and bequeath unto my said daughter Thos. Wade the
sum of Ten thousand dollars in cash to be paid her by my
executors. 4th To my adopted son John D. Patton Jun.
who has recently removed to the State of Mississippi, I give and
bequeath the sum of Ten thousand dollars in cash to be
paid him by my executors. 5th To the children of my said
daughter Thos. Wade now born to her, I give and bequeath the
following slaves, named slaves, being those belonging to my
plantation situate on the Road from White Hall to Dublin
in Marion County, known as Antioch, to-wit: Rachel,
Alfred, Bob, Jim, Patton, Dick, Bette, Wagon, Dick, Whit-
ney, Amos, Caleb, Peter, Amos, Bufford, Anderson,
James, General, Bette, Sidney, Lewis, Rachel, Mary, Leath,
Mary, Mabel, Mary, Mathew, Sarah, Linda, Sarah Ann -

Samuel. Sophronia. Governor. Amanda. Maria. Diamond. Betsey.
Nemelle. Jane. Jimmy. Susan. Oliver. Laura. William. George.
Little. Thaddeus. Toney. Malinda. Isaac. Morris. Agnes. Sylvester.
Washington. Harriet. Josephine. Sarah Ann of Dayton and Enslin
of the "Dwight place" both of whom are children and Little Sam of
Dayton who is the son of Mary Merrill, together with the horses
Mules and other stock on said plantation at my death.
(excepting the sheep and hogs) also all of the corn, fodder, oats
and planting utensils - 100 gone - carts - 4 ear 10. (two on said
plantation "the Roofs" the foregoing property and all other
property, hereunto now given to the daughters of my said
daughter Thyrza Jane, I give, bequeath and devise to them, for
and during their natural lives, and at the death of either of them
to such child or children as she may leave her surviving, and
the descendants of such child or children as may then be dead,
and such descendants to take the share to which their deceased
parent would be entitled if alive - And if any of the daughters of
my said daughter Thyrza Jane are, leaving no child, her surviving
and the descendants of any such child, or of the child or surviving
or the descendant of a deceased child, shall die before attaining
the age of twenty one years, leaving no child him or her surviving
then, her or his share herebefore given and devised to the said
daughter of the said Thyrza Jane, is to be equally divided
between the children of the said Thyrza Jane as are then alive,
and the descendants of such as are then dead, share and share alike
except the said descendants are to take the share to which their
deceased parent would be entitled if living. I shew further
direct that the said slaves, mules, horses, cattle, corn,
fodder, wagons, carts, &c. on said plantation ("the Roofs")
shall be left together until the present growing crops are sold,
whom my Executors are directed to divide the same between
the said children of my said daughter Thyrza Jane.
And to my Grand son John Batten leads, son of my said
daughter Thyrza Jane, I devise my plantation heretofore
described as "the Roofs", giving and reserving however to my
grand daughter Adolphus, the sister of said John Batten
leads, the right to work her hands jointly on said plantation
with the lands of the said John Batten leads, and the right
to such share of the proceeds of said plantation as her number
of hands will entitle her to until she marries or attains the age of
twenty one years, if her Guardian shall think proper to work her
hands on said plantation; if however her Guardian shall
decline so to do, then the said plantation shall be enjoyed
by the said John Batten leads alone; my object in so providing
lands for the said Adolphus, hands to cultivate and reside
on. till she marries or attains 25 years of age, and as there
is enough then lands on said plantation to work her negroes
and the negroes of said John Batten leads I think it better
that they should be worked together jointly on "the Roofs"
in furtherance of the object I give and bequeath to the said
John Batten leads and Adolphus, all of my stock of sheep and

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hogs, on said "the Roofs" at the time of my death, except 20 head of
pork hogs to be selected by my Executor, for the use of my Estate
out of those to be fattened for pork for the coming year, said
sheep and hogs to be kept together on said plantation for the
use thereof, until the said Adolphus marries or arrives at 25
years of age, when the same are to be equally divided, if however
her said Guardian declines working her hands on said planta-
tion, or abandons the same before the said Adolphus attains
the age of 25 years or marries, then the said stock of sheep &
hogs, is to be equally divided between them.
And to my son in Law James L. Perrell, as a token of my esteem
I give, bequeath and devise, all of that portion of my plantation
in said County known as the "Cherry place" lying north of the
fence dividing said "Cherry place" from my "Brand place" which
said fence commences at the line of the lands of Edwards Baptist
and runs west to the land of Richard H. Napier, and is known
as the dividing fence between said "Cherry & Brand place"
and the following named slaves, to wit: Solomon this wife
Hagar, and their children, and Paul this wife Polly and their
children.

And to my Executor, hereinafter named I give and bequeath, Robert
the child of my house servant Lucy, and the sum of Four thousand
dollars in cash, upon the following trust - that my said Executor
as soon after my death as they can conveniently, shall remove
said Robert to some non-slaveholding state, where he can
enjoy his freedom and then emancipate him, and place him
in a comfortable position, and give him a good English
Education, and the means to defray the expenses of
removing him to such non-slave holding state as my
Executor may carry him to, are to be paid out of or sup-
plied from the funds of my Estate. The said sum of
four thousand dollars my said Executors are hereby directed
to loan out at legal interest the State of Alabama, and the
interest arising thereon, to apply to the support, education
and maintenance of the said Robert, until he attains the
age of twenty one years, and when he arrives at twenty
one years of age, my said Executors are hereby directed
to pay over to him the said sum of four thousand dollars
and any interest thereon remaining unexpended: If
however the said Robert shall die before attaining 21
one year of age, leaving no child, then surviving
then the said sum of Four thousand dollars, with
such interest thereon as remains unexpended, are to
and shall become a part of the Estate of my said
daughter Elizabeth, subject to the same condition and
restriction as the other property heretofore given
and devised to her.

And I hereby direct my said Executors to allow my
said house servant Lucy, to select a master or
mistress from my children to wit: Elizabeth, Thyrza Jane
leads, or John B. Batten leads, and the one she selects
shall be allowed to take her at a reasonable valuation

by two any two dissatisfied persons, appointed by my Executor for that purpose. I am advised that this bequest is in violation of the laws of Alabama, but as no one but my daughter Elizabeth can interpose an objection. I make it in full confidence that she will see it cleared out. I further desire that should the said Elizabeth become dissatisfied with the master or mistress she so select, and desires to go to either of my other children that they will allow her to do so, and that each either of my children will ~~to~~ receive her, and support her as usual. My object is to secure her a comfortable home in her old age. I have this as a dying request to my children, which I trust and believe they will not disregard.

To my Nephews, John D. Clatten who resides in Montgomery and Sanford C. Clatten who lives at Mount Sterling, I give the sum of one thousand dollars each, to be paid them by my Executor.

I hereby nominate and appoint my said son in law James L. Sewell, and my esteemed and truly friend, Richard B. Pickering, Executor, of this my last Will and Testament. In witness whereof, I have set my hand and seal, this the Fifth day of May AD 1857. J. D. Clatten, Senr. Test.

We the undersigned subscribing witnesses hereby certify that the above named John D. Clatten signed and delivered the foregoing instrument as his last will and testament in our presence, on the day and year herein mentioned, and that we sign our names hereunto as witnesses at his request in his presence, and in the presence of each other, this 5th day of May AD 1857. J. L. Browning, W. C. Clarke.

Filed July 27th 1857.
J. L. Browning, Judge.

Last Will & Testament
of
William H. Campbell.
Deceased

See Minute Entry on Book 4 page 522.

Will

I W^m H. Campbell of the County of Monroe and State of Alabama do make this my last and only will by me made at any time as follows with my will in, and I give and bequeath unto my beloved wife Emma Campbell all my Real and personal property which I now own and am in possession of, and give her full power and control to use sell and convey any part of my Estate she may deem necessary for her support, and for the raising and educating my children: And I appoint that my dear wife shall have the guardianship and tuition of them during their minority, so long as she shall continue ~~single~~ ^{single}, and in case she should marry again, my will is and I appoint that a fair appraisement be made by three disinterested neighbors, and a fair and equal division be made by them among my beloved wife, giving them equal share with my children, all equal share alike: And my will is that my said wife shall not be required to give bond, and that the Probate Court, or any other Court shall have no power or control over any part of my Estate whatever: In witness whereof I have set my hand and seal, this the 5th day of May in the year of our Lord one thousand eight hundred and fifty seven. W. H. Campbell. Test.

Signed sealed and acknowledged in presence of us who have subscribed in pursuance of each other. Geo. Barkley, M. Pruitt, John H. Hale.

The State of Alabama } I George Barkley an acting Justice of the
Monroe County } Peace in said County, hereby certify that I saw W^m H. Campbell sign the within instrument, and he acknowledged before me that the same fully contained his will, and that he saw the within subscribing witnesses sign said will in presence of each other on the day the same bears date. AD 1857. My hand & seal this May, 18th 1857. George Barkley, Just. J. P.

The State of Alabama } Probate Court June Term 1857.
Monroe County } The testimony of M. Pruitt one of
the subscribing witnesses to the foregoing instrument, who being first duly sworn in open Court deposes & says, that he was present on the 5th day of May 1857, & saw W^m H. Campbell sign and publish the foregoing instrument as his last will & Testament, that he together with George Barkley & John Hale the other subscribing witnesses subscribed the same as witnesses at the request & in the presence of said Campbell, that the other witnesses were present and saw said Campbell sign & publish said instrument as his last will & Testament, and that the same was read over in the hearing of said Campbell before signing, witness further says that said Campbell was of sound mind at the time of the execution of said will.

order
on probate
of will

And upon the foregoing testimony of M. Pruitt it is ordered by the Court that said instrument be admitted to record as the last will & Testament of W^m H. Campbell, and that the same be given effect to as such. Witness my hand & seal this 11th day of June 1857. M. Pruitt.

Last Will & Testament

Wm R Drinkard. } See Minutes of page 318.
Died

Will

The State of Alabama } Knowing that it is altogether to all persons to die.
Marion County } I hereby make and constitute this my last will
and testament being in a sound and disposing mind.
I do hereby give and bequeath to my dear wife Drunkard for her use and service
for life time, and at her death to descend to my children my
whole estate both Real and personal. In witness
whereof I have hereunto set my hand and affixed
my seal. This 29th April 1857

Wm R Drinkard (Seal)

Proven
Probate of
Will

Witnessed by: Andrew Leonard. E Drinkard. J Cunningham.

The State of Alabama } Probate Court held May 28th 1857.
Marion County } The testimony of Doct James L Cunningham
of the subscribing witness to the foregoing instrument, who
being first duly sworn to tell the whole truth deposes & says
that he was present on the 29th day of April 1857. and saw
Wm R Drinkard whose name is signed to the foregoing instrument
do the same by making his mark, and heard him declare
the same to be his last will and testament. That he and
Andrew Leonard & Ellington Drinkard the other subscribing
witnesses were all present and signed the same as witnesses at the
request and in the presence of said Testator. and in the presence
of each other. That said will was read over to Testator before
signing and was fully understood by him; Deponent further
says that said Testator was at the time of signing the same
of sane and disposing mind & memory.

Probate Court held May 28th 1857. Upon the testimony of
J Cunningham one of the subscribing witnesses it is ordered
that the foregoing instrument be admitted to record as the
last will of Wm R Drinkard deceased. And that letters of
administration be granted thereon.

Filed for Probate May 28th 1857

J A Young Judge H

Last Will & Testament

Marion & Greer dec'd } See Minutes Entry Book 4. on
page 321.

Will

The State of Alabama } Marion & Greer being now in my flesh.
Marion County } mind and sense do make this my last will and testa-
ment. I give and bequeath all my property, consisting of land
negroes, stock of all description, money, notes, household and
kitchen furniture and every thing I may be possessed of to my
wife Cornelia E Greer. to be held and kept by her without read-
ing any account of it to the Court, and without having to go through
with the formality of administration, and without having to give
my bond and security. But to be held and kept together by her
for the use of herself and children until each one arrives at
become of age, at which time each shall receive one fifth
or an equal portion of my property. But provided my wife should
marry again I then want my property to be divided equally between
her and my children each receiving the same amount. Furthermore
should my place become sickly or unprofitable, and three dis-
interested persons advise that it should be sold, I want my wife
to have perfect liberty to sell and by another of the chosen
three under my hand and seal the 5th day of May A.D. 1857.

M A Greer. (Seal)

Signed & Witnessed at the request of M A Greer in the presence of
each other the day and year above named.
Saml Pruitt (Seal) J Roberts and John W Smith (Seal)

Proven
Probate of
Will

Probate Court Marion County State of Alabama June Term held June 8th 1857.
The testimony of Saml Pruitt one of the subscribing witnesses to the
foregoing instrument, who being duly sworn and examined in
open Court deposes and says that he was present on the 5th day of
May A.D. 1857 and saw Marion & Greer sign and publish the
foregoing instrument as his last will and testament. That he
and Joseph Roberts and John W Smith the other subscribing witnesses
subscribed the same as witnesses at the request and in the
presence of said Marion & Greer and in the presence of
each other. and that said instrument was read over
in the hearing of said Marion & Greer before being signed by him.
Witness further says that said Marion & Greer was at the
time of signing the said will of sound & disposing mind
& memory.
And upon the foregoing testimony of Saml Pruitt subscribed by him
in open Court. that said instrument be admitted to record as
the last will and testament of said Marion & Greer
and that letters testamentary be granted thereon.

Filed May 28th 1857 for Probate in my office
J A Young Judge

The State of Alabama } Probate Court of said
 Marengo County }
 The petition of David B Bush, respondent, unto your Honor
 that Mary E Bush the wife of your petitioner, who was
 with your petitioner, a resident of said county, and
 state, at the time of her death, departed this life on
 the first day of November 1857. leaving a last will
 and testament, duly signed and published by
 her, and attested by L B Bush, Dr Joseph Moore
 & Dr Great Parker all resident citizens of said
 county, at this time - in which said last will
 and testament, your petitioner is named as the
 legatee therein - and is interested in the estate
 of said decedent, which said will is herewith
 produced to your Honor and propounded for Probate
 and record in this Court. Your petitioner shows
 that the said Mary E Bush left surviving her an infant
 son, a few days old named Richard, Child Bush, who
 is her only heir and next of kin. Your petitioner further
 states, that the next of kin of said decedent are her
 brothers and sisters of the whole and of the half blood
 to wit, Camilla R, wife of Allen G Waters, Caleb J
 Williams, a minor brother, and William G Williams
 a minor brother all residents of said county, and of
 said mind, and of the whole blood - and Lewis
 G Williams & Grant Williams, minor children of the
 half blood, and reside with their mother in said
 county. In consideration of all which, your petitioner prays
 that a day may be set for the hearing of the matter of this
 petition; that subpoenas may be issued to bring in
 said subscribing witnesses to testify on said appointed
 day - that due notice of this application may be given to
 the above named and described next of kin of said
 decedent; and that such other proceedings, orders and
 decrees may be had and made in the premises, as may
 be requisite and proper to effect the due Probate and
 record of said will according to law, and as in duty
 bound he will pray &c David B Bush by his atty Leonard
 & Wood

The State of Alabama } Probate Court Nov Term 1857
 Marengo County }
 I, Am Sheriff of the State of Alabama
 Estate of Mary E Bush } You are hereby commanded
 without delay, to cite Lewis G Williams & Grant Williams 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
 Linden, for the County of Marengo on the 25th day of November 1857
 and show cause if any they have, why an instrument in writing
 purporting to be the last will & testament of Mary E Bush
 was propounded this day by David B Bush, should not
 be admitted to probate as such. Herein fail not, and have
 you then and there this Citation, with your endorsement thereon.
 Witness, J A Young clerk of said Court at office, this 5th day of Nov 1857

Citation

and in the 32 year of the Independence of the United States of
 George Jackson 5th day of Nov 1857 James A Young Clerk at office.
 full 24th Nov 1857. To J Wallington Sheriff By J Hapch S.

Citation The State of Alabama } Probate Court November Term 1857. To say
 Marengo County } Sheriff of the State of Alabama William G
 Estate of Mary E Williams } You are hereby commanded without delay, to
 cite Camilla R. Watson & Allen G Watson her husband, and William
 Cain Williams & Caleb J Williams 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 Linden, for the County of Marengo on the
 2 Monday of December, 1857, and show cause if any they have why
 an instrument in writing purporting to be the last will and
 testament of Mary E Bush decedent, propounded this day by David
 B Bush, should not be admitted to probate as such. Herein
 fail not, and have you then and there this Citation, with your
 endorsement thereon. Witness, J A Young Judge of said Court
 at office, this 6th day of Nov 1857 and in the 32 year of the Independ-
 ence of the United States, James 5th day of Nov 1857 J A Young
 Clerk at office. Allen G Watson & wife 15th Nov 1857. Wm G Williams & Caleb
 J Williams not found 15th day, Nov 1857. J A Wallington Sheriff B J
 Hapch S.

Citation The State of Alabama } Probate Court November Term 1857
 Marengo County } I, Am Sheriff of the State of Alabama George
 Estate of Mary E Bush } You are hereby commanded without delay,
 to cite Richard Child Bush infant heir of Mary E Bush 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 Linden, for the County
 of Marengo, on the 5th day of December, 1857, and show cause why an in-
 strument in writing propounded as the last will of said Mary E Bush by
 David B Bush, should not be admitted to Probate. Herein fail
 not, and have you then and there this Citation, with your endorse-
 ment thereon. Witness, J A Young Judge of said Court at office.
 This 30th day of December 1857, and in the 32 year of the Inde-
 pendence of the United States J A Young Judge. The Sheriff will
 serve the within citation upon Allen G Watson in whose care the said
 infant is J A Young Deceased 31st day of Nov 1857. Presented Nov
 30th 1857 J A Wallington Sheriff B J Hapch S.

Under on Probate of Will The Matter of the } The State of Alabama } Probate Court held Dec 5th 1857
 Will of }
 Mrs Mary E Bush } Testimony of Doctor Joseph Moore and Doctor
 Lewis B Bush taken in this cause in open Court on the 5th day of
 December 1857 upon Examination of Counsel for permanent and
 copy examination of W B Clark Esq guardian ad litem for Richard
 Child Bush infant Opita of Statute. The said witnesses being first
 solemnly sworn to tell the truth and the whole truth alone and
 say as follows to wit the said Joseph Moore deposes and says
 that he was present on the Friday the 31st day of October 1857 as
 a practicing physician in attendance upon the said Mary E
 Bush that the paper propounded as her will here to annexed
 bearing date the 15th of October 1857 which was already signed with
 her name was presented to him and she requested him to sign
 it as a witness, that he did so sign it in her presence, and in