

age and resides in said Marengo County. And your Petitioner would further represent unto your Honor that the legates and devisees in said will descended are the children of your Petitioner and that she has now only two children viz; Robert P. Hornegay, who is about 11 years of age and James P. Hornegay, who is 16 years of age and that they both reside with your Petitioner in said Marengo County, Alabama. And your Petitioner prays that a day be set for the hearing of this petition that due notice thereof as required by law be given to the next of kin of said deceased, and that such other and further proceedings, orders and decrees may be had as made in the premises as may be requisite and proper to effect the due probate record of said will according to law.

Sworn to & Subscribed, before me this 14th day of April A.D. 1875. J. H. Hornegay.

WILL OF
E. J. EVANS

DECEASED

The State of Alabama: I, Elizabeth J. Evans of said Marengo County, County being of sound mind & memory and believing that in life we should prepare for death, do hereby make and publish my last Will and Testament in words and figures as follows;

1. I hereby give bequeath and devise all of my Estate of every description, whatsoever to my brother Charles Hornegay, in trust for his (the said Charles) children, share and share alike. And it is my wish that the said trustee shall manage and is hereby authorized and empowered, to sell and convey and invest and reinvest the proceeds, and manage the said property, as his judgment shall dictate, to be to the interest of said children, and divide to the said children, the said property, as they shall arrive at mature age or marry, so that each shall get and receive an equal share.

2. I hereby nominate and appoint my brother Charles Hornegay, the executor of this my last Will and testament, and direct that he shall not be required to give any bond for the faithful performance of said trust, as I have the confidence in him, to believe he will attend to it.

In testimony whereof I have hereunto set my hand and seal this 3^d day of February 1875.

Elizabeth J. Evans.

ATTESTATION

Signed, sealed and published by Mrs. Elizabeth J. Evans as her last Will and testament, in our presence, and at her request we signed the same in presence of each other and the testatrix, as witnesses, this 3^d day of February 1875.

J. H. Neal, Geo. G. Lygon.

TESTIMONY

The State of Alabama: Probate Court May 10th Term 1875. Marengo County. In the matter of the Probate of the last Will and Testament of Elizabeth J. Evans, late of said county deceased. Before me James M. Taylor Judge

of said Probate Court of Marengo County, State of Alabama personally appeared in open court George G. Lygon who having been sworn first duly sworn and examined did and do depose and say, on oath, that he is a subscribing witness to this instrument in writing, upon which this affidavit is written and now shown to him and which purports to be the last Will and Testament of said Elizabeth J. Evans deceased, late an inhabitant of this county. That said Elizabeth J. Evans, since deceased signed and executed said instrument on the day the same bears date, and declared the same to be her last Will and Testament and that affiant set his signature thereto on the day the same bears date as subscribing witness to the same, in the presence of said testatrix and the other subscribing witnesses, that he saw the other subscribing witnesses, Geo. Neal sign his name thereto as a subscribing witness. That the said testatrix was of sound mind & disposing memory, and in the opinion of affiant fully capable of making her will at the time the same was so made as aforesaid. Affiant further states that said testatrix was on the day of the said date of said Will of full age of twenty one years and upwards.

Sworn to & Subscribed before me this 10th day of Geo. G. Lygon.

PETITION

The Last Will and Testament of M. Renty, deceased, State of Alabama, Probate Court, Marengo County, in the matter of the Estate of M. Renty deceased, to the Honorable J. M. Taylor Judge of the Probate Court of Marengo County, Alabama.

The petition of the undersigned Joseph P. John respectfully represents that M. Renty departed this life at Owens Mills in the county of Marengo, State of Alabama, on or about the 8th day of October A.D. 1874. That at the time of his death he was a citizen of Hunt County, Texas, and left a last Will and Testament which was duly executed and admitted to Probate in Hunt County, Texas. A transcript of the proceedings in the matter of said Probate are hereto and attached and prayed to be taken as part of this petition. That in said Will, W. W. Adair was named as the Executor thereof in the State of Texas, and has qualified and entered upon the discharge of the duties as such Executor. That said deceased died seized and possessed of Personal Estate in this State and County consisting of promissory notes to the amount of Six Thousand and Forty Dollars, and Cash, in the hands of M. O'Leary amounting to Two Hundred and Fifty One Dollars, amounting in all to Six Thousand Three Hundred and Fifty One Dollars. That the names of the heirs and distributees and legatees of the Estate of said deceased are

Jacob F. Rantz, age unknown, who resides as petitioner is informed in Mississippi or Louisiana. M. M. Rantz age unknown over 21 years, resides in Monroe Co. Ala. Mary A. Smith & Adeline Hudson married women names of their husbands and residence unknown Jane E. Adair wife of W. W. Adair and Naomi Rantz, who reside with W. W. Adair in Hunt County, Texas. All the above named parties being children of said decedent, said decedent left no widow. That more sixty days have elapsed since the death of said decedent. Petitioner prays that the copy of the last Will and Testament of said M. Rantz hereto attached, be filed in this Court and established as the last Will and Testament of said decedent. That your petitioner being a resident of this State over the age of 21 years and in no respect disqualified from serving as Administrator and believing that said Estate should be immediately administered to the end that said property may be collected and preserved for those who shall appear to have a legal right thereto, prays that your Honor will grant letters of Administration with the Will annexed, on said Estate to Joseph F. John upon his entering into bond in such sum as is required by the statute and with such security or securities as shall be approved by your Honor.

J. F. John,
State of Alabama I, Jos. F. John being duly sworn County of Dallas, depose and say that the facts averred in above petition are true according to the best of his knowledge, information and belief.
Given to and subscribed before me on J. F. John,
this 23rd day of July 1875. Joseph G. Howard,

Judge of Probate Dallas County Alabama.
The State of Texas) Be it remembered that in this Dis-
Hunt County) trict Court of said county of Hunt
and State of Texas, in vacation, the following proceedings
were had in the matter of the Estate of M. Rantz deceased.
The State of Texas No. 180. Estate of M. Rantz deceased,
Hunt County In vacation.

In the Hon. W. W. Adair, Clerk of the District Court of Hunt County, Texas. W. W. Adair, shows that M. Rantz dec'd on the 8th day of October A.D. 1874 at Vicksburg, Mississippi, leaving real and personal Estate of the estimated value of \$10,000. Thowand Dollars and a Will duly executed as your petitioner believes, that said M. Rantz at the time of his death resided in Hunt County Texas, that your petitioner was named Executor in said Will and is capable of receiving Letters Testamentary. Wherefore he prays that notice of this application be given by citation duly posted and that said Will be probated and for

NOTICE OF SHIFFS
RETURN

Letters Testamentary. W. W. Adair,
Filed November 30th 1874 A.M. Dougald, Clerk.
No. 180. The State of Texas,
To all persons interested in the Estate of M. Rantz, dec'd:
W. W. Adair has filed in the District Court of Hunt County his application for Letters Testamentary on Estate of M. Rantz dec'd, which will be heard by the Clerk of said Court on or after the 7th day of December A.D. 1874 at the Court House in the Town of Greenville in said county at which time and place all persons interested in said Estate may appear and contest said application if they see proper.
Witness, A.M. Dougald, Clerk of the District Court within and for said county of Hunt. Given under my hand and seal of said Court at Office in Greenville this 1st day of Nov. A.D. 1874.

A.M. Dougald, Clerk of the District Court, Hunt Co.
Came to hand Nov 30 and presented Dec the 1, A.D. 1874 by posting 3 notices, one at Greenville one at Darlins and one Rays Creek Church. This Dec the 1, A.D. 1874.
J. J. Ross, Sheriff, Hunt Co.
Recorded April 30 1875 on page 19 Book 10.

LAST WILL
OF
M. RENTZ
DECD
No 180

A.M. Dougald Clerk, by J. B. Marshall, Dep. State of Texas, Know all men by these presents that Hunt County) I M. Rantz in the State and County
of said being in good health and of sound and disposing mind do publish and declare this my last Will and Testament hereby revoking all Wills made by me heretofore made.

First. I appoint as my Executor, W. W. Adair of the above named State & County to execute all my business in this State and elsewhere directing him first to pay my just debts. Second, it is my will and desire that my daughter Naomi Rantz be well educated and for said purpose I set apart One Thousand Dollars to pay Board, tuition, Books & other necessary expenses and Five Hundred Dollars to provide her with her Doctor bills & other unavoidable expenses in obtaining said education provided she will diligently attend to the same now if the said daughter above named shall refuse to attend school so as to stop her education then and in that event the claims on the remainder of the Fifteen Hundred Dollars shall be well void and be used as a part of my Estate in common among my heirs. I hereby appoint and constitute my daughter Jane E. Adair, wife of W. W. Adair, the above appointed Executor, her lawful Guardian & Trustee to control and direct her welfare in all respects, and fully authorize said Guardian and Trustee to draw on my Executor above appointed or on any funds belonging to my Estate from time to time for such amount or amounts as may be necessary to defray expenses

APPLICATION FOR
PROBATE OF
WILL
FOR LETTERS
TESTAMENTARY

until paid amount of Fifteen Hundred Dollars shall be made use of in said education the time and expense of said education to begin and run from the 2nd Monday in August Eighteen Hundred and Seventy-two, the time when she entered school at Leesburgh, Upshur county, under the care of Professor Clarke. And in the event said Jane E. Adair shall become disabled or disqualified to attend to the same or should die, then the said appointed Executor herein appointed shall have full power to fill her place in all respects. Said Guardian & Trustee shall not be required to give Bond for said performance. Third. The ^{only} saddle which I now use and one nice cow calf one Bed & furniture which I now have in use belongs to said daughter Naomi Renty independent of my Estate. Fourth. It is my will & desire that my daughter Naomi Renty have set apart to her Five Hundred dollar (\$500⁰⁰) on account of my having already contributed liberally to all my other children to make her equal or as near as may be with them. Fifth. After settling forth the above amounts, it is my will that all the remaining part of my Estate be equally divided among all my lawful heirs namely Jacob F. Renty, Mary A. Smith, Jane E. Adair, M. M. Renty, William Wisdom & Naomi Renty. In testimony whereof I hereunto set my hand and seal in presence of the witnesses named below this the first day of November A.D. Eighteen Hundred and seventy-two.

M. Renty. (S)
Witnesses W. C. Bryan, J. P. J. Dawson.
Filed November 30th 1874. A. M. Dougald, Clk.
Recorded April 7th 1875, on pages 20 & 21, Book 'C'.

A. M. Dougald Clerk of S. Marshall, Deft.
Estate of M. Renty. A. 180. J. P. J. Dawson being first Dec. I duly sworn on oath says, The will of M. Renty dec. being presented to witness he testifies that it is the last Will and Testament of M. Renty dec. and that his signature to the same as a witness is genuine. Mr. W. C. Bryan also signed said Will in my presence. My signature and also that of Mr. W. C. Bryan was made in the presence and at the request of M. Renty dec. M. Renty dec. also also signed said Will in my presence and in the presence of W. C. Bryan. The said M. Renty dec. was over twenty one years of age at the time of his signing said will and was then of sound mind and memory. Myself and W. C. Bryan were both over fourteen years of age when we signed the said will.

J. P. J. Dawson
Sworn to and subscribed before me this 17th day of December 1874. A. M. Dougald, Clk. of Hunt Co. Texas.
By S. Marshall, Deft. Filed November 30th 1874. A. M. Dougald, Clk.

ORDER
PROBATING
WILL &c

Recorded April 7th 1875. A. M. Dougald Clerk of Hunt Co. Texas.
Estate of M. Renty. A. 180. In vacation Dec. 17th 1874.
Dec. I In the matter of the last Will of said M. Renty deceased, Upon having the petition of M. M. Adair for the Probate of a certain instrument of writing now produced in Court, purporting and alleged to be the last Will of M. Renty deceased, and for Letters Testamentary thereon, and on reading the testimony of J. P. J. Dawson, a statement of which filed with the papers of this cause, It is ordered and decreed, that said instrument of writing is found and be recorded as the last Will of said M. Renty deceased, and that the testimony of said be also recorded with said Will. It is further ordered, that Letters Testamentary thereon be issued to M. M. Adair upon his filing a bond with one or more sureties in the sum of Twelve Thousand Dollars (\$12000) and taking the oath prescribed by law on or before twenty days hereafter.

BOND
OF
EXECUTOR.

A. M. Dougald, Clerk of Hunt Co. Texas,
Estate of M. Renty deceased,
County of Hunt. Know all men by these presents, that we M. M. Adair as Principal and M. S. Hart and John Bottom, whose residence is in the county of Hunt, as security, are bound unto A. M. Dougald, Clerk of the District Court of Hunt County and his successors in Office in the sum of Twelve Thousand Dollars, conditioned that the said M. M. Adair, shall well and faithfully perform all the duties incumbent upon him as Executor of the last Will of M. Renty deceased. Witness our hands this 17th day of December A.D. 1874. M. M. Adair, M. S. Hart, John Bottom.

Approved Dec 23rd 1874. A. M. Dougald, Clerk of Hunt Co. Texas.
I do solemnly swear that I will well and truly perform the duties of Executor of the Estate of Michael Renty deceased.

M. M. Adair.
Sworn to and subscribed before me this 23rd day of December A.D. 1874. A. M. Dougald, Clerk of Hunt Co. Texas.
By S. Marshall, Deft.
Filed Dec 23rd 1874. A. M. Dougald Clerk of Hunt Co. Texas.
Recorded April 7th 1875, on pages 21 & 22, Book 'C'.

ORDER, APP.
BOND & GRANT.
ING. LETTERS.

A. M. Dougald Clerk of S. Marshall, Deft.
Estate of M. Renty. A. 180. In vacation Dec. 23 1874.
Dec. In this cause M. M. Adair having filed bond as Executor of the Estate of M. Renty deceased, and having taken the oath as prescribed by law. It is ordered that bond be and the same is hereby approved. And that Letters Testamentary on said Estate do issue to the said M. M. Adair in due form.

A. M. Dougald, Clerk
Dist. Co. Hunt Co. Texas

PROOF OF
WILL

CLERKS
CERTIFICATE

The State of Texas (J. M. Dougald, Clerk of the Hunt County District Court of said Hunt County) do hereby certify that the within and preceding more or less pages contain a full complete true and exact record of the proceedings in a cause of record in the Office of said Court in the matter of the Estate of J. C. B. deceased. Given under my hand and seal of Office, at Office in said County of Hunt, this 1st day of June A.D. 1875. J. M. Dougald, Clerk of the Hunt Co.

The State of Texas (J. W. N. Andrews, Judge of the Eleventh County Judicial District of the State of Texas said District comprising the Counties of Calhoun, Hunt, Hopkins and Delta) do hereby certify that J. M. Dougald whose name appears to be signed to the above attestation is and was at the time of signing the same, the Clerk of the said District Court therein mentioned, and as such was the proper person to make such attestation, and that the same is in due form. This 26th day of June A.D. 1875.

J. W. N. Andrews, Judge.

The State of Texas (J. M. Dougald, Clerk of the District Hunt County Court of Hunt County) do hereby certify that J. W. N. Andrews, whose genuine signature appears to the foregoing certificate is and was at the time of signing said certificate, the duly commissioned and qualified Judge of the Eleventh Judicial District of the State of Texas of which Hunt County is a part. Given under my hand and the seal of said Court at Office in the Town of Greenville, this 28th day of June A.D. 1875.

J. M. Dougald, Clerk Dist Ct. Hunt Co. Texas

PETITION

Last Will and Testament of D. J. E. Poellnitz Deceased.
To the Honorable James W. Taylor Judge of Probate for Mangrove County in the State of Alabama.

Your petitioner Mary P. Poellnitz of full age and a resident citizen of said County, represents unto your Honor that the late Julius E. Poellnitz who was an inhabitant of this County at the time of his death, departed this life at his residence in said County on or about the first day of May A.D. 1875 leaving a last Will and Testament duly signed and published by him and attested by Charles J. Juby and Julia A. Juby both of whom reside in Wilcox County in this State, and that said testator named no person in said Will as his Executor. That your petitioner is the widow of said testator and interested in his Estate, which said last Will and Testament is herewith introduced to your Honor and has been found for probate and record in this Honorable Court.

WILL

Said testator as aforesaid and has as such an interest in his Estate and that the next of kin and heirs at law of said testator as follows, viz:

1st J. P. Poellnitz a son of full age and resides in Wilcox County in the State of Florida.

2nd Mary E. Poellnitz a daughter of full age and resides in this County. 3rd Sidney E. Poellnitz a son of full age and resides in this County. 4th Julia S. Poellnitz a daughter of full age and resides in this County. 5th Louise E. Lyles a daughter of full age and resides with her husband J. P. Lyles in this County. 6th The children of Edwin A. Poellnitz dec'd a son who died before his said father, to wit: Eliza A. Poellnitz and Mary A. Poellnitz both minors and reside in this 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 such appointed day. That due notice may be given to said next of kin and heirs at law of said testator as required by law, and that a Guardian ad litem may be appointed by your Honor to represent the interest of said minors on the hearing of this petition & that notice by publication may be given to said non resident heirs of said Estate; and that such other proceedings, notices, 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 last Will and Testament according to law. And as in duty bound I subscribe myself

Mary P. Poellnitz
Sworn to and subscribed before me by J. W. Taylor, Atty. in law this 25th day of June A.D. 1875.

J. W. Taylor, Judge.

State of Alabama (This my last Will and Testament Mangrove County) made this 8th of July 1867, and now being of sound & disposing mind, do now will & bequeath to my wife Mary P. Poellnitz all the property that I am now possessed of, viz: this house and lands thereunto attached, together with furniture & stock of every description also all the money, notes and accounts. To have and to hold in her own right after minding Mary, Sidney and Julia even with Louise for monies advanced her at her marriage viz: \$120. twelve hundred dollars advanced in currency. Robert & Edwin heirs having had their full distributive share of my property at their marriage, are not entitled to anything further of that which now remains. Also by this indenture my wife Mary P. Poellnitz is hereby authorized to have assigned to my daughter Sarah E. Poellnitz & her children Eliza Augusta and Mary Ann Poellnitz her share in my son Edwin A. Poellnitz the tract of land

apportionances on the river, known as the Rombert place; to have etc hold in their own right for all time to come. As witness my hand and seal this 9th day of July 1867. *Julius E. Bellmty*

Witness, Charles Leby, Julia A. Leby.

TESTIMONY

The State of Alabama, Probate Court, August 9th 1875
Marengo County. Before me James W. Taylor Judge of the Probate Court in and for said county, personally came and appeared Charles Leby who being by me first duly sworn deposes and says that he and Julia A. Leby are each subscribing witnesses to the instrument of writing now shown to him and which purports to be the last Will and Testament of Julius E. Bellmty deceased, late an inhabitant of said county; that said J. E. Bellmty since deceased signed and executed said instrument on the day the same bears date, and declares the same to be his last Will and Testament, in the presence of affiant and said other subscribing witnesses; and that affiant and said other subscribing witnesses set their signatures thereto on the day the same bears date, as subscribing witnesses to the same in the presence and at the request of said testator and of each other; that said testator was of sound mind and disposing memory, and in the opinion of affiant, fully capable of making his will at the time the same was so made as aforesaid; and that said testator was on the day of the date of said will, of the full age of twenty-one years and upwards. Sworn to and subscribed before me *Charles Leby* this 9th day of Aug 1875. *James W. Taylor* Judge

The Last Will and Testament of Jas. W. Bradley decd.

PETITION

To the Honorable James W. Taylor Judge of Probate in and for Marengo County, Alabama.
The petition of M. A. Bradley respectfully represents to your Honor that the late James W. Bradley, who was an inhabitant of this county at the time of his death departed this life on or about the 15th day of August 1875, leaving a last will and testament, duly signed and published by him and attested by W. H. Thomas and J. C. Perkins, who reside in this county, whose petition is interested in his Estate, which said Will is herewith produced to your Honor and propounded for Probate and record in this Court. Your petitioner further states that the next of kin of said decd are as follows to wit: Martha Quelen a daughter, wife of Henry B. Quelen of full age, sane mind and resides in this county but the residence of her husband is unknown; Maria Jones decd a

daughter who departed this life prior to the death of said James W. Bradley to wit: James H. Harris, Florence, Delia and Maria Jones all minors and reside in Choctaw County except one who lives in this County but which one is unknown to petitioner. 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 said next of kin of said decd. That Guardian ad litem may be appointed to represent said minors on the hearing of said matter; that such other proceedings, orders, decrees, may be had & made on the premises as may be requisite & proper to effect the due Probate and record of said Will according to law; & as your duty is.

N. A. Woolf atty for petitioner.
Sworn to & subscribed before me this 11th day of August 1875. *James W. Taylor* Judge.

WILL OF JAS. W. BRADLEY DECEASED

State of Alabama. Know all men by these presents that I Jas. W. Bradley being in sound mind & legally qualified do ordain & make this my last Will & Testament & do revoke all others made here before. I do will and bequeath unto my daughter Martha wife of Henry Quelen the sum of Five Dollars and unto the heirs of my daughter Maria formerly wife of Jones the sum of Five dollars. The rest and remainder of all my property, both real & personal I give and bequeath unto my daughter-in-law M. A. Bradley wife of my son Ed Bradley after first paying whatever I am due or owing to Dr J. H. George, M. D. J. Wasca & Mr. J. M. Skinner. The above I solemnly declare to be my last Will & Testament. This the 14th day of August 1875. Further I do not wish any bond to be required of me. A. Bradley. *James W. Bradley*
Witness W. H. Thomas & J. C. Perkins.

TESTIMONY

The State of Alabama, In the matter of the Probate of Marengo County, the last Will and Testament of James W. Bradley deceased. Before me James W. Taylor Judge of the Probate Court in and for said county personally appeared W. H. Thomas and J. C. Perkins who having been by me in open Court first duly sworn and examined depose and say on oath that they are each subscribing witnesses to the instrument of writing now shown to them which purports to be the last Will and Testament of James W. Bradley deceased late an inhabitant of this county; that said James W. Bradley signed and executed said instrument on the day the same bears date and declared the same to be his last Will and Testament.

and that affiants set their signatures thereto on the day the same bears date, as subscribing witnesses to the same in the presence of each other and of said testator, at this request, that said testator was of sound mind and disposing memory and in the opinion of deponents fully capable of making his Will at the time the same was so made as aforesaid. Affiants further state that said testator was on the day of the said date of said Will of the full age of twenty one years and upwards. Given to and subscribed before me J. C. Perkins, this the 13 day of Sept. A.D. 1875. W. H. Thomas,
J. W. Taylor, Judge etc.

The Last Will and Testament of Edwin A. Glover dec'd

PETITION

To the Honorable James W. Taylor Judge of Probate for the County of Marengo and State of Alabama.
The undersigned respectfully represents that he is informed that by a recent order of your Honor Special Letters of administration have been issued to Thomas J. Foster, General administrator of Marengo county, on the Estate of Edwin A. Glover late of Waller county in the state of Texas deceased. The said Edwin A. Glover being at the time of his death a citizen of Waller county Texas and having died in the state of Texas. Your petitioner further states that the said Edwin A. Glover left a last Will and Testament in and by which he appointed Mrs Amanda Sterling his Executrix; and that his said will as your petitioner is informed and believes has been admitted to Probate in the county of Waller in the State of Texas, and that Letters thereunder have been issued to the said Amanda Sterling & she has qualified & is acting as such Executrix. Your petitioner further states that the law firm of Lyon & Jones of Decatur are the Attorneys of the said Executrix and have charge & possession of the papers & evidences of debt in this state due to said Estate, and are engaged as the Attorneys of said Executrix in settling & collecting the same. Your petitioner has heard of but one debt due from said Estate, to any person in this state, and your petitioner offered to the creditor by express authority of the Executrix, to acknowledge the legal presentation of the same. Your petitioner knows of no goods, property or estate of the said Edwin A. Glover situated in this state necessary to be collected or taken care of, but on the contrary believes all property & effects of the said Estate situated in this state is being looked after

WILL OF E. A. GLOVER. DECEASED.

taken care of by the authority of said Executrix. Your petitioner states that he is personally a creditor of said Estate of Edwin A. Glover and that the firm of Lyon & Jones of which he is a member are also creditors of said Estate. He prays therefore that Letters of administration may be granted to him on the Estate of the said Edwin A. Glover situated in the state of Alabama with the will annexed of the said Glover, so that he may be able to protect and take care of said Estate.
G. S. Lyon.
Given to and subscribed before me this the 27 day of November 1875. James W. Taylor, Judge etc.

I Edwin A. Glover, formerly of the county of Marengo in the state of Alabama, but now of the county of Austin in the state of Texas, do make, publish and declare my last Will and Testament, in manner and form following, to wit: First, It is my will and desire that any and all just debts I may owe at the time of my death be paid and discharged. Second, I desire to make provision for certain of the children of my late brother Jarrot H. Glover, deceased, and the descendants of certain of his children, and for the child of my late brother Allen T. Glover now deceased, and to this end I give, devise and bequeath to John T. Glover the son of Jarrot H. Glover, to Anna Moore the wife of David C. Moore, and daughter of my brother Jarrot H. Glover, to Elizabeth Walton wife of John Walton, and daughter of my brother Jarrot H. Glover, to Anne Moore and Allen Moore children of Mary Moore deceased, and grand children of my brother Jarrot H. Glover, to the children of Emily Watson deceased, the daughter of my brother Jarrot H. Glover, and to Rebecca Payne, the daughter of my deceased brother, Allen T. Glover, upon the terms and considerations hereinafter specified and provided, the following described real and personal property and estate, to wit: all that landed property and real estate situate being and lying in the county of Austin in the state of Texas, to wit: commencing on the east bank of the Brazos River on the south side of the blough that sets in the river when full, into the quarter lake also the Bailey Lake, the line to run between the blough and the bank of the old River, East up to the road that leads from the gin House to Bailey's cotton house thence north to the gin house gate, thence east on the south edge of the William Glover avenue to the League line of Lauck Springfield north west corner thence south to the south east corner of the Sam Williams large thence south west to the south east corner of Eighty Eight acres purchased of J. M. Davidson

it being the north east half of a Labor, the lands before described lying south and south west of the Lawrence and the five, running from L. Springfields north west corner south and south west. The tract of land herein before described supposed to contain about two thousand acres in all and containing about eight hundred acres of cleared land. The gift and devise of the lands before described is intended to vest in each one of the persons named an estate for life only in equal shares with remainder. As to each share to the child or children which may survive any one of said persons who may die leaving descendants. And in the event of any of the persons named, leaving no child or children the share of such one so dying shall go to the survivors named in equal shares. This gift and devise also so far as the same is made to females is intended to convey to them and each of them an estate for their sole and separate use. The devisees can, if they so choose cause the land devised to them to be divided according to the laws of Texas. And each one take possession of his part or share and use and employ the same as he or she may prefer, or they can cultivate the same as a whole, each being entitled to an equal share of the products or they can rent out the same from year to year, each being entitled to an equal share of the rents. In the event the devisees named shall choose to cultivate the land themselves either in separate parcels or as a whole, or to rent out the same supplying the lessee or lessees with team and tools, then I give and bequeath to the said devisees as named two wagons and all the plantation tools and implements belonging to and on the lands herein above devised, together with the mules thereon and there to, belonging and request that they be allowed the use of one of the gin houses and gin in use on my plantation, not on the land above devised. I own five hundred and sixty acres of land east of the town of Lauderdale in Mississippi running up to the town a part of which has been in cultivation also a lot of some ten acres with a comfortable dwelling house well off water and a small orchard thereon also two lots in the town of Lauderdale, one of which has two stone houses thereon and also a stock of groceries in one of the stores. Whatever of these may remain my property at the time of my death I wish sold by my Executors hereinafter named either at private or public sale for the best price that can be obtained and from the proceeds of sale I desire the sum of two thousand Eight Hundred Dollars to be deposited in some safe Bank and held as a fund to defray the expenses of

the education of my grand nephew Edwin Glover, the son of my nephew Pearson J. Glover; And the remainder of the proceeds of sale disposed of as herein after directed. My Executors to direct the application and expenditure of the fund for the education of the said Edwin Glover. I make no provision whatever in this my will for my nephews William Glover and Pearson J. Glover for the reason that I have already done for them, what I propose to do. All the rest, residue and remainder of my Estate of every kind and description real personal and mixed not herein before specially devised or bequeathed including the remainder of my lands in Texas amounting to some Eight Thousand acres lying north and east of the two thousand acres disposed of by the second clause of this my will, together with all my stock of every kind and description, including Horses Mules, Cattle, Hogs, Goats, all Wagons, Carts, Plantation tools and implements, household and Kitchen furniture provisions on hand, Cotton, Corn, debts, moneys, Bonds, Choses in action and every thing I may have of value at the time of my death including what may remain of the proceeds of property in Mississippi after setting aside the twenty eight hundred dollars for the education of Edwin Glover as afore said. I give devise and bequeath to my niece Amanda Sterling and her four sons, to wit; Thomas Sterling, Edwin Sterling, Greagh Sterling and William Sterling in equal shares or parts, that is to say to each one of said persons Amanda Sterling, Thomas Sterling, Edwin Sterling, Greagh Sterling and William Sterling an to have, receive and take one fifth part of my said Estate devised and bequeathed to them, and the share or portion left to the said Amanda Sterling is to be for her sole and separate use and benefit during her natural life and at her death to go to her four sons named; but if she should marry again and have more children, then her fifth part to go to such children. The said property to be used and disposed of by the said Amanda during her life as aforesaid, as separate property and Estate. I hereby appoint my niece Amanda Sterling Executor of this my last Will and Testament and exempt them from giving Bonds and security as such, and revoke and annul all Wills by me heretofore made.

E. A. Glover
Signed in the presence of J. D. Middlebrook and J. H. Mathis two creditable witnesses and who have signed their names hereto in the presence of the said E. A. Glover the testator. J. D. Middlebrook J. H. Mathis, Notaries Public of Texas. I certify that the above and County of Waller. I certify that the above and

copy of the last Will and Testament of E. A. Glover as it appears on file in my office. To wit, which I do hereby sign my name and affix my official seal at my office in Hempstead, this 12th day of March 1874.

R. P. Faddis Clerk D.C. H.C.

TESTIMONY

The State of Texas }
County of Waller } The Estate of E. A. Glover deceased.
On this day a paper purporting to be the last Will and Testament of E. A. Glover dec^d having been filed in court & proved by the affidavit of J. S. Middlebrook & N. B. Waller, two of the subscribing witnesses thereto, which Will together with the said affidavit is ordered to be recorded, and Amanda Sterling being appointed Executrix therein and also exempted from giving bond she is accordingly so appointed & the clerk is ordered to issue letters to her without bond. This day came Amanda Sterling, Executrix of the last will of E. A. Glover dec^d and took and subscribed the oath prescribed by law as Executrix of said will, she being exempted by the terms and provisions of said will from giving bond and security.

ORDER GRANTING LETTERS

DIST. CLERK'S CERTIFICATE OF RECORD

The State of Texas }
County of Waller } I, R. P. Faddis Clerk of the District Court in and for the above named county and state, do hereby certify that the above foregoing are true & correct copies of the orders of said court in the matter of the appointment of Amanda Sterling as Executrix of the will of E. A. Glover late of Waller county deceased, as the same appear of record in said District Clerk's office. These copies are given for the purpose of proving the capacity of Amanda Sterling as Executrix of the Will of E. A. Glover deceased.

And I further certify that I am the clerk of said court and the keeper of all the records belonging & pertaining to the same & as such am duly commissioned & qualified. Given under my hand & the seal of said court affixed at my office in the town of Hempstead, this the 4th day of July A.D. 1874.

R. P. Faddis Clerk D.C. H.C.
The State of Texas }
County of Waller } J. B. M. Farland Judge of the 29th Judicial District in the state of Texas which said Judicial District comprises the county of Waller do hereby certify that R. P. Faddis is the clerk of the District Court of Waller County state of Texas, duly commissioned & qualified as such that he is the keeper of all the records of said court that the foregoing attestation by the said R. P. Faddis clerk is as aforesaid.

of certain orders of the district court of Waller county is in due form of the proper officer. I further certify that I am the presiding & only judge of said court and am commissioned & qualified and that the District Courts of the state of Texas have original & exclusive jurisdiction of all matters appertaining to the Estates of deceased persons. Given under my hand & the seal of the District Court of Waller County Texas, this the 7th day of July A.D. 1874.

J. B. M. Farland Judge 29th Jud. dist. of Texas

WILL

The Last Will and Testament of Jeremiah Pritchett, Deceased
The State of Alabama } This is the last Will and Testament of
Elmore County } Jeremiah Pritchett, who is of sound
mind and desirous to dispose of his property as follows to wit:
I will and bequeath to my beloved wife Maranda Pritchett
the following described real and personal property to wit: All
of my land lying on the west side of a creek known as Cypress
Creek in Township Thirteen Range five east, also one bay mare
name Fannie, two cows and calves one side saddle one fether
bed and under bed two sheets one blanket and four
quills one bed stand one dining table one couch stone one
wash Pot one dinner Pot one oven one ax one turnery plow
one scutor one shovel one saw plow and thirteen head of
Hogs the above personal property to be selected by Maranda
Pritchett. I will to the children of son Daniel Pritchett
Ten Dollars each and to the children of my son Levi
Pritchett Ten Dollars each I will that my son Jeff
Pritchett one cow and calf to William Pritchett one cow
and calf and one bed to J. A. Pritchett one cow and calf
one bed Bonita Pritchett one bed and the small bed
to Ellen Pritchett I will that the remainder of my Estate
after the above proper is set off be equally divided between
the following heirs namely: J. A. Jackson J. P. Pritchett Whit
liam Pritchett J. A. Pritchett Bonita Pritchett Elizabeth
Pritchett & Ellen Pritchett. I will that the property be
queath to my beloved wife, in this Will at her death
be equally divided between the heirs to wit: Bonita
Pritchett & Elizabeth Pritchett & Ellen Pritchett & also
will that my wife Maranda Pritchett her guardians
for my children namely Bonita & Elizabeth & Ellen I will
will that my beloved son William Pritchett her guardian
to this my will, In witness whereof hereunto put my hand and
affix my seal this 28th day of January 1874.

Jeremiah Pritchett
Witnesses H. B. Pritchett James Pritchett

TESTIMONY

Testimony of Jeremiah Pitchett Decedent
The State of Alabama } *Before me James W Taylor Judge*
Marion County } *of Probate in and for said County*
 personally appeared Wm Bridges and James Pitchett
 who being duly sworn depose and say that they are
 each subscribing witnesses to the instrument of con-
 ting now shown to them and which purports to be the
 last will and Testament of Jeremiah Pitchett deceased
 late an inhabitant of this County; that said Pitchett
 since deceased, signed and executed said instrument
 on the 4th day of February 1876, the date thereof and de-
 clared the same to be his last Will and Testament
 and that affiants set their signatures thereto on the
 day the same bears date as subscribing witnesses to
 the same in the presence of said Testator at his request
 and in the presence of each other, that said Testator
 was of sound mind and disposing memory and in
 the opinion of deponents fully capable of making his
 will at the time the same was so made as aforesaid
 and that said Testator was on the day of the said do-
 I said Word of the full age of twenty one years
 and upward
 sworn to and subscribed before me
 James Pitchett
 me this 8th day of May A.D. 1876
 J. W. Taylor
 Judge of Probate

PETITION FOR
 PROBATE OF WILL

The Last Will and Testament of James Tate Decedent
The State of Alabama } *Probate Court*
Marion County } *To the Hon James W Taylor*
Judge Probate of said Marion County The petition of
 the undersigned J P Tate J C Tate J F Threadgill re-
 spectfully represents unto your Honor that James Tate
 who was at the time of his death an inhabitant of this
 County departed this life at Shelby on or about the 1st day
 of March A.D. 1875 leaving assets in this State and leaving
 about Will and Testament duly signed and publish-
 ed by the said James Tate and attested by E D Skinner
 and J W George of said Marion County; that no person
 as they verily believe is named in said Will as Executor
 or Executive thereof and does now Herewith surrender said
 Will to the Court and pray that after proper proceedings
 and proofs it may be probated and admitted to record as
 the true Last Will and Testament of said deceased
 Your petitioner further represents that Mary C Tate
 is the widow of said deceased and that the names ages
 residence and condition of the next of kin are as follows
 to wit James A Tate who is over twenty one years of age

of sound mind and resides in Marion County and is of the
 testimony E P Tate who is under twenty one years of age of sound
 mind and resides in Marion County M C Tate who is under
 twenty one years of age of sound mind and resides in Marion
 County Edward Tate who is under twenty one years of age of sound
 mind and resides in Marion County and R E Threadgill wife of
 J F Threadgill one of your petitioners who is over twenty one years
 of age of sound mind and resides in Marion County and your
 petitioner J P Tate of full age of said County Your petitioner
 would further represent that E D Skinner of St George the
 said attesting witnesses reside as aforesaid in Marion County
 and therefore further pray that a day be set for the hearing
 of this petition and that due notice thereof be given as required
 by law to the widow and next of kin of said deceased 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
 J P Tate J C Tate J F Threadgill
 sworn to and subscribed before me this 27th day of April A.D. 1876

WILL

State of Alabama Know all men by these presents that
Marion County I James Tate of the foregoing State
 being of sound mind and fully competent do make
 and ordain the following as my last Will and Testament
 viz I hereby give & bequeath unto my dear wife Mary C
 Tate for the use and benefit of herself and our minor children
 all my books notes and accounts pertaining to my mar-
 ried business together with all money in possession at the
 time of my death in witness whereof I hereunto set my
 hand and seal this the 27th day of February 1875 A.D.
 James Tate

TESTIMONY

Witness E D Skinner St George
The State of Alabama } *Before me James W Taylor Judge of*
Marion County } *Probate in and for said County*
 personally appeared E D Skinner who being duly sworn
 depose and says that he and J W George are each subscrib-
 ing witnesses to the instrument of writing now shown
 to him and which purports to be the last Will and
 Testament of James Tate deceased late an inhabitant of
 this County; that said Tate since deceased, signed and
 executed said instrument on the 27th day of February 1875
 the date thereof and declared the same to be his last
 Will and Testament and that affiant and J W George
 set their signatures thereto on the day the same bears
 date as subscribing witnesses to the same in the
 presence of said Testator at his request and in the pres-
 ence of each other that said Testator was of sound mind
 and disposing memory and in the opinion of deponents

fully capable of making his said will at the time the same was so made as aforesaid and that said testator was on the day of the said date of said will of the full age of twenty one years and upwards
 Given to and subscribed before me this the 15 day of May 1876.

John W. Taylor
 Judge of Probate

Petition

The Last Will and Testament of M. C. Vaughan Deceased.
 The State of Alabama } To the Hon James W. Taylor
 Marengo County, Judge of Probate of said County.
 The petition of J. J. Harwell respectfully represents to your Honor that the late Mary C. Vaughan who was an inhabitant of this County at the time of her death departed this life on the fourteenth (14th) day of January 1876 leaving a last Will and Testament duly signed and published by her and attested by Louise Hayden and Cicile W. Grayson residents of Demopolis in said County in which your Petitioner is named as Executor thereof and Petitioner here with produces said Will and propounds the same for probate and record in this Court. Your petitioner further states that the next of kin of the Testatrix are as follows to wit:
 Mary E. Harwell wife of J. J. Harwell and daughter of Testatrix residing in Demopolis Marengo County Alabama. Ida J. Michael wife of George J. Michael and daughter of Testatrix residing in Demopolis Alabama. Theodosia C. Vaughan daughter of Testatrix residing in Demopolis Alabama. Susan W. Hender son the wife of H. A. M. Henderson and daughter of Testatrix residing in Frankfort Kentucky. Cicile V. Vaughan daughter of Testatrix residing in Frankfort Kentucky. Tazitus H. Vaughan son of Testatrix residing in Newton County Mississippi. Phetarch B. Vaughan and Robert M. Vaughan sons of the Testatrix both residing in Brazos County Texas. Henry Clay Vaughan minor a grand son of deceased who resides in the State of Texas County unknown to petitioner and Percy W. Jones and Etelaine Jones minor children of James T. Jones and Ada B. Jones deceased residing with their father at Demopolis Alabama and grand children of the Testatrix. Wherefore your petitioner prays that a day be set for hearing this petition that due notice thereof as required by law be given to the next of kin of said deceased 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. J. J. Harwell.

Given to and subscribed before me this the 3^d day of February 1876.
 John W. Taylor, Judge.

The last Will and Testament of Mary C. Vaughan.
 I Mary C. Vaughan of Demopolis in the County of Marengo and State of Alabama being of sound mind declare this to be my last Will and Testament to wit: First: I give and bequeath to my daughter Ida Michael wife of George J. Michael the following described real estate to wit: Two (2) lots situated lying & being in the City of Demopolis County of Marengo and State of Alabama and known and described on the map of said City as lots numbered one hundred and forty two (142) and one hundred and forty seven (147). Second: I give and bequeath to my daughter Mary E. Harwell wife of J. J. Harwell the following described real estate to wit: Two (2) lots situated lying & being in the City of Demopolis County of Marengo and State of Alabama known and described on the map of said City as lots one hundred & forty three (143) and one hundred and forty six (146). Third: The residence or dwelling house which has been my family residence since I first came to live in Demopolis and which dwelling house is situated on the lot one hundred & forty two (142) bequeathed herein to my daughter Ida Michael I hereby declare is not included in my bequest to her to my said daughter Ida Michael but I hereby give and bequeath the said dwelling house and outhouses attached as follows to wit: I desire my daughter Ida Michael to have the main or southern division of said dwelling house; bring that part which constituted the original building. I desire also my said daughter Ida Michael to have the kitchen smoke-house and other out-houses. I desire my daughter Mary E. Harwell to have all of that part of said dwelling house or residence north of a live running east and west and dividing what is known by the family as the Porch from what is known by said family as the dining room said live running entirely through from the west side to the East side of the house and in as much as said dwelling house a part of which is bequeathed to my daughter Ida Michael and another part to my daughter Mary E. Harwell is as I think wholly located and situated on lot one hundred and forty two (142) which I have herein

Before given and bequeathed to my daughter Ida Michael I hereby declare that said bequest of said lot one hundred & forty two (142) to my said daughter Ida is made with the limitation and conditions that my said daughter Mary E. Harwell shall have the right to occupy and dwice in said part of the said family residence bequeathed to her as it is now situated and although it is located on lot one hundred & forty two, herein bequeathed to my daughter Ida Michael, but with the condition that she shall or may move said part of said dwelling house onto lot (143) one hundred & forty three herein bequeathed to her or any where else or dispose of the same as she may see fit as soon as she may be able and conveniently do so Fourth - I give and bequeath to my daughter Cicile Vaughan the following Real Estate, to wit; The lot situated in the City of Demopolis and known and described on the map of said City at lot no one hundred and forty five (145) I hereby appoint J. C. Harwell my Executor to execute this my Last Will and Testament, and desire that he may do so without being required to give Bond In testimony of all which I have herein to affixed my signature in the presence of witnesses, M. O. Vaughan, Signed in the presence of Louise Hayden, Cecile V. Grayson The State of Alabama, Before me, James H. Marengo County, Taylor Judge of Probate in and for said County, personally came and appeared Louise Hayden and Cecile V. Grayson who being duly sworn depose and say on oath that they are each subscribing witnesses to the instrument of writing now shown to them and which purports to be the last Will and Testament of Mary O. Vaughan dec'd late an inhabitant of this County; that said Mary O. Vaughan since deceased signed and executed said instrument on or about the day of December A.D. 1890 and then declared the same to be her last Will and Testament and that affiants then set their signatures thereto, on the day of the execution thereof, as subscribing witnesses to the same in the presence of said Testatrix at her request and in the presence of each other that said Testatrix was of sound mind and disposing memory; and in the opinion of deponents fully capable of making her said Will at the time the same was so made as aforesaid

Testimony

and that she was, at that time, of the full age of twenty
one years and upwards. } Louise Hayden
Spornits and subscribed before } Cecile V. Grayson,
me this the 25 day of July 1896. }
Oscar Taylor, Judge of Probate.

PETITION

The Last Will and Testament of W^m Fth Nicholson Deceased
To the Honorable James W Taylor Judge of Probate for Maryland
County in the State of Maryland. Your petitioner Willis Peter a
citizen of said County respectfully represents unto you, that the
late William Fth Nicholson who was a citizen and an inhabitant
of this County at the time of his death departed this life in this
County on or about the 2nd day of July 1856 leaving a last will
and Testament duly signed and published by him and attested
by C. F. Kline & Son your petitioners as witnesses who reside
in this County in which said will your petitioner is named
as Executor thereof which said will is herewith produced to
you for Probate and record in your Honorable Court. Your
petitioner further states that said deceased was never married
and consequently left no children that he left no brothers or
sisters living surviving and that his only next of kin and
heirs at law are Sarah C. O. on formerly Phillips the wife
of George Wm and the only child of the said Phillips dec^d who
was a widow & deceased and Sarah C. O. and her three
daughters Mary Ann & Emily age same mind and reside
in this County, and Sally Smith wife of John Smith the only
child of a deceased sister of said testator & that said Sally
Smith and said husband are of full age same mind
and reside in the State of South Carolina but the parties
Lumpkin in said State is unknown to your petitioner or
concealation is 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 and that due
notice may be given of this application to the next of kin
of said deceased and that such other proceedings orders
publications notices &c. 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 re
Willis Peter
Subscribed before me this 22 August 1856.

WILL

In the name of God amen, I William Fletcher Nicholson
of the County of Mingo, State of Maryland being of
sound mind & memory, do make & declare this to be my
last Will & Testament. That as first, After all my
lawful debts are paid & discharged the residue of my

Estate, real & personal I give & bequeath, to my beloved
 niece Sarah Catharine Phillips, likewise, I make & ap-
 point my friend Willis Petzel, to be Executor of this
 my last Will & Testament. In witness whereof I
 have hereunto subscribed my name & affixed my
 seal, this twenty first day of July 1876, ad.

Wm. F. Nicholson Esq

Witness C. J. Kivren Willis Petzel J. P. Alois
 The State of Alabama Before me James W. Taylor
 Marengo County Judge of Probate in and for
 said County personally appeared Willis Petzel and
 J. P. Alois, who being duly sworn depose and say that
 they and C. J. Kivren are each subscribing witnesses to
 the instrument of writing now shown to them and
 which purports to be the last will and Testament of
 William F. Nicholson deceased, late an inhabit-
 ant of this County, that said Nicholson, since deceased,
 signed and executed said instrument on the 21st day
 of July 1876, the date thereof and declared the same
 to be his last Will and Testament and that affiants
 and C. J. Kivren set their signatures thereto on the
 day the same bears date, as subscribing witnesses to
 the same, in the presence of said testator, at his re-
 quest, and in the presence of each other; that said test-
 ator was of sound mind and disposing memory and
 in the opinion of deponents fully capable of making
 his said Will at the time the same was so made, as
 aforesaid and that said testator was on the day of the
 said date of said Will, of the full age of twenty-one
 years and upwards

Sworn to and subscribed before me this 3rd day of October A.D. 1876

James W. Taylor Judge of Probate

TESTIMONY

PETITION

Last Will and Testament of Jno. W. Shackworth Deceased
 State of Alabama Probate Court Decr Term 1876
 Marengo County To Hon James Taylor Judge of Probate
 of said County The petition of Martha E. Shackworth of
 said County & State, respectfully represents unto your
 Honor that the late J. W. Shackworth now was an in-
 habitant of this County at the time of his death, de-
 parted this life on the 21st day of November 1876, in
 said County leaving a last Will and Testament
 duly signed and published by him and attested
 by J. P. Quinney & J. L. D. Woodson who reside in
 this County, in which your petitioner, as the only
 believe is named as Executor thereof, which said Will
 is herewith presented to your Honor for Probate record

in this Court. And your petitioner further shows that the
 widow of said deceased & residing in said County, said that
 the next of kin of deceased are Phineas L. Wood wife of S. O.
 Wood and Sarah J. Quinney wife of William C. Quinney
 who reside in Marengo County and are of sound mind and
 over 21 years of age. In consideration of all which your peti-
 tioner prays that a day may be set for the hearing of the
 matter of this petition; that subpoenas may issue to bring
 in said subscribing witnesses to testify on said appointed
 day; that due notice of this application may be given to
 the said widow & next of kin of said deceased, and that
 such other proceedings, orders, and decrees may be had &
 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 well ever pray
 Sworn to and subscribed by Martha E. Shackworth by her
 before me by S. O. Wood J. P. Quinney & J. L. D. Wood
 this the 20th day of Nov 1876 J. C. Wood

James Taylor Judge of Probate
 Marengo County Probate Court Decr Term 1876
 State of Alabama In the matter of the Estate of
 Jno. W. Shackworth deceased
 By Hon James Taylor Judge of said Court. The undersigned
 Martha E. Shackworth the widow of Jno. W. Shackworth
 deceased Josephine Quinney and her husband W. C.
 Quinney Maria L. Wood & her husband S. O. Wood, re-
 spectfully show that said parties are the only legatees
 and heirs at law of said Jno. W. Shackworth deceased,
 that they are all over 21 years of age and of sound
 mind, that they hereby expressly waive any probate
 of the will of said deceased in the appointment of
 any Executor or Administrator for his said Estate;
 that the parties have made a final settlement and
 distribution among themselves in a manner perfect
 by satisfactory of all the real and personal prop-
 erty belonging to said deceased, and pray that
 all proceedings in relation to the Estate of Jno. W.
 Shackworth deceased may be dismissed and that
 the petition and the will may be filed and
 recorded in your office for safe keeping and as
 evidence of the settlement this day made And
 your petitioner will ever pray Decr 3rd 1876
 J. C. Wood M. L. Wood

J. P. Quinney W. C. Quinney M. E. Shackworth
 In the name of God amen I John W. Shackworth
 of the County of Marengo and State of Alabama
 being of sound mind and memory and considering
 the uncertainty of this frail and transitory life
 do therefore make, amend, publish and declare this

WILL

to be my last will and testament. That is to say
 first after all my lawful debts are paid and
 discharged out of means arising from my personal
 property I give, bequeath and dispose of as follows
 to wit; To my beloved wife Martha E. Blackworth the
 following described land to wit; The North half of
 South East and South half of North East quarter of
 section thirty-six Township thirteen Range two East
 of the County of Harango and State of Alabama in-
 cluding my homestead and all the appurtenances
 thereunto belonging together with all my personal
 property of any and every kind and description
 which I may own or be in possession of at the
 time of my death except so much of the personal
 property as may be of value sufficient to pay
 my lawful debts as before declared and also the
 necessary expenses of administration. To my daughter
 Maria L. and the following described lands to wit;
 Lot or subdivision C of section six Township twelve
 Range three East and West half of South West
 quarter and South West quarter of North West
 quarter of section thirty-one Township thirteen
 Range three East And to my daughter Sarah J.
 Quimby the following described land to wit; The
 South half of North East quarter of section twenty
 five and South East quarter of section twenty five
 the North half of North East quarter and South
 half of South East quarter of section thirty six
 each described lying in Township thirteen Range
 two East and North East quarter of North East
 quarter of section one Township twelve Range two
 East Likewise I make constitute and appoint my
 beloved wife Martha E. Blackworth to be Executor
 of this my last will and testament hereby revoke
 in all former wills by me made in witness
 whereof I have hereunto subscribed my name
 and affixed my seal this the fifth day of June
 anno Domini one thousand eight hundred and
 seventy four
 Wm. Blackworth, Ed
 Attest J. B. Quimby, J. L. Hudson,

Petition

Last Will and Testament of P. A. Royal deceased.
 To the Honorable James W. Taylor Judge Probate Harango
 County in the State of Alabama. The Petition of Catherine
 A. Royal a citizen of said County respectfully represents unto
 your Honor that her husband the late Frank A. Royal
 who was an inhabitant of this County at the time of his death
 departed this life in this County on or about the ninth day of

Testimony

July 1877 leaving a last will and testament duly signed and
 published by him and attested by C. E. Saunders and J. D. Elboore
 residing in this County in which last will and testament was contained
 contained as executor which said will is herewith presented to your Honor
 or and behooved for Probate and record within this Court. Her petition
 further states that she is the widow of said decedent and is of full age
 and resides in this County and that the next of kin and heirs at law
 of said decedent are his two children one named Minnie A. Royal a
 minor between fourteen and fifteen years of age and Frank C. A.
 Royal a minor about thirteen years of age. 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 such appointed
 day that due notice of this application may be given to said next
 of kin of said deceased and that other proceedings orders and decrees
 may be had and made in the premises as may be requisite and pro-
 per to effect the due probate and record of said will according to law
 and as in duty bound &c
 Catherine A. Royal
 The State of Alabama } Probate Court of said County
 Harango County } In the matter of the probate of the last
 will and testament of Frank A. Royal deceased. Before me
 James W. Taylor Judge of the said Court personally appeared
 in open Court John D. Elboore and C. E. Saunders who having
 been by me first respectively duly sworn and examined
 did and do depose and say on oath that they are each and seve-
 ral witnesses to the instrument of writing now shown to
 them and which purports to be the last will and testament
 of Frank A. Royal deceased late an inhabitant of this County
 that said Frank C. A. Royal since deceased signed and executed
 said instrument on the day the same bears date and de-
 clared the same to be his last will and testament and that
 affiants set their signatures thereto on the day the same bears
 date as subscribing witnesses to the same in the presence of
 said testator at his request and in the presence of each other
 that said testator was of sound mind and disposing memory
 and in the opinion of deponents fully capable of making his
 will at the time the same was so made as for said Affiants
 further state that said testator was on the day of the said date
 of said will of the full age of twenty-one years and upwards
 sworn to & subscribed before C. E. Saunders
 me this 18th June 1877 J. D. Elboore
 John Taylor Judge of Probate

Will of
 P. A. Royal

This is my last will and testament. After paying all my
 just debts it is my will and desire that the balance of my
 property both real and personal shall be equally divided
 between my beloved wife Catherine A. and my two children
 Minnie A. and Frank C. A. It is my desire that my prop-
 erty be kept together until my youngest child reaches of age
 then if desired a division may be made between my wife

two children as above stated. It is further my will that my wife shall be the Executor of this my last will and testament and she shall not be required to give bond as such, nor as the guardian of the minors, and if at any time my wife may think it to the interest of herself and children she may dispose of any of the property either real or personal. Given under my hand and seal this 8th day of May, A.D. 1877.

J. P. Taylor, Judge of Probate.
Attorn C. T. Saunders, J.D. attorn.

The Last Will and Testament of M. A. Williamson, Deceased

Petition

The State of Alabama, To the Hon J. M. Taylor Judge of Probate Marengo County. The petition of J. P. Williamson son & respectfully represents unto your Honor that the late M. A. Williamson who was an inhabitant of this County at the time of her death departed this life on the first day of September 1877 leaving a last will and testament duly signed and published by her and attested by C. P. Slater, Elizabeth Allen and M. E. Slater, who reside in Clarke County, Alabama in which will your petitioner is named as executor thereof, which said will is herewith produced to your Honor and propounded for probate and record in this Court. Your petitioner further states that your petitioner is the first and only child of said deceased and resides in this County and that the next of kin and heirs at law of said deceased are her children Isabella M. Williamson, who is under the age of twenty-one years of age of sound mind and resides with your petitioner, Callie Herwin wife of P. E. Herwin, Susan Parker, wife of M. A. Parker, J. P. Williamson Jr. J. M. Williamson, J. D. Williamson, Charles Williamson and Emma Williamson, all of whom are of legal age and sound mind and all reside in this County except Isabella Williamson who reside in Clarke County, in this State. In consideration of all which your petitioner prays that a day may be set for hearing of the matter of this petition, that subpoenas may be issued to bring in said subscribing witnesses to testify on such appointed day and due notice of this application may be given to the next of kin of said deceased and that such other proceeding, 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. Given to and subscribed before me this 3rd day of January 1878.

J. P. Taylor, Judge of Probate

This is my last Will and Testament. In executing this my last will I do so in my proper frame of mind and it is my desire that my wishes herein expressed shall be faithfully carried out in every respect. First, I give and bequeath to my two daughters Emma and Isabella all of my real and personal property to be equally divided between them

at such time as may be deemed best for each of them with a slight exception and it is this, I Emma I give and bequeath all my clothing and silver ware to Isabella I give the same together with all property that may accrue to me hereafter to my two daughters Emma and Isabella shall have and it is my wish that my husband J. P. Williamson shall manage this property to the best advantage and if it shall appear at any time that a sale of any real estate would benefit my two children herein mentioned such sale will take place and all moneys there accruing shall be invested by my said husband J. P. Williamson in such way as shall be advantageous to said children. I declare this to be my only and last will and testament. In witness whereof I set my hand and seal to the same in presence of these witnesses this 29th day of April 1878.

Redd M. A. Williamson

Attorn C. P. Slater, Elizabeth Allen, M. E. Slater.
The State of Alabama, Before me James W. Taylor Judge of Probate Marengo County. In and for said County personally appeared C. P. Slater, who having been by me first duly sworn and examined, did and does depose and say on oath, that he and Elizabeth Allen and M. E. Slater are each subscribing witnesses to the instrument of writing now shown to him and which purports to be the last will and testament of M. A. Williamson deceased, late an inhabitant of this County, that said M. A. Williamson since deceased, signed and executed said instrument on the day the same bears date and declared the same to be her last will and testament and that said C. P. Slater and Elizabeth Allen and M. E. Slater set their signatures thereto on the day the same bears date as subscribing witnesses to the same in the presence of said testatrix at her request and in the presence of each other. That said testatrix was of sound mind and disposing memory and in the opinion of deponent fully capable of making her will at the time the same was so made, as aforesaid. Offiant further states that said testatrix was on the day of the said date of said will of the full age of twenty-one years and upwards.

C. P. Slater

Sworn to and subscribed before me this 11th day of February A.D. 1878.
J. W. Taylor, Judge of Probate

The Last Will and Testament of Lewis Simmons Deceased

PETITION

The State of Alabama, Probate Court. Petition of William H. Marengo County. Sledge for the Probate of the Will of Lewis Simmons deceased. To the Hon James W. Taylor Judge Probate Court Marengo County. The petition of the undersigned William H. Sledge respectfully represents unto your Honor that Lewis Simmons who was at the time of his death an inhabitant of this County departed this life at his residence on or about the 1st day of 1877 leaving assets in this State and leaving a last will and testament duly signed and published by him in presence of J. W. Taylor, M. E. Simmons and L. H. Thompson.

petitioner as he really believes, is interested therein and does now
 herewith swear under said will to the Court and pray that after proper
 proceedings and proof, it may be probated and admitted to record as
 the true last will and testament of said deceased. Your petitioner
 further represents that Barbara Simmons is the widow of said deceased
 and that the names, ages, residence and condition of the next of kin
 are as follows to wit: Love Simmons, adult, Wooten M. Simmons
 adult, William T. Simmons, adult, Bettie Hunter, adult, wife of
 John Hunter and Samuel Grigsby, minor, over the age of fourteen
 years, having no legal guardian, but residing with - all of whom
 reside in said County of Marengo; and E. Simmons Sledge, adult,
 William H. Sledge, adult, Oscar H. Sledge, minor, over 14 years of age,
 A. H. Sledge, minor, over 14 years of age, A. H. Sledge, minor, under 14
 years of age and B. Sledge, minor, under 14 years of age, all of
 whom reside in Sumter County, Alabama. The said minors hav-
 ing no legal guardians, but residing with said William H. Sledge.
 Your petitioner would further represent that W. C. Cooper and W.
 Simmons two of the said attesting witnesses to said will re-
 side in Marengo County, Alabama, near Jefferson, and therefore
 further prays that your Honor will appoint a day to hear this pe-
 tition and to determine thereon, that notice of said day be given as
 the law requires to said widow and next of kin and such other
 and further proceedings had thereon as may be necessary and proper.

Wm. H. Sledge.

The State of Alabama, Wm. H. Sledge being duly sworn deposes
 Sumter County and says that the facts alleged in the above
 petition are true according to the best of his knowledge, information
 and belief.

Wm. H. Sledge.

Subscribed and sworn to before me, this 11th day
 of February 1878, J. A. Abraham.

Judge Probate Court Sumter County.

The State of Alabama, To the Honorable James W. Dwyer Judge Probate
 Marengo County, for said County. The undersigned a son of
 Lewis Simmons deceased, comes into Court to show to your Honor that the
 instrument described in the within petition is not all of the
 last Will of the said Lewis Simmons and that the paper or
 writing hereto attached and marked Exhibit B in connection
 with said paper herein referred to both together constitute the last
 Will and Testament of said Lewis Simmons and he prays that
 said paper may be submitted to the Court at the same time for
 probate and that the heirs at law and next of kin of said testator
 are stated correctly in the within petition and prays that notice
 issue to them according to law & a day set for the hearing of said
 matters, and that subpoenas may issue to the witnesses to both
 said instruments to appear on the day appointed for the hearing
 of said application.

L. Lavender Simmons.

Sworn to and subscribed before me, this
 11th day of March 1878, J. A. Abraham.

WILL

Exhibit "A"

State of Alabama, This the 21 day August eighteen hundred and seven
 Marengo County, I, Lewis Simmons, in consideration of the love and affection
 that I have for my grand children, namely, E. Sledge, Wm. Sledge, O.
 Sledge, A. H. Sledge, Chas. Sledge, and B. Sledge, I hereby give and bequeath
 to them the following Real Estate, to wit: The S.W. 1/4 of S. 19, T. 2, E.
 and six and a half acres off of S. 3 off of the southern part also 8 1/2 of
 S. 8 1/2 of S. 20 in T. 2, E. 2, and three and half acres off of S. 21
 T. 2, E. 2, and I also give and bequeath one sixth of all my stock of cat-
 tle, Sheep, Horses and Cows. And I hereby give the entire management
 of the above property to W. H. Sledge without giving bond or security in
 empowering him to rent, sell or hold as he may think best for the above
 legacies and as each child becomes of age W. H. Sledge will give
 to each legatee his equal share that may be left of the above property.
 Whereinto I hereby set my hand and seal this the 21 day of August
 1877.

Lewis Simmons.

Attest: W. C. Cooper, Wm. Simmons, C. E. Vaughan.

Exhibit "B"

State of Alabama, Marengo County, August 1877.
 I know all men by these presents that I, Lewis Simmons, for the
 love and affection I have for my children L. L. Simmons, W. D. Sim-
 mons, W. C. Simmons, Chas. B. Hunter and my grand son O. H.
 Grigsby, and my wife Barbara W. Simmons I give and bequeath to
 to them the following described lands: To my son W. C. Simmons all of
 S. 21 of S. 19 of sec. two and 1/2 of S. 21 and 7/8 of sec. 21
 and to my son L. L. Simmons the S. 1/2 of sec. two W. 1/2 of S. 19 of sec.
 22, 7/8 of sec. 27, S. 1/2 of W. 1/2 of S. 28, sec. 27, known as the Grand
 Johnson and Harrison John tracts (to my daughter Mrs. B. A. Hunter
 all the land on the north side of the Creek in sec. 5 supposed to
 contain 100 acres also the place known as the Carney place in sec.
 28 and containing 120 acres) To my grand son O. H. Grigsby all of
 S. 19 of sec. 15 south of the Creek and commencing at Edmunds
 house running east to Walnut tree and thence to Creek supposed to
 contain 38 acres (also 140 acres of S. 19 of sec. 21, less 20 acres around
 her house given to Manda Simmons Cal. and 7/8 of S. 21 of sec.
 28) To my wife Barbara W. Simmons her lifetime, and at her
 death to my son W. D. Simmons, the S. 1/2 of S. 28 of sec. 21, and all
 of sec. 22 on the south side of the Creek except 38 acres given to my
 grand son O. H. Grigsby. Should any of the above named parties
 die without heirs, their portion revert back to me. I hereby in-
 power and authorize my sons W. D. Simmons and W. C. Simmons
 to call in three disinterested persons to divide my stock into six
 equal lots and W. D. Simmons, W. C. Simmons, L. L. Simmons,
 O. H. Grigsby, Mrs. B. A. Hunter and William H. Sledge to share
 for the same.

Lewis Simmons.

Attest: S. D. Smith, S. D. Hylton, Wm. Simmons.

State of Alabama, Probate Court of said County, In the
 Marengo County, Two of the probate of the last Will and Testa-
 ment of Lewis Simmons deceased.

TESTIMONY.

Judge of the said Court personally appeared in open Court William Simmons who having been by me first duly sworn and examined did and does depose and say on oath as follows to wit, That he is a subscribing witness to the paper marked Exhibit C and D and that Exhibit C was presented on Tuesday and Exhibit D on Thursday of same week in August that he said Lewis Simmons sign and seal the same on the day they bear date respectively calling them Deeds of Gift that he signed the same as a witness in the presence and at the request of Lewis Simmons and also in the presence of the other subscribing witnesses and in the presence of each other and that the said Lewis Simmons was of sound mind at the time Sworn to and subscribed before me this 27th day of March 1878 J. W. Taylor

Judge of Probate

State of Alabama Probate Court of said County, Marengo County In the matter of the probate of the Last will and Testament of Lewis Simmons deceased. Before me James W. Taylor Judge of the said Court personally appeared in open Court A. W. Casper who having been by me first duly sworn and examined did and does depose and say on oath as follows to wit, That he is a subscribing witness to the paper marked Exhibit C that he saw Lewis Simmons sign and seal the same on the day it bears date calling it a deed of gift that he signed the same as a witness in the presence and at the request of Lewis Simmons and also in the presence of the other subscribing witnesses and in the presence of each other and that the said Lewis Simmons was of sound mind at the time Sworn to and subscribed before me this the 27th day of March 1878 J. W. Taylor

Judge of Probate

State of Alabama Probate Court of said County, Marengo County In the matter of the probate of the Last will and Testament of Lewis Simmons deceased. Before me James W. Taylor Judge of the said Court personally appeared in open Court Stephen A. Fullford who having been by me first duly sworn and examined did and does depose and say on oath as follows to wit, That he is a subscribing witness to the paper marked Exhibit C that he saw Lewis Simmons sign and seal the same on the day it bears date calling it a deed of gift that he signed the same as a witness in the presence and at the request of Lewis Simmons and also in the presence of the other subscribing witnesses and in the presence of each other and that the said Lewis Simmons was of sound mind at the time That he wrote the said instrument and that he erased the one full line and part of another as appears on the signing of the same by said Lewis Simmons Sworn to and subscribed before me this the 27th day of March 1878 J. W. Taylor

Judge of Probate

PETITION FOR
PROBATE OF
WILL OF
ANNE E. LIPSCOMB

The Last will and Testament of Anne E. Lipscomb deceased to the Hon. the Probate Court of Marengo County Alabama Joel Q. Lipscomb of said County respectfully sheweth that Anne E. Lipscomb late of said County departed this life on the 10th day of August 1878 she being then an inhabitant and resident of said County 2 That at the time of her said death she was a married woman the wife of this proponent Joel Q. Lipscomb aforesaid and she died seized and possessed of a statutory separate estate consisting of real and personal property 3 That prior to her death she executed in writing her last will and Testament in the presence of two witnesses namely A. H. Sharpe who resides at Demopolis in said County and Dr. C. Herwin who resides in Jefferson in said County who subscribed their names thereto in the presence of the said Anne E. as witnesses at her request and in the presence of each other and this proponent the said Joel Q. was named in said Will as the Executor thereof which is here to annexed as Exhibit C and prayed to be taken as a part hereof 4 That the said Anne E. left her surviving Joel Q. Lipscomb this proponent as her husband residing in said County and Percy Brasfield in infant aged about 6 years and Corine Allen aged about 4 years her children begotten by your proponent Joel Q. aforesaid both of whom reside with this proponent the said Joel Q. in said County And he the said Joel Q. proponent said Will for probate and prays the same be admitted to probate in pursuance of the laws of Alabama in such case made and provided Sworn to and subscribed before me this 19th day of Sept 1878 J. Q. Lipscomb

J. W. Taylor Judge of Probate

ANNE E. LIPSCOMB wife of Joel Q. Lipscomb and a resident of the County of Marengo in the State of Alabama being of sound mind and desiring of disposing of my property do hereby make this as my last will and Testament as follows I hereby give and devise to my husband the said Joel Q. Lipscomb as my Executor all of my property real personal and of any and every description of which I shall die seized and possessed upon the following trust, that he shall first out of the rents and profits thereof pay off my debts which I may owe and any claim which is a charge against my statutory separate estate by or under the laws of the State of Alabama Secondly that he shall hold control and manage said property in such manner as he may think best for the interest of my legatee herein and for that purpose he may sell any of said property at private or public sale as he may deem best and prudent it as he may think best for the interest of said legatee Thirdly It is my will that my said Executor shall support my children whom I shall leave me surviving and that out of the rents and profits of said property

WILL OF
ANNE E. LIPSCOMB
DECEASED

as he lives and such children remain with him, and at his death he is hereby given the power by will or deed executed by him to convey said property to such of my children and in such manner and on such terms as he may think proper and should he die without exercising the power herein conveyed and granted my will is that the said property or so much as shall be then remaining shall be equally divided between my children then alive and the descendants of such as shall be dead then alive excepting such descendants shall take the share to which their deceased parent would be entitled if alive Fourthly if any of my children shall leave my husband or marry my said Executor is hereby invested with the power to give to such child so leaving or marrying such portion of my said property as he may think proper leaving it however optional with him whether he shall give such child anything or not Fifthly I hereby appoint my husband the said Joel A. Lippcomb Executor of this my last will and testament and exempt him from giving bond or taking out letters testamentary herein In witness whereof I hereto set my hand this 9th day of July 1878

A. E. Lippcomb
Witness C. J. Herwin A. H. Sharpe
 The State of Alabama Before me James C. Taylor Judge Marengo County } of Probate in and for said County personally appeared C. J. Herwin who having been by me first duly sworn and examined deposes and says that he and A. H. Sharpe are each subscribing witnesses to the instrument of writing now shown to him and which purports to be the last Will and Testament of Ann E. Lippcomb deceased late an inhabitant of this County that said Ann E. Lippcomb since deceased signed and executed said instrument in the day the same bears date and declared the same to be her last Will and Testament That applicant and A. H. Sharpe set their signatures thereto on the day the same bears date as subscribing witnesses to the same in the presence of said testatrix at her request and in the presence of each other That said Testatrix was of sound mind and disposing memory and in the opinion of C. J. Herwin fully capable of making her said Will at the time the same was so made as aforesaid Officiant further states that said testatrix was on the day of the date of said Will of the full age of twenty one years and upwards

C. J. Herwin
 Sworn to and subscribed before me this 5th day of December A.D. 1878
Charles Taylor
 Judge of Probate

TESTIMONY

will

Last Will and Testament of Harrison O. Longest Deceased

Dear niece Mary C. Heath I will give to you all I have in Ala. if I get killed or die before I sign again Mr. R. H. Shamus is my manager in Ala. I want you to take care of this
 Yours &c
H. O. Longest

The State of Alabama, James C. Taylor Judge of Probate in and for said County then Marengo County } I certify that the within instrument of writing hereto appended was duly shown in the Probate Court of said County by the properly testimony on the 23rd day of October A.D. 1871 to be the genuine last Will and Testament of Harrison O. Longest deceased for the disposition of the personal property of said decedent as appears of record and by the decree of said Court made and entered in the premises on the 23rd day of October 1871 and that said will together with the said proof has been duly recorded in my office in Book 12 of Wills at page 118 Given under my hand and office in London this 15th day of March 1879
James C. Taylor
 Judge of Probate

Testimony

In the matter of the application of George W. Saunders for the probate of an instrument in writing purporting to be the last will and testament of Harrison O. Longest deceased pending in the Probate Court of the County of Marengo in the State of Alabama Before me R. L. Manheim Judge of Probate in and for the County and State aforesaid this day came James P. Jones a witness on the part of the propovent in the above stated cause who after being duly sworn testified as follows I was acquainted with Harrison O. Longest deceased in his life time from about the Spring of 1862 to the time of his death decedent was a soldier in actual military service in the war of 1861 and in the field he was a private soldier in a company commanded by me as Captain; I know that said decedent was with his said command and in such service at Montgomery in the State of Tennessee on the 19th day of January 1864; he was then in my opinion of sound mind and disposing memory in the latter part of the month of June 1864 decedent sent said decedent who was then in a dying condition to an army hospital near Richmond in the State of Virginia before the 26th day of July 1864 I received official information that decedent had expired in said hospital on the 2nd of July 1864 it was a fact of common knowledge and understanding among decedent's comrades that he died as stated at the time of his said death decedent was a soldier in actual military service as stated His demise was then in the State of Alabama Subscribed and sworn to before me this 23rd day of October A.D. 1871
James P. Jones
 Judge

In the matter of the application of George W. Saunders for the probate of an instrument purporting to be the last will and testament of Harrison O. Longest deceased pending in the Probate Court of the County of Marengo in the State of Alabama The answers of Mary C. Heath a witness on the part of the propovent in the above stated case to the Interrogatories and cross Interrogatories to her propounded and hereto annexed And the said witness answers and says to - Interrogatory 1st. I resided in the City of Richmond and I was thirty two years of age in July 1871 I am married to Isaac M. Wood My name before marriage was Mary Catherine Heath I know Harrison O. Longest deceased He was my uncle My mother's brother July 2nd I have seen the original paper of which the paper shown to me and marked exhibit A is a copy I saw it on the latter part of January 1864 I received it enclosed in a letter bearing date January 18th 1864

in letter from Morristown Tennessee. I was residing in King and Queen County Virginia at the time that the letter was received. The letter came by mail and I got it from the Post Office at Chylets in King William County Virginia. It was brought from the Post Office formerly by a friend. The letter referred to was written by Uncle Harrison Longest. Said letter is in my possession and I herewith attach it marked exhibit B. The paper of which exhibit B is a copy was ruled with red lines corresponding in appearance somewhat with the paper upon which the letter marked exhibit B hereto annexed was written and resembled the paper marked exhibit B in other respects.

To Query 2. I have seen Longest write often. He has set copies for me. I have received many letters from Longest and am so perfectly familiar with his handwriting that I have no hesitation in saying that he wrote and signed with his own proper hands the original paper of which the paper marked exhibit B is a copy. I am as familiar with the handwriting of Longest as I am with my own. To Query 3. I never saw Uncle Longest after the receipt of the said letter and the instrument of which exhibit B is a copy. I saw him last as near as I can remember in 1858.

To Query 4. I reason why I believe that the said signed of the paper marked exhibit B was written by my Uncle Harrison Longest a short time before the fact that I was familiar with his hand writing is that he always said that he would leave me every thing that he owned & I acted properly and placed him in my conduct though like he did, in fact clothed and educated me and was very much attached to me and to his. For the above reasons I was not surprised at the receipt of the original of the paper marked exhibit B which I am informed is a will in effect and is now in the hands of Miss H. B. & C. A. Chapman. Residing in Alabama. I do not know of any other will having been made by said Longest.

To Query 5th. I received it in the latter part of January 1866 by mail and as stated in my examination in chief at Exh. 1st. Post Office King William County Virginia. I had received many letters from him before and some after. I am in my possession three letters herewith filed and marked exhibits B, C & D which I received from him before to the receipt of the letter enclosing the original of exhibit B and on subsequent thereto. I corresponded with him regularly for many years previous to his death. I have often seen him write. I know that Uncle Longest wrote the original of the paper marked exhibit B because I am as familiar with his hand writing as I am with my own and also for the reasons stated in reply to my examination in chief. I know nothing more about the will except what is contained in my answer to the 5th interrogatory. The next of kin left by my Uncle Harrison Longest are his brother John Longest who lives in Essex County Virginia. Francis Longest his sister who also lives in Essex County. John Sanders of King and Queen County Virginia his nephew George Sanders of Monroe County West Virginia his nephew Lucy Colclander Richmond Va. his niece James A. Sanders Essex County Virginia his nephew Abner Ann also of Essex County Virginia also his niece and myself.

Mary C. Wood

Answers of Lucy E. McCreder a witness duly sworn to Query 1. I was acquainted with Harrison A. Longest deceased. He was my own Uncle, that is he was my mother's father. Mary Ann is my sister she being my senior by three years and I have known her from her earliest childhood.

To Query 2. Charles C. Wood is married to Mary Ann the mother

was Mary C. Heath. She resided from January 4th until July 2nd May in King and Queen County Virginia. During said period I lived at night of her about one mile distant. Uncle Longest did not visit a year, sister Mary during said period. I saw Sister Mary every day during the period referred to. She did not leave home otherwise I do not think it probable and surely possible the Uncle Longest could have visited or seen during said period without my knowledge.

To Query 3. I know Harrison A. Longest in his lifetime. He is now dead. He died about the 1st July 1866 at the Richmond General Hospital near Richmond Virginia. I got word that he left from the Hospital after his death. He was a single man and consequently had no family.

To Query 4. As I have previously answered that Mrs. Mary C. Wood was the niece of Harrison A. Longest. He was her mother's brother. Her father's name was Lighter Heath. We were both nieces of said Longest.

To Query 5. I know no other fact but will the contestants of said decedent.

Lucie E. McCreder

Givenly sworn of Court this the 23rd day of Oct 1867.

The foregoing testimony first recorded March 15th 1869. Charles C. Wood.

WILL

Last Will and Testament of John A. Dunning, Deceased
I John A. Dunning of Charango County and State of Alabama being sound in body and mind do make this my last will and Testament. I give and bequeath to my wife Amanda A. Dunning all my property both real and personal to have during her natural life and after her death to descend and go to my brother Thomas A. Dunning and to his heirs forever. I give and bequeath to my Brother James Dunning son Floyd Dunning Five Dollars to my sisters Sarah D. Leggett Five Dollars Mary Robinson Five Dollars Jane Dixon Five Dollars and Elizabeth Fowler Five Dollars which sums of money are to be paid out of my estate by my executor hereinafter mentioned. I nominate and appoint my brother Thomas A. Dunning my Executor to this my last will and testament and having confidence in him that he will to his duty he is hereby authorized to act as such and to carry out the provisions of my will without being required to give security. In testimony of which I have hereunto subscribed my name and affixed my seal on this the 27th day of September A.D. 1862 John A. Dunning

Signed and sealed in presence of us
Benjamin A. Glass J. S. Roberts
Probate Court Charango County April Term 1865.
Testimony of J. S. Glass a witness to the within will who being first duly sworn deposes & says that he was present on the day the same bears date & saw John A. Dunning execute said will by signing & publishing or declaring the same to be his last Will & Testament that he and J. S. Roberts the other witness subscribed their names as witnesses to said Will in the presence of said John A. Dunning and in the presence of each other and at the request of said John

He further says that said Dunning was at the time of executing said will of sound & disposing mind & memory.

Benjamin F. Glass

In the within instrument he recorded upon said testimony as the last will & testament of said John O. Dunning dec'd.

J. C. Young, Judge

Filed for record October 7th 1880. J. W. Taylor, Judge of Probate.

Petition

Last Will and Testament of Martha J. Little

The State of Alabama } To Hon. James M. Taylor Judge
Marion County } of Probate Court of said County.
The petition of Gray Little respectfully represents to your Honor that the late Martha J. Little who was an inhabitant of this County at the time of her death departed this life on the 23rd day of February 1880 leaving a last will and testament duly signed and published before and attested by Thomas J. Whearley D. L. Etheridge and Bry Harper residents of Marion County in which your petitioner is named as executor thereof and petitioner to such purposes said will and proceedings the same for Probate and record in this Court. Your petitioner here states that Abeline M. Beyer wife of Reb'l Beyer lives near Dayton in Marion County Alabama and Laura Williams five children by her first wife lives near Mansfield in DeSoto Parish and Bora Woodley wife of William Woodley lives near Jacksonville in Cherokee County. In as William F. Glass about twenty years lives near Robbston Marion County Ala. Sallie K. Crompton about eighteen years old lives near Pineville Marion County Ala. Rhodocia E. Johnson about twelve years old lives near Robbston Marion County Ala. Whearley D. L. Etheridge about twenty one years old and Carrie Etheridge about nineteen years old most of nearest of her lives near Sweet Water Marion County Ala. Whereof your petitioner prays that a day be set for hearing this petition that due notice thereof as required by law be given to the said heirs and next of kin of said deceased 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. Gray Little.

Subscribed and sworn to before me

this 10th day of March 1880.

R. L. Hardy, Justice of the Peace

Filed March 29th 1880. J. W. Taylor, Judge of Probate.

The State of Alabama } I, Martha Jane Little of the State of
Marion County } Alabama, do hereby certify that I am an inhabitant of this County and over twenty one years of age, respectfully shows unto your Honor that he is informed and believes it to be true and therefore alleges upon information and belief that James M. Rasmussen departed this life on the 10th day of June 1874 more than forty days since leaving his

Testimony

James Williams & children by his first wife to have quantity for five Dollars. Five Dollars and bequeath unto my beloved sister Bora Woodley twenty five Dollars. Death I give and bequeath unto my nephew William F. Glass one feather bed mattress four quilts two sheets one Pillow two chairs one cow case. Fifth I give and bequeath unto my niece Sallie K. Crompton wife of C. C. Crompton one bureau one rocking chair at the death of Mr. Gray Little my husband. Sixth I give and bequeath unto my niece Rhodocia E. Johnson one feather bed one mattress one bed stand one Pillow three quilts one sheet & double woven counterpane three chairs one cow case, one Sewing Machine. All the residue of my Estate is to be equally divided between William F. Glass Sallie K. Crompton & Rhodocia E. Johnson as they survive at the years of maturity. I do nominate and appoint my husband Gray Little the Executor of this my last Will and Testament. In testimony whereof I have set my hand and seal this 13th day of February, A.D. 1880. Signed and sealed in presence of us who Martha J. Little as witnesses hereto.

Thomas J. Whearley D. L. Etheridge, Bry Harper.
The State of Alabama } Before me James M. Taylor Judge of Probate
Marion County } for and for said County, personally came and appeared Thomas J. Whearley and D. L. Etheridge who being duly sworn by me depose and say that Thos. J. Whearley D. L. Etheridge and B. Harper are each subscribing witnesses to the instrument of writing now shown to them and which purports to be the last will and testament of Martha Jane Little deceased. Later an inhabitant of this County that said Martha Jane Little since deceased signed and executed said instrument on the day the same bears date and declared the same to be her last will and Testament and that said Thomas J. Whearley D. L. Etheridge and B. Harper set their signatures thereto on the day the same bears date as subscribing witnesses to the same in the presence of the said testatrix, at her request and in the presence of each other. That said testatrix was of sound mind and disposing memory and in the opinion of deponents fully capable of making her said will at the time the same was so made as aforesaid and that she was on the day of the said date of said Will of the full age of twenty one years and upwards. Sworn to & subscribed before me this 10th day of March A.D. 1880. J. W. Taylor Judge of Probate.

Last Will and Testament of James M. Rasmussen deceased.
The State of Alabama } To Hon. James M. Taylor Judge of Probate of
Marion County } said County. I, George H. Lyon an inhabitant of this County and over twenty one years of age, respectfully shows unto your Honor that he is informed and believes it to be true and therefore alleges upon information and belief that James M. Rasmussen departed this life on the 10th day of June 1874 more than forty days since leaving his

said County of Tallapoosa and State of Alabama consisting of an undivided half interest in lands lying in said Tallapoosa County conveyed to him by deed made on 6th February 1868 by Columbus Powell wife which is recorded in your office as Judge of Probate of said County in Book of Deeds Mon pages 682 and 683 and which is supposed to be of the value of about Two Thousand Dollars.

2^d Your petitioner further shews unto your Honor that he is informed and believes it to be true and therefore alleges on such information and belief that the said James M. Bernatt at the time of his death was an inhabitant of the City, County and State of New York and left a last will and testament which was admitted to probate in the Court of the Surrogate of the said County and State of New York on the 21st day of April 1895 a copy of which said will with the proceedings showing the probate thereof is heretofore appended marked "Exhibit A" as a part of this petition.

3^d Your petitioner further shews that he is informed and believes it to be true otherwise alleges that Grace B. Laddis who is of mature age and resides at Decerville, Van Buren County, State of Iowa wife of William Laddis and Eliza Emma Johnson who is of mature age resides at 37 South Fifth Avenue in the said City State of New York as set forth in the said Will are the only parties who are interested in the Estate of the said deceased as legatees under said Will; that no one entitled to the administration of the said Estate has applied for Letters of Administration upon said Estate and no one has been appointed the Administrator upon said Estate in this State; and that the said Grace B. Laddis as legatee under said Will has requested your petitioner to apply for letters of administration and qualify as Administrator of said Estate. Wherefore your petitioner prays your Honor that letters of administration upon the said Estate of James M. Bernatt with the said will annexed be granted him according to law upon his giving the requisite bond and security as aforesaid.

Geo. T. Lyon

Sworn to and subscribed before me this 24 day of June A.D. 1896

Wm. Taylor Judge of Probate

Tallapoosa County, Alabama

Be it remembered that herebefore to wit on the eighth day of September in the year one thousand eight hundred and seventy four Emma Johnson a legatee named in the last Will and testament of James M. Bernatt late of the County of New York deceased appeared in open Court before Robert C. Hutchings Surrogate of the County of New York and made application to have the said last will and testament which relates to both real and personal estate proved and on such application the Surrogate did ascertain by satisfactory evidence who were the only heirs and next of kin of said deceased and their respective residences and said Surrogate did thereupon issue a citation directed to said only heirs and next of kin of said deceased of their

respective names stating their places of residence requiring them to appear before said Surrogate at his office in the City of New York on the thirtieth day of September then next to attend the probate of said Will and afterwards to wit on the said thirtieth day of September one thousand eight hundred and seventy four satisfactory evidence by affidavit was adduced and presented to said Surrogate of the service of said citation in the mode prescribed by law and more of them appearing to the minors and on that day no one appearing to oppose the probate of said Will such proceedings were thereupon had and it being satisfactorily shown to said Surrogate that B. B. Edes and A. H. Harris were material witnesses to said last Will and Testament and their testimony necessary to the probate thereof a commission was thereupon issued by said Surrogate to Washington Poe residing at Macon State of Georgia to take the testimony of said witnesses upon interrogatories annexed to such commission and the said Washington Poe having returned such commission properly executed and the same having been filed with said Surrogate with the proofs hereafter set forth the said Surrogate did on the twenty fourth day of April in the year one thousand eight hundred and seventy four declare said last will and testament to be a valid will of real and personal estate and the proofs thereof to be sufficient which said last will and testament and proofs are as follows that is to say:

Will

Then all men by these presents that I James M. Bernatt at present temporarily of Macon Ga. in the County of Bibb State of Georgia being of sound disposing mind memory (and at this time in good health) do make publish this my last will and testament First I wish to be buried at Uniontown Fayette County State of Pennsylvania and there in a marble coffin care of Best & Sons by Lodge I Cor. R. D. members of which will attend to my burial by writing them to W. S. Lewis or J. W. Wood that my corpse be coming I wish to be buried along side of my mother and sister in the Presbyterian grave yard my funeral expenses to be paid out of the money in my possession and if not enough to pay all the balance to be paid out of the first money collected on my effects described in the foregoing statement Second I wish to requiem \$500 paid divided dollars to the corporation of Uniontown Fayette County State of Pennsylvania to be expended in placing brick stones at my grave and also the same at the graves of my mother and sister if the ones that were there has been destroyed or at such time as they are needed and also placing a good substantial iron railing fence around our graves where was a wooden fence when I last visited that place several years since leaving space for "one other grave making room in all and keeping the graves and graves in good order as long as any of the money lasts Third I give and bequeath unto Three Thousand to my dear sister Grace B. Laddis now living at Decerville Van Buren County Iowa wife of William Laddis they were married in Uniontown Fayette Co. Pa. Fourth I give and bequeath all the balance of my money that is left after all expenses are paid to Eliza Emma Johnson now living at 37 South Fifth Avenue when

York City & State of New York in order that she may get at her want of persons having my business to settle to be very particular that they are satisfied that she is the right one, as there may be others of the same name in the City or she may move from it, or South of the River City of New York. I also wish all my baggage and bunch of keys sent her first writing to her and finding out if she has received or not. I give her this because she has befriended me many times in sickness and favours in health. I now hope that those having my business in hand will with as much dispatch as possible settle this matter up so that each one interested may get what is coming to them, with as little delay as possible. In testimony whereof I have hereunto set my hand and seal and publish this my last will and testament in the presence of these witnesses this 7th day of September 1807.

James M'Dermat - Co.

Signed and sealed and published and declared by the said James M'Dermat as and for his last will and testament in presence of us who at his request and in his presence and in the presence of each other have subscribed our names herunto as witnesses.

R. D. Eder. A. H. Morris

will.

Last Will and Testament of George M. H. Minge

I George M. H. Minge of the County of Marengo and State of Alabama being of sound mind memory and clear understanding do make and publish this my last will and testament hereby revoking and making void all former wills by me at any time before made. And first I direct that my body be decently entombed in the cemetery at St. Michael's Church according to the rites and ceremonies of the Episcopal Church, and that my funeral be conducted in a manner corresponding with my estate and situation in life. As to such Estate as it has pleased Almighty God to intrust me with I dispose of the same as follows, viz: I give, devise and bequeath unto my beloved wife Mary H. Minge, all my property, real personal and mixed of what kind or nature whatsoever, and wheresoever the same shall be at the time of my death, for and during her natural life, and the reversion or remainder of the same after her death to my five grand children, to be divided among them as follows. I give, devise and bequeath unto my two grand daughters Mary M. Selden and Mariah L. Selden shall have and I do hereby give, devise and bequeath to them to share and share alike my plantation lying in Perry County in said State and known as Fair Hope, together with all of the personal property contained therein, which is now occupied by and in the possession of my son

in law Capt Joseph Selden. Item. It is my will and desire that Capt Joseph Selden shall have and I do hereby devise and bequeath to him a reasonable and economical maintenance and support out of the property just above mentioned, and the said plantation shall be his home during his natural life. It is also my will and desire that during the life time of my beloved wife that from the proceeds of the said property just mentioned, my three grand children, viz: A. Minge Selden, John A. Selden and Otis Selden, shall receive their education maintenance and support and I hereby give said property therewith, I give, devise and bequeath to my two grand sons J. Minge Selden and John A. Selden my plantation lying in Marengo County in said State and now occupied by myself and family which is known as Myra, together with all the personal property contained therein. It is my will and desire that in the division of the land between my grand sons, the line will be commenced at a point on the Eastern boundary of the place and run due West dividing as nearly equal as practicable the plantation without any regard to improvements, and that J. Minge Selden shall have the South half, and John A. Selden shall have the North half of said plantation. I give, bequeath and devise to my grand daughter Elizabeth C. Selden my tract of land lying in Marengo County in said State, two miles from Dayton and known as the Swartt place, with the condition that should J. Minge Selden and John A. Selden need any timber for plantation purposes, they or either of them may be privileged to use any timber from said tract of land for said purposes. I also give, devise and bequeath to her five thousand Dollars, in notes, bonds and other evidences of debt held by me against sundry parties. Item. I am interested in Eighty acres of land in Jefferson County, Alabama, near the town of Birmingham, supposed to contain iron ore and marble deposits. This tract of land was purchased by my brother Collier H. Minge and C. H. Dixie and I became their security for the payment of the purchase money, and I having paid the same, the title to said property were made to me. I executed to them however an instrument of writing, agreeing therein that in the event the said property should ever sell for more than the amount of the principal, interest, taxes and expenses incidental to the sale of said property that I would return to them such excess. Whenever said property is sold and the said excess remitted over and above what may be due to my estate has been paid over to Collier H. Minge, his heirs, or assigns and the heirs of the said C. H. Dixie, I give, devise and bequeath unto my five grand children herebefore named to share and share alike my

interest in the aforesaid property - In the event of the death of my beloved wife Mary - before my grand children or any of them become twenty one years old, or are married, then it is my will and desire, that my brother David Minge and my nephew John A. Minge, shall take charge of and manage the interests of such child or children until such child or children become twenty one years old or married, and I do hereby constitute them as trustees for said purpose - and request that they will accept the Trust I constitute and appoint my beloved wife Mary A. Minge the Executive of my Estate and request that she will not be required to enter into any bond, For H. H. Minge

Signed, sealed, published, and declared as the last will and testament of George H. H. Minge in our presence as witnesses witnesses at his request
 R. A. Williams
 H. H. Minge

Jan'y 4th 1878
 The State of Alabama, I, James W. Taylor Judge of Probate Maringo County. In and for said County, hereby certify that the foregoing instrument of writing was this day in the Probate Court of said County, and before me at the Judge thereof, been duly proved, by the proper testimony, to be the last Will and Testament of George H. H. Minge deceased; and that said will has been, together with the proof thereof, duly recorded in my office, in Book of Wills B. page 195 447. Given under my hand at Office in Linden, this the 4th day of May A.D. 1881.

James W. Taylor
 Judge of Probate, Maringo County

The State of Alabama, Probate Court May 4th 1881, Maringo County. Before me, James W. Taylor, Judge of Probate, in and for said County, personally appeared, in open Court, Richard A. Williams, who, being by me, duly sworn, disposed and says, that he and H. H. Adams are each subscribing witnesses to the instrument of writing now shown to him, which purports to be the last Will and Testament of George H. H. Minge, Deceased, late an inhabitant of this County; that said Minge, since deceased, signed and executed said instrument of writing on the day the same bears date, and declared the same to be his last will and Testament, and that of said H. H. Adams, at their signatures thereto, on the day the same bears date, as subscribing witnesses to the same; in the presence of said Testator, at his request, and in the presence of each other; that said Testator was of sound mind and disposing memory, and in the opinion of deponent, fully capable of making his will; at the time the same was so made, as aforesaid, and was then, on the day of the date of said

Testimony

will, over twenty one years of age, R. A. Williams
 Chosen to and subscribed before me this 4th day of May 1881.
 Jas. W. Taylor, Judge of Probate

WILL.

Will of Catharine A. King, Deceased.
 The State of Alabama, I, Catharine A. King of said State Maringo County. I am of sound mind and disposing memory, do hereby make, and publish this as my last will and testament, revoking any and all former wills by me at any time made as follows in words and figures, to wit: First: I commend my soul to God, who gave it, and desire that my body be decently buried; and the worldly estate which it hath, pleased God to bless me with in this life I give and dispose of in the following manner and form, to wit: 1st I give and bequeath to my son Thomas J. English all the silver spoons and one silver ladle now in his possession and belonging to me; and I also give and bequeath to my said son Thomas J. Seven hundred Dollars (\$700.00) to be paid to him by my executors, hereinafter named, out of the same due and owing from J. Morgan, of said County, said amount collected within three years from this date, and if not collected within that period then the said amount shall be paid to my son Thomas J. out of any other of my estate. 2nd I give and bequeath to my Grand-daughter Rachael E. Turner, Three hundred Dollars (\$300.00) to be paid to her by my Executors hereinafter named, out of the same due and owing from J. Morgan, of said County, or collected within three years from this date, and if not collected within that period then the said amount shall be paid to my said Grand-daughter Rachael E. Turner out of any other of my estate. 3rd I give and bequeath to my daughter Emma H. Jones (wife of Dr. R. W. Jones) and her two minor children viz: A. Augustus Jones and Mattie L. Jones have and share alike, the balance of all of my estate both real and personal, exclusive of the bequests hereinbefore made to my son Thomas J. English and Rachael E. Turner my Grand-daughter, 4th I hereby appoint my friends James J. Jones and David M. Brownell as the Executors of this my last Will and Testament, and having full confidence in them, further direct that no bond or security shall be required of them as such Executors. In witness whereof I have hereunto set my hand and seal on this the 12th day of February A.D. 1878.
 Catharine A. King
 Signed by us, as witnesses, at the request of Mrs. Catharine A. King in her presence and in the presence of each other on the 12 day of February A.D. 1878, the day of the making the foregoing will. Ed. Standwith, H. J. Brownell

The State of Alabama } I, James W. Taylor, Judge of Probate
Marion County } in and for said County, hereby certify
that the within instrument of writing, has this day in the
Probate Court of said County, and before me as such Judge
foreseen, been duly proven by the proper testimony, to be
the genuine last will and Testament of Catherine A. King,
deceased, and that the same said will, together with the
proof thereof, have been recorded in my Office, in Book
of Wills B. page 193 & 194. In witness whereof
I hereunto set my hand this the 11th day of April A.D.
1881, at Office in London. James W. Taylor
Judge of Probate

TESTIMONY.

The State of Alabama }
Marion County } Before me, James W. Taylor, Judge
of Probate in and for said County, personally appeared
J. B. Brown, who, being by me duly sworn, deposes
and says that he and Ed Stoddwick are each subscri-
bing witnesses to the instrument of writing, now shown to
him, and which purports to be the last will and Testament
of Catherine A. King, deceased, late an inhabitant of said
County; that said Catherine A. King signed and executed
said instrument on the day the same bears date, and
declared the same to be her last will and testament, and
that affiant and Ed Stoddwick set their signatures thereto,
on the day the same bears date, as subscribing wit-
nesses to the same, in the presence of said Testator,
at her request, and on the presence of each other that
said Testator was of sound mind and disposing
memory, and, in the opinion of deponent, fully cap-
able of making her will at the time the same was so
made, as aforesaid; and affiant further states that
the said Testator was, over, twenty-one (21) years of
age on the day of the date of her said will,
known to and subscribed before me, J. B. Brown,
this 11th day of April 1881, Jas. W. Taylor, Judge Probate
Filed April 11, 1881. Jas. W. Taylor, Judge of Probate

WILL.

Will of Mrs. L. Allen
The State of Alabama } I, Mrs. L. Allen of said
Marion County } County and State do make
declare and publish this my last will and testam-
ent. Item, First, It is my will and desire that all
my just debts be paid as early as practicable. Item,
Second, I do hereby give, bequeath and devise unto
my beloved wife Julia C. Allen, for and during her
natural life all my estate real and personal, after
the payment of my debts, to be managed and controlled
by her at her discretion, for the support of herself and

my children without being liable to account to any person
of any court for her management thereof and with power to
sell any portion of my estate real or personal, and to
buy other property according to her judgment; and at her
death my said estate to be equally divided between my
children, Item, Third, I do hereby appoint my wife Julia
A. Allen, executrix of this my last will and testament,
except her firm giving bond as such, and do release
and exempt her from making any returns annual or
otherwise, or any appraisement or inventory or any
settlement whatever of my said estate with any person
or court, Item Fourth, Should I receive or hold any
property hereafter it is to be used and disposed of
as the other. In witness whereof I have hereunto set
my hand and seal this 29th day of October 1878.
Signed, sealed and published W. C. Allen Seal
In presence of J. B. Terrell, B. R. Eppes,
The State of Alabama }

Marion County } I, James W. Taylor, Judge of
Probate in and for said County, hereby certify that
the within instrument of writing, has this day in
the Probate Court of said County, and before me as
the Judge thereof, been duly proven, by the proper tes-
timony, to be the genuine last will and Testament
of William C. Allen, deceased; and that the same,
together with the proof thereof have been recorded in
my office in Book of Wills B. page 194 and 195
Given under my hand, at Office in London, this the
13th day of June A.D. 1881, Jas. W. Taylor,
Judge of Probate, Marion County.

TESTIMONY.

The State of Alabama }
Marion County } Before me, James W. Taylor, Judge
of Probate in and for said County, personally appeared
in open Court, Burton R. Eppes, who being by me first
duly sworn and examined, deposes and says that he
and Foster Terrell are each subscribing witnesses
to the instrument of writing now shown to him, the
said affiant, and which purports to be the last will
and Testament of William C. Allen, deceased, late an
inhabitant of this County; that said Allen signed
and executed said instrument on the day the same
bears date, and declared the same to be his last
will and testament, and that affiant said said
Foster Terrell set their signatures thereto on the day
the same bears date as subscribing witnesses to the
same, in the presence of said Testator, at his request,
and on the presence of each other that said Testator
was of sound mind and disposing memory, and
in the opinion of deponent, fully capable of making

96
will, at the time the same was so made, as aforesaid,
and that Testator was in the day of the date of said
will sufficiently of age, J. C. Appis,
Sworn to and subscribed before me this the 13th day
of June A. D. 1881, Jas. M. Taylor, Judge of Probate
Marion County

WILL

Will of Wm Simmons
In the name of God, Amen, I, William Simmons
of the County of Wilcox and State of Ala. being in
good health and of sound & disposing mind memo-
ry and understanding do make and declare this as
for my last will & testament - First I do hereby
constitute and appoint my sister Mary Ann Sim-
mons, Executrix of this my last will & testament and
she is not to give bond for the faithful execution of
this nor shall any bond be required of her as Executrix
Second - I do hereby give devise & bequeath to my
said sister Mary Ann Simmons to be held by her
during her natural life & no longer all my estate
real & personal and at her death all my estate real
& personal shall go as is hereinafter directed, to wit
Third - At & after the death of the said Mary Ann
Simmons all my estate shall go to and I do hereby
give the same to my niece Minnie T. Simmons daugh-
ter of J. A. Simmons decd - provided she be living
at the death of said Mary Ann - but if she should
die before the said Mary Ann then & in that event,
the said estate upon the death of said Mary Ann
shall go & rest in my great niece Mary Pickens
daughter of my niece Elizabeth Pickens my witness
whereof I have hereunto set my hand & seal this the
Fourth day of December 1869. W. Simmons (seal)
Signed, sealed & declared by the said William Simmons
as & for his last will & testament in our presence who
have subscribed our names as witnesses thereto in
his presence & in the presence of each other on the
day above named, A. B. Cooper, Amelia B. Cooper,
The State of Alabama & James M. Taylor Judge of the
Marion County Probate Court on and for said
County, hereby certify that the within instrument of
writing has been this day in said Court, and before me,
as the Judge thereof, been duly proven by the proper testi-
mony, as the last Will and Testament of Wm Simmons,
deceased; and that the same, together with the
proof thereof, have been duly recorded in my office in Book
of Wills pages 195 & 196. Given under my hand, at office in
London this the 12th day of September A. D. 1881.
Jas. M. Taylor, Judge of Probate.

TESTIMONY.

State of Alabama, Deposition of A. B. Cooper a witness
Wilcox County Sworn on this 20th day of August 1881
at his own house in said County and State under & by virtue
of a Commission issued out of the Probate Court of Mar-
ion County, in the matter of Mary A. Simmons who
has filed her Petition in said Court for the probate of
an instrument attached to said Commission purporting
to be the last will and testament of William Simmons
decd, The said A. B. Cooper being first duly sworn
to speak the truth the whole truth and nothing but
the truth doth depose and say as follows; First-
To the first interrogatory he saith I know William
Simmons in his lifetime, was well acquainted with
him, He did leave a last will and testament in
writing, I wrote it for him, Second - To the second
interrogatory he saith - Amelia B. Cooper, my daugh-
ter and I were subscribing witnesses to the said
will of William Simmons who was then a cit-
izen of Marion County - and the instrument
hereto attached which is in writing is the last
will & testament of said William Simmons - and
the one we subscribed as witnesses, Third - To the third
interrogatory he saith The said William Simmons
did sign and execute the said instrument on the day
the same bears date - and in the presence of myself
and the said Amelia B. Cooper, Fourth - To the
fourth interrogatory he saith The said William
Simmons did declare that the said instrument was
his last will and testament, and he requested Amelia
and myself to witness the same, Fifth - To the fifth
he saith Amelia B. Cooper & I did sign & write our
names as witnesses on the day & year it bears date
at the instance and request of William Simmons -
and in his presence and in the presence of each other,
Sixth - To the sixth he saith William Simmons at
the time he executed said instrument was of sound
and disposing mind & memory - and as capable as
any sane man to make a will & dispose of his prop-
erty, Seventh - To the seventh he saith - At the date of
making said will or instrument in writing William
Simmons was more than twenty years of age
I suppose he was at least forty-five years old
A. B. Cooper,

I, David T. Cooper Commissioner in said Com-
mission named hereby certify that I am personally
acquainted with the said witness A. B. Cooper
and know him to be the identical named in said
commission that he was sworn and examined as
above stated and that his evidence was written

down by himself and was subscribed by him in my presence on this 25th August 1881. David C. Cooper, Commd. State of Alabama.

Willow County. I do hereby certify that I am not of Council or of kin to any of the parties to the cause, nor in any manner interested in the result thereof. David C. Cooper, Commissioner.

Will. of E Thornton Taylor.

PETITION.

To Hon Jas W Taylor, Probate Judge in and for Marengo Co. the
Your petitioner W. H. Taylor, a citizen of said county and of full age, respectfully shews your Honor - 1. That Edward Thornton Taylor departed this life in the City of Troy, State of New York on or about the 24th day of December 1881, leaving a last will and testament. That said E. T. Taylor was residing in said City of Troy at the time of his death. 2. That said E. T. Taylor left no widow surviving him. That his only heirs at law were his daughter Mary Linn Taylor, and his son Edward Dickinson Taylor, each of whom is an infant under the age of fourteen and each of whom resides with W. H. Taylor in the City of Norfolk, State of Virginia. 3. That said Testator owned real and personal property in the State of Alabama to the amount of one hundred thousand dollars and more probably, more and that most of such property is situate in said Marengo County. 4. That said Testator in his said will nominated as his executor George B. Warren of Troy, New York, W. H. Taylor of Norfolk Virginia, W. D. Snyder of Washington D. C. and petitioners, no said will attempting them and each of them from giving bond or security as executor as aforesaid. 5. That said Testator was nat. at the time of his death and ahabitant of the State of Alabama and that his said will has been duly proved in the Surrogate's Court, New York County in the State of New York. 6. That a copy of said will is hereto appended as a part of this petition together with a copy of the Probate thereof. That such copy is certified by Hon. Lord, Clerk of said Surrogate's Court, and is accompanied by the Certificate of Moses Warren Judge of said Surrogate's Court that the attestation of said Lord is genuine and that said Lord was the proper party to attest the same. That petitioner now proffers such copy for probate & record in this Court. 7. That it is probable that petitioner alone will qualify as executor of said will in the State of Alabama. In view of the premises, petitioner prays your Honor to appoint a day for the probate of said will, that the proper notice may be given to said Mary L. and Edward D. Taylor of the day so appointed, that a guardian ad litem may be appointed to defend the interest

WILL.

of each of them in this proceeding, that letters testamentary may be issued on said will and that said will may be admitted to probate and that your Honor will make such other orders and decrees as may be necessary in the premises.
I now to resubscribed before me this 25th of August 1881.
4th day of March 1882. Jas W Taylor, Judge of Probate, Marengo County.
I, E Thornton Taylor of Marengo County in the State of Alabama being of sound mind and memory, do make, ordain, publish and declare this to be my last will and testament, that is to say: First: After all my lawful debts are paid and discharged, I give, devise and bequeath unto my eldest daughter Phoebe W Taylor of the City of Washington in the District of Columbia, an annuity of Two Thousand to be paid to her annually during her natural life. Second: I give and bequeath unto my sole wife sister Mary C. Swathney of Norfolk Virginia, the sum of Five Thousand Dollars, and I also direct my executor hereinafter named to pay to her the sum of Fifty Three Hundred Dollars and in case of the death of either the sum of Three hundred and Fifty Dollars annually to be expended by her in the support, maintenance and education of my children, Mary Linn Taylor and Edward Dickinson Taylor, so long during their minority as she shall have the care of the same. Third: I give and bequeath unto my faithful servant Albert Taylor of Marengo County, the sum of One Thousand Dollars Fourth: I give and bequeath the silver ware and plate, running to me through the will of my father Benjamin Ogle Taylor to my children, Mary Linn Taylor, Edward Dickinson Taylor and my sister Eugenia Phoebe Warren to be divided equally between them. Fifth: I give, devise and bequeath all the real residue, and remainder of my real and personal property and estate of whatever nature or kind and where so ever situated unto my children, Mary Linn Taylor and Edward Dickinson Taylor their heirs and assigns as and when they shall respectively attain the age of twenty one years share and share alike. In case of the death of either of them, I give his or her share to the survivor thereof, my said children having during their minority the interest and income thereof or so much of the same as my said executors or a majority of them may think necessary or most for their profit and advantage. Provided, both of my said children shall die before turning at the age of twenty one years without leaving any lawful issue then and in that case I give, devise and bequeath the said property and remaining estate in this bequest mentioned, unto so given to my said children as above, unto my sister Eugenia Phoebe Warren of the City of Troy, New York her heirs and assigns

for cause, with: I give unto my executors hereinafter named, or a majority of them, full power and authority to sell, dispose of and convey any of my said real and personal property and estate at public or private sale, at such times, upon such terms, and in such manner as to them shall seem meet and proper and best and most for the interest of my said estate. Likewise I make, constitute and appoint George B. Warren of the City of Troy N.Y. William McSwathney of Norfolk Virginia, William Taylor Snyder or Georgetown D.C. and William A. Taylor of Marengo County, Alabama to be executors without the giving of any bond or security to act of this my last will and testament, hereby revoking all former wills by me made. In witness whereof I have hereunto subscribed my name and affixed my seal the twenty first day of September in the year of our Lord one thousand Eight hundred Eighty one.

The above instrument consisting of one sheet was at the date thereof subscribed by Edward Thornton Tayloe in the presence of us and each of us, he at the time of making such subscription acknowledged that he made the same and declared the said instrument so subscribed by him to be his last will and testament, whereupon we then and there, at his request and in his presence and the presence of each other, subscribed our names as witnesses thereto; Walter P. Dillman residing at 40 Bush St. Troy N.Y. Moses S. Clough residing at 12 First St. Troy N.Y. D. Buckley residing at 39 Second St. Troy N.Y.

Surrogate's Court.
On the matter of proving the Will and Testament of Edward Thornton Tayloe deceased of the County of Rensselaer - ss.
The Atty. of Troy in the County of Rensselaer, being sworn upon Oath, doth depose and say, and each for himself says, that he is a subscribing witness to the last Will and Testament of Edward Thornton Tayloe late of the City of Troy in the County of Rensselaer, deceased, and that the said Edward Thornton Tayloe did, in the presence of these deponents subscribe his name at the end of the instrument, which is now shown and exhibited to these deponents, and which purports to be the last Will and Testament of the said Edward Thornton Tayloe and which bears date on the twenty first day of September 1881. And that the said Edward Thornton Tayloe did, at the time of subscribing his name aforesaid, declare the said instrument to be his last will and Testament, and these deponents did thereon subscribe their names at the end of the said will as attesting witnesses thereto, at the request of the said testator in his presence, and in the presence of each other. And at the time when the said testator subscribed his name as aforesaid, he was of sound

mind and memory, of full age to execute a Will, and was not under any restraint, but competent in all respects to devise real estate. Walter P. Dillman, Moses S. Clough, D. Buckley.
Subscribed and sworn this 15th day of February 1882 before me,

Moses Warren, Surrogate.
The People of the State of New York, By the Grace of God, Free and Independent. To all to whom these Presents shall come, or may concern, Greeting.
Know Ye, that at the City of Troy in the County of Rensselaer on the 18th day of February in the year of our Lord one thousand eight hundred and eighty two before Moses Warren Surrogate of Rensselaer County, the last Will and Testament of Edward Thornton Tayloe late of the County of Marengo State of Alabama in the said County, deceased, was proved and is now approved and allowed by us; and the said deceased having while living, and at the time of his death, goods, chattels and credits within this State, by means whereof the proving and registering the said will, and granting administration of all and singular the said goods, chattels and credits; and also the auditing, allowing, and finally discharging the account thereof, doth belong to us; the administration of all and singular the goods, chattels, and credits of the said deceased, and any way concerning his Will is granted unto George B. Warren, executor in the said Will named, he having first taken and subscribed, on oath, before the said Surrogate, faithfully and honestly to discharge the duties of such executor, hereby requiring upon the said George B. Warren, executor to make, or cause to be made, a true and perfect inventory of all and singular the goods, chattels and credits of the said deceased, which have or shall come to your hands, possession or knowledge, as also to make, or cause to be made, duplicates of such inventory, and cause the same to be signed by the appraisers, and the same so made and signed, that you make return thereof to the surrogate of the said County within three months from the date thereof. In Testimony Whereof, we have caused the seal of office of our said Surrogate to be hereunto affixed.
Witness, Moses Warren, Surrogate of the said County of Rensselaer, at his office in the City of Troy in said County, the 18th day of February in the year of our Lord one thousand eight hundred and eighty two.

Moses Warren, Surrogate.
At a Surrogate's Court, held in and for the County of Rensselaer, in the City of Troy, in said County, on the 18th day of February 1882. Present: Moses Warren, Surrogate. On the matter of the last Will and Testament of Edward Thornton Tayloe, deceased. On reading and filing due proof of the service of the citation herein on the parties therein named; and upon due proof of the execution of the said

PROBATE