

act

The State of Alabama } This day personally
Shelby County } came John Singleton
and makes oath that the above amount current is
correct & that he has accounted for all interest collected
known to & subscribed before me this 21 July 1851.

John C. McClanahan }
Judge of Probate } J. W. Singleton

The State of Alabama } To the honorable John C. McClanahan
Shelby County } Judge of Probate for said County
the petition of Thomas W. Brasher administrator of Robert
Boudon deceased sheweth to your honor that the said Robert
Boudon died in said County and left at his death Elizabeth
Boudon his widow and next who has since departed this life
he also left the following named children and heirs at law William
B. Boudon and James T. Boudon of full age and resident of said
County and State whose interest is represented of and aided by
Wm. H. Pope and Sarah Gordon Boudon daughters of the said
Robert Boudon of full age and resident citizen of said
County and Margaret L. Boudon, Eliza L. Boudon, Mary
L. Boudon and Robert T. Boudon minor children of said
Robert Boudon also resident citizens of said County except
Robert T. who resides in Talladega County and Laura
Nelly Robert McElly and John L. Nelly minor children
of Francis Elizabeth Nelly deceased who was the daughter
of the said Robert Boudon said minor children resident
citizens of Shelby County Alabama and Thomas McHenry
William McHenry, Robert McHenry, John McHenry
and Joseph McHenry minor children of Mary McHenry
deceased daughter of the said Robert Boudon said minor
resident citizens of Perry County Alabama and your
petitioners further sheweth to your honor that the said
Robert Boudon died seized and possessed of the following
divided lands in said County of Shelby to wit the NW 1/4
of the NW 1/4 of Section 10 and all on the west side of Short
Creek except what the mill pond covers and two acres at the
mill containing 20 acres of the E 1/2 of the NW 1/4 and
all on the west side of Short Creek except one rod from
said creek on the N. west side of the NW 1/4 the NW 1/4
containing seventy nine acres and all on the west
side of Short Creek except one rod on the west side of said
creek of the E 1/2 of the NW 1/4 containing twenty acres all
in Section ten and the East half of E 1/2 of Section 9 and
thirty acres on the East side of the E 1/2 of the NW 1/4 of
Section 9 all in Township 22 of Range 5 west and also
the west half of the South East fourth of Section
nine of Township twenty two of Range three west

your petition further sheweth that the said land
cannot be Equally fairly & Right Beneficially divided
amongst said heirs without a sale thereof and that a
sale thereof is necessary for the purpose of Equal distribution
your petition therefore prays that due and legal notice
be served upon all of said heirs and that guardians
ad litem be appointed for the infants to contest this
petition and that your honor will on final hearing
grant your petition an order to sell said real Estate
of his intestate as your honor may deem best for said heirs
and as in duty bound your petition will ever pray
Thomas W. Brasher administrator
of Robert Boudon by S. Laper attorney

The State of Alabama } J. N. B. Wardle hereby consents to become
Shelby County } the guardian ad litem for Margaret L.
L. Eliza L. Henryetta L. and Robert T. Boudon minors
children and heirs at law of Robert Boudon and for Lewis,
Robert Robert and John Nelly minors children of Francis Elizabeth
Nelly and heirs at law of Robert Boudon deceased and for Thomas
William Robert John and Joseph McHenry minors children
of Mary McHenry and also heirs at law of the said Robert
Boudon done this day November 1850 J. N. B. Wardle

Thomas W. Brasher admiring Heirs of Robert Boudon deceased
of Robert Boudon deceased } this cause now pending in the
Probate Court for Shelby County on the petition of the said
Thomas W. Brasher administrator of Robert Boudon deceased to sell
the real Estate of the said testate J. N. B. Wardle guardian ad litem
for Margaret L. Eliza L. Henryetta L. and Robert T. Boudon minors
children of said intestate and for Lewis, Robert and John Nelly
and for Thomas, William Robert John & Joseph McHenry
grand children of the said Robert Boudon answers to said
petition hereby denies each and every obligation in said petition and
requires full proof thereof and in default thereof prays that said
petition be refused as he will ever pray Nov 18 1850

J. N. B. Wardle Guardian
ad litem

The State of Alabama }
Shelby County }

Thomas W. Brasher
Administrator of
Robert Boudon
The heirs of
Robert Boudon deceased

Interrogators to be propounded to
William Moore Jacob Perry
witnesses for Petitioners in a cause
now pending in the Probate
Court of Shelby County

State of Alabama on the petition of Thomas H. Brasher administrator of Robert Bowdon dec'd. to see the real estate of his intestate which with the assessor there is when taken will be read in testimony on the first trial of said case.

Interrogatory 1st Were you acquainted with the said Robert Bowdon in his life time. is he dead. if yes when and where did he die.

Interrogatory 2^d Are you acquainted with the heirs at law of the said Robert Bowdon, did he leave a widow who is now living? How many children did he have. please give their names ages sex and residence particularly are there any of them farms owners. if you give their names and that of their husbands if there are any of the children of the said Robert Bowdon that have died have they left children if you please give their names of such children and their ages and residence.

Interrogatory 3^d Did the said Robert Bowdon die seized and possessed of any land if you describe it as nearly as you can. where situated the Numbers quantity and value.

Interrogatory 4th Look on the Numbers and description of Lands hereto attached and state if it correctly describes the land of which the said Robert Bowdon died seized and possessed.

Interrogatory 5th Could said lands be fairly equally and beneficially divided amongst said heirs without sale thereof is a sale thereof necessary for the purpose of equal fair and beneficial division amongst said heirs.

Interrogatory 6th What all you know that would benefit the petition.

J. Saper, attorney
for petitioner

To Wm. H. Pope assignee of Wm. B. & Jas. T. Bowdon John West & Sarah Gordon his wife heirs at law of Robert Bowdon dec'd. all of lawful age, and to S. P. Mardis Guardian ad litem for all the minors for and the heirs of said Robert Bowdon dec'd. Take notice that the foregoing interrogatories are on file in my office & that a commission will issue so soon as you have had ten days notice to take the depositions of the witnesses named in the heading to said interrogatories, all of which will be read on the hearing of the application by the admin of said estate now pending in the Probate Court of said county to sell the real estate of said dec'd. for distribution away to the heirs & dec'd. at office in Columbus May 3rd 1851.
I accept service of above notice this 1st day of May 1851.
(J. Saper, Judge of Probate)

The State of Alabama by virtue of the annexed Shelby County } commission is directed from
Hon Judge of the Probate Court of Shelby County.
I have called and caused Mr. Heelboore and agent
Mary to come before me at the House of Jacob Perry
in said county on the 15th of May 1851 for the
purpose of taking their Interrogatories with regular
to the real estate of Robert Bowdon deceased.

Interrogatory 1st Was he dead in his own residence in Shelby County.
Interrogatory 2^d I am he did have a widow who is not I
think mine William aged about thirty five or six
gone to California a damsel about thirty Robert about
twelve. don't know where they are Mary Elcherry lives
in Perry County her heirs five or six all minors Francis aged
aged about twenty seven or eight some three or four
heirs number note know residence Shelby County it is
with Bowdon wife of Samuel Watson she died and left
me heirs Sarah Bowdon wife of John West aged about
nineteen years residence Shelby County Ala Catharine Bowdon
aged about seventeen Cornelia aged fifteen Helenetta aged
not recollected all living in Shelby County Alabama
Interrogatory 3^d he did a portion of it say one hundred
acres, tolerable land for our section of country the balance
is poor the S E 1/4 of S E 1/4 Sec 25 near thirty rods of the E side
of the E 1/4 of N E 1/4 S 1/4 a portion above the west side
of the S W and the W most quarter of April 16 some Orange
and some ship rest of bark the land all in Shelby Co Ala
into 800 acres in quantity worth some three or
and half dollars pr acre.

Interrogatory 4th I think it is correctly described

Interrogatory 5th we don't don't think it could. we think it is

Interrogatory 6th the improvements has and is going to back very
much
Jacob Perry
Wm. B. & Jas. T. Bowdon

I Peter Deshaize certify that the above depositions of Jacob Perry & Wm. B. & Jas. T. Bowdon dec'd. both at the time and place mentioned in the caption after the Deponents had here sworn that the said depositions was read to them and heard throughout and by them fully approved and signed, and that the said

State of Alabama on the petition of Thomas H. Brasher administrator of Robert Bowdon dec. to see the real estate of his intestate which with the reasons there to when taken will be read in testimony on the first trial of said cause.

Interrogatory 1st Were you acquainted with the said Robert Bowdon in his life time is he dead, if yes when and where did he die.

Interrogatory 2nd Are you acquainted with the heirs at law of the said Robert Bowdon, did he leave a widow is she now living? Have any children did he have please give their names ages sex and residence particularly is there any of them heirs at law, if yes give their names and that of their husbands if there are any of the children of the said Robert Bowdon that have died have they left children if you please give their names of such children and their ages and residence.

Interrogatory 3rd Did the said Robert Bowdon die seized and possessed of any land if yes describe it as nearly as you can where situated the Numbers quantity and value.

Interrogatory 4th Look on the Numbers and description of lands hereto attached and state if it correctly describes the land of which the said Robert Bowdon died seized and possessed.

Interrogatory 5th Could said lands be fairly equally and beneficially divided amongst said heirs without a sale thereof? Is a sale thereof necessary for the purpose of equal fair and beneficial division amongst said heirs.

Interrogatory 6th State all that you know that would benefit the said Robert Bowdon.

To Miles H. Pope assignee of Wm. B. & Geo. J. Bowdon John West & Sarah Gordon his wife heirs at law of Robert Bowdon dec. all of lawful age, and to W. B. Mardis Guardian ad litem for all the minors for and the heirs of said Robert Bowdon dec. Take notice that the foregoing interrogatories are on file in my office & that a commission will issue so soon as you have had ten days notice to take the depositions of the witnesses named in the heading to said interrogatories, all of which will be read on the hearing of the application by the admin of said estate now pending in the Probate Court of said county to sell the real estate of said dec. for distribution away to the heirs & dec. at office in Columbus May 3rd 1851. I accept service of above notices May 3rd 1851. (Judge of Probate)

The state of Alabama By virtue of the annexed Shelby County } commission is directed from
hon Judge of the Probate Court of Shelby County
I have called and caused Wm. Hootch and Jacob Perry to come before me at the House of Jacob Perry in said county on the 15th of May 1851 for the purpose of taking their Interrogatories with regularity to the real estate of Robert Bowdon deceased.

Interrogatory 1st Was he dead on his own real estate in Shelby County?
Interrogatory 2nd I am he did have a widow she is not I think mine William aged about thirty five or six gone to California a damsel about thirty Robert about twenty don't know where they are Mary Obichony line in Perry County her heirs five or six all minors Francis aged about twenty seven or eight some three or four heirs number not know residence Shelby County Ala. Martha Bowdon wife of Samuel Watson she died and left no heirs Sarah Bowdon wife of John West aged about nineteen years residence Shelby County Ala. Catharine Bowdon aged about seventeen Cornelia aged fifteen Henrietta aged not recollected all living in Shelby County Alabama
Interrogatory 3rd he had a portion of it say one hundred acres, tolerable land for our section of country the balance is poor the S E 1/4 of S E 1/4 Sec 23 about thirty rods of the S side of the E 1/2 of N E 1/4 S 9. a portion of the west side of the S W and the N W 1/4 quarter of S 10 is same range and lower 1/2 of 6 or 8 the land all in Shelby Co Ala. Into about 400 acres in quantity worth some three or four dollars per acre.

Interrogatory 4th I think it is correctly described

Interrogatory 5th we don't don't think it could, we think it is

Interrogatory 6th the improvements has and is going to rack very much
Jacob Perry
Wm. Hootch

I Peter Deshazo certify that the above depositions of Jacob Perry & Wm. Hootch were both at the time and place mentioned in the caption after the Depositions had been sworn that the said depositions were read to them and heard throughout and by them fully approved and signed, and that the said

Departure was not out of my possession until the same
was sealed up and directed to the said Probate Judge
of Shelby County given under my hand & seal this 11th
day of October 1851.
Peter Deshazor.

Received from William Deshazor who makes oath
that he received from P. Deshazor this package
and that the same has not been out his possession
opened or altered 9 June 1851.

J. McElhanahan
Judge of Probate

opened by order of Court J. McElhanahan
Judge of Probate

The State of Alabama of To Peter Deshazor Hisson
Shelby County } Sumner Exr
We having full faith in your proceadance and
competency hereby appointed you or either of
you at such time and place as you may appoint
to call and cause Wm H Moore & Jacob Perry
to be and appear before you and then exclaim on
their corporal oath touching their knowledge
of certain Inlinayalons herewith sent you in
the matter of the applications of J. H. Krasher
admr of Robt Ransom decd to sell the real Es-
tates of S^d decd and the deposition so taken you
will send up our your hand and seals to our
court of Probate to be held on the 2nd Monday
in June next Witness J. McElhanahan
Judge of Probate at Office of 23 of May 1851
J. McElhanahan
Judge of Probate