

Washington County

Jones, John

1913

Box 4
Folder 30

WALLACE P. PRUITT
Attorney at Law
CHATOM, WASHINGTON CO., ALA.

In Re:- Application of
J.W. Baxter to probate
the last will and testa-
ment of Jehn Jones, de-
ceased.

In Probate Court,
Washington County, Alabama,
March 31st, 1913.

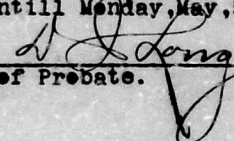
On this day came J.W. Baxter in person and by his
Attorney, Wallace P. Pruitt, and moves the Court to grant a con-
tinuance in this cause until Monday, April, 14th, 1913; and it
being shown to the court that service had not been properly
completed in this cause, and therefore the cause was not
ready for submission on this date:

It is therefore ordered and adjudged by the Court that
the said cause be continued until Monday, April, 14th, 1913.


Judge of Probate.

And again on Monday, April, 14, 1913, came J.W. Baxter, by his
Attorney, Wallace P. Pruitt, and moves the Court to grant a
continuance in this cause until Monday, May, 5th, 1913; and
it being shown to the Court that service had not been prop-
erly completed in this cause, and therefore the cause was
not ready for submission on this date:

It is therefore ordered and adjudged by the court that
the said cause be again continued until Monday, May, 5th, 1913.


Judge of Probate.

State of Alabama, Washington County.

I, Joe M. Pelham Jr, Editor of the
Washington County News, a newspaper published at Chatom, Washington County, Alabama, do hereby
certify that a copy of the Notice to Petition to Prostate Mill of John D. Jourd'heand
as per clipping hereto attached, was published weekly in the regular and entire issue of said newspaper,
and not in any supplement thereof for 3 consecutive weeks, commencing with the issue dated
February 27 1913, and ending with the issue dated March 13 1913.
I further certify that I have the right and authority to make this affidavit.

Sworn to and subscribed before me on this, the 31st day of Mar. 1913.

D. J. Long
Judge of Probate

No. Box
IN THE MATTER OF THE APPLICATION OF

To Probate the Will of

Deceased.

NOTICE TO WITNESSES.

Issued day of 189

To

Marshall & Bruce Co., Stationers, Nashville, Tenn.

NOTICE TO WITNESS TO PROBATE WILL.

[Box 578.]

Marshall & Bruce Co., Stationers, Nashville, Tenn.

THE STATE OF ALABAMA,

Huntsville County. } Probate Court of said County.

TO ANY SHERIFF OF THE STATE OF ALABAMA-GREETING:

You are hereby commanded to summon

Wm. L. Brown BAKER
to appear in and before the Probate Court of said County, on the 14th
day of June 1893, to give evidence in a certain matter now pending in
said Court, wherein James D. Baker

has filed for

Probate an instrument of writing purporting to be the last will and testament of
John D. Jones deceased.

And this you shall in nowise omit, under the penalty prescribed by law. Herein
fail not, and have you then and there this writ at the office of the Judge of said Court.

Witness,

Judge of said Court,

at office, this

14th day of

June 1893 A.D. 189

D. J. King
Judge of Probate

THE STATE OF ALABAMA,

Washington County. } Probate Court of said County.

TO ANY SHERIFF OF THE STATE OF ALABAMA-GREETING:

You are hereby commanded to summon *T. D. Lathan, P. J.*
Dees and Jos. B. Granda
to appear in and before the Probate Court of said County, on the *31st*
day of *March*, 189*3*, to give evidence in a certain matter now pending in
said Court, wherein *J. H. Baxter*

has filed for

Probate an instrument of writing purporting to be the last will and testament of
John D. Jones deceased.

And this you shall in no wise omit, under the penalty prescribed by law. Herein
fail not, and have you then and there this writ at the office of the Judge of said Court.

Witness, *D. J. Long* Judge of said Court,
at office, this *12th* day of *March*, A.D. 189*3*.

D. J. Long
Judge of Probate.

Original

No. _____ Box _____

IN THE MATTER OF THE APPLICATION OF

J. W. Baxter

To Probate the Will of

John D. Jones

Deceased.

NOTICE TO WITNESSES.

Issued _____ day of _____ 189 _____

To J. D. Lathon

✓ J. J. Dees

✓ J. C. Granade

Executed as checks
this the 28 day of
March 1912

L. J. Hill
Shiriff

Marshall & Bruce Co., Stationers, Nashville, Tenn.

The State of Alabama, }

Madison COUNTY. }

To any Sheriff of the State of Alabama:

To *Jack Jones, Lizzie Easley,*
and Leo Jones

You will please take notice that on the *24th* day of *February, 1913*

a certain paper in writing purporting to be the last will and testament of

John D. Jones

was filed in my office for

Probate by

J. M. Baxter

and that the

31st

day of

March, 1913

189

was appointed a day for the

hearing thereof, at which time you can appear and contest the same if you see proper.

Given under my hand this

12th

day of

March, 1913

189

D. J. Long

Judge of Probate.

Original
The State of Alabama,
Washington County.

PROBATE COURT.

IN THE MATTER OF APPLICATION OF

J. W. Baxter

To Probate Will of

John D. Jones
Deceased.

Notice to George Jones
Lizzie Esley D. Jones
of day set for hearing.

Issued..... day of

..... 189.....

Executed as check
this the 26 day of
March 1913

L. F. Hill
Clerk

The State of Alabama, }
Washington COUNTY. }

To any Sheriff of the State of Alabama:

To *H. I. Baxter*

You will please take notice that on the *24th* day of *February*, 189*3*

a certain paper in writing purporting to be the last will and testament of

John D. Jones

was filed in my office for

Probate by

J. H. Baxter

and that the

9th day of *June*, 189*3*

189*3*, was appointed a day for the

hearing thereof, at which time you can appear and contest the same if you see proper.

Given under my hand this

26

day of

May, 189*3*

189*3*

D. J. King
Judge of Probate.

No.

The State of Alabama,
.....County.

PROBATE COURT.

IN THE MATTER OF APPLICATION OF

To Probate Will of

Deceased.

Notice to

of day set for hearing.

Issued day of

189.....

I hereby accept
service of this
notice and waive
any and all
further service.
W. J. Baxter

May, 26-1913,

The State of Alabama, }
Washington COUNTY. }

To any Sheriff of the State of Alabama:

To Sarah Ann Jones, Willy, Ala.

You will please take notice that on the 24th day of February, 1893

a certain paper in writing purporting to be the last will and testament of

John D Jones was filed in my office for

Probate by

J. W. Baxter

and that the

31st

day of

March, 1893

189

was appointed a day for the

hearing thereof, at which time you can appear and contest the same if you see proper.

Given under my hand this

12th

day of

March 1893

189

D. J. Long

Judge of Probate.

No.

The State of Alabama,

County.

PROBATE COURT.

IN THE MATTER OF APPLICATION OF

To Probate Will of

Deceased.

Notice to

of day set for hearing.

Issued day of

189.....

March 17 1913
I hereby accept
service of the within
notice & waive any
or further service
Sarah Ann Jones

Witness:

J. P. Mass

The State of Alabama

Probate

Washington

No

Circuit Court.

COUNTY

May, 5th, 1913 Term, 191

To the Sheriff of said County:

You are hereby commanded to summon the following named persons to appear and serve as Special Jurors on the 9th day of June, 1913, 191, at 8 o'clock A. M., at the Court House of said County, they having been drawn by the Judge of said Court to serve as Special Jurors at said Term of said Court.

NO	NAME	OCCUPATION	RESIDENCE ADDRESS	BUSINESS ADDRESS
1	George W. Dickey + 3	Farmer	Chatom	
2	Hugh B. Mills 15	Clerk	Yellow Pine	P
3	W. Bruce Caton 15	Farmer	Millry	P
4	John K. Preston	Farmer	Fruitdale	No return
5	Nathan F. Rockwell 28	Sawfiler	Vinegar Bend	P
6	John W. Whatley +	Hotelman	Chatom	P
7	John A. Richardson 15	Farmer	Seaboard	P
8	Horace S. Turner 48	Mill Man	Vinegar Bend	P
9	Erasmus F. Coker	Farmer	Koenton	Out State
10	R. Hub Bumpus 20	Farmer	Cortelyou	P
11	Fred H. Brown 21	Farmer	Millry	P
12	Hartsfield C. Causey 20	Farmer	Healing Springs	P
13	Lewis M. Preston	Farmer	Fruitdale	Out of State
14	Mat Westover	Mill man	Fruitdale	No return
15	Geo. W. Loper	Farmer	Koenton	
16	S. David S. Carpenter 15-	Farmer	Fruitdale	
17	Joseph H. Atchison 18	Farmer	Frankville	P
18	Zeno Orso	Farmer	Malcolm	
19	James M. Brannon 22	Farmer	Deer Park	P
20	Albert D. Pruitt	Farmer	St. Stephens.	
21	J. J. Matel 2			
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NO	NAME	OCCUPATION	RESIDENCE ADDRESS	BUSINESS ADDRESS
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and have you then and there this Venire for Special Jurors with your execution thereon.

Witness my hand, this 5th day of May, 1915. 191

Judge of Probate

Clerk

No

Page

The State of Alabama

COUNTY

CIRCUIT COURT.

Term, 191

VENIRE FOR SPECIAL JURORS.

I hereby certify that I have executed this Venire for Special Jurors by summoning all the persons named herein to appear and serve as Special Jurors, except

Sheriff

Deputy Sheriff

Reynolds Stationery Co., Birmingham, Ala.

1251

NOTICE TO WITNESS TO PROBATE WILL.

[Box 576]

Marshall & Bruce Co., Stationers, Nashville, Tenn.

THE STATE OF ALABAMA,

Washington County.

Probate Court of said County.

TO ANY SHERIFF OF THE STATE OF ALABAMA GREETING:

You are hereby commanded to summon

J. H. Baxter

to appear in and before the Probate Court of said County, on the *9th*
day of *June* *1913* 189 to give evidence in a certain matter now pending in
said Court, wherein *James H. Baxter*

has filed for

Probate an instrument of writing purporting to be the last will and testament of
John A. Jones deceased.

And this you shall in no wise omit, under the penalty prescribed by law. Herein
fail not, and have you then and there this writ at the office of the Judge of said Court.

Witness,

D. J. Long

Judge of said Court,

at office, this *28th* day of *May*, *1913* A.D. 189

D. J. Long per M.P.
Judge of Probate.

No. _____ Box _____
IN THE MATTER OF THE APPLICATION OF

To Probate the Will of

Deceased.

NOTICE TO WITNESSES.

Issued _____ day of _____ 189_____

To _____

I hereby accept
service of the
summons.

J. N. Baxter.

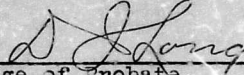
May 29-1913

Petition to Pr obate Will of**
John D.Jones,deceased.

In Probate Court,
Washington County,Alabama.

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*
*
*

Notice is hereby given in pursuance to Sec.6193 of the Code of Alabama of 1907 that a petition was filed in this court on the 24th day of February,1913,by James W.Baxter for leave to probate a certain instrument as the will and testament of John D.Jones,deceased. The non-resident heirs and distributees and next of kin of said decedent,and all other parties who may be interested are hereby notified that the said petition or application will be heard before me as Judge of this court at my office in Chatom,Alabama,on ~~thurs~~Monday,the 31st day of March, 1913.



Judge of Probate.

Wallace P.Pruitt,

Attorney for Petitioner.

Publish three times.

Comes the petitioner, James W. Baxter, and demurs to the second^{and third} plea of the contestants herein and assigns as reasons therefor the following:

Said plea fails to state any facts showing that it was the intention of the late John D. Jones to revoke his said will.

^{and 6th}
And also to the 5th^{and 6th} pleas of the contestants for the following reasons:

1. Because the said plea fails to state the means by which influence was acquired and the manner in which it was exercised.

Wallace P. Pruitt

Attorney for Petitioner.

Comes the petitioner and moves the Court to strike pleas 2, 3, 5 and 6 of the contestants because they set up no lawful defense to the petition.

Wallace P. Pruitt

Attorney for petitioner.

motion overruled

J. Long Judge

THE STATE OF ALABAMA, }

Probate Court,

February 24 Term, 1913

Washington County. }

February 24 1913,

In the Matter of the Probate of the Last Will and Testament of

John D. Jones

deceased.

This day came

James M. Baxter

and filed in this Court

his

petition, together with a paper purporting to be the Last Will and Testament of

John D. Jones

deceased, and praying for such orders, decrees,

and proceedings as may be proper and requisite for the due probate and record of said will in this Court;

which said instrument appears to be attested by

Joe B. Granade, T. J. Dees and T. D. Latham all of Chatom, Alabama.

and who are alleged to have signed the same as subscribing witnesses thereunto at the date of said instrument.

And it appearing to the Court, from said petition, that said petitioner is

of said decedent, and is also named in said instrument as

Sarah Ann Jones

the executor, and a devisee and legatee, that

who resides in Chatom, Alabama

is the widow of decedent; that said decedent left the following next of kin:

J. M. Jones, a son, of Windom, Miss;
 D. J. Jones, a son, of Opelous, Ala;
 Lizzie Easley, a daughter of Escatawpa, Ala;
 George Jones, a son, of Chatom, Ala

It is ordered by the Court, that the 31st day of March 1913 be

set apart for the hearing of said petition and the testimony in proof of said instrument as such will, and that notice thereof be given for three successive weeks in the Washington County News a Newspaper published in said County, notifying all persons to be and appear before me on that day, and contest said application, if they think proper.

It is further ordered, that

J. M. Jones, Lizzie Easley and George Jones

have notice of this proceeding, and of the day set for hearing the same, by citation to be personally served upon them ten days before the day set for hearing the same.

It is further ordered that said

Joe B. Granade, T. J. Dees and T. D. Latham

be subpoenaed to be and appear on said 31st day of March 1913, in and before this Court, to testify and give evidence of and concerning all and any facts touching the validity of said instrument as such will.

D. J. Long

Judge of Probate.

The State of Alabama,

Washington COUNTY.

PROBATE COURT

To the Hon. J. J. Long

Judge Probate of said Washington County

The petition of the undersigned James M. Baxter respectfully
represents unto your Honor that John D. Jones who was at the time
of his death an inhabitant of this County, departed this life near Chatam, Ala
on or about the 6th day of February 1913 A.D., leaving
assets in this State, and leaving a Last Will and Testament duly signed and published by
him and attested by Jos. B. Granade,
T. J. Dees and T. W. Lathan
That your petitioner, as he verily believes, is named in said Will as Executor

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
Sarah Ann Jones is the widow of said deceased, and that the
names, ages, residence and condition of the next of kin are as follows, to wit:

J. W. Jones who is over twenty-one years of age, of sound mind
and Resides in Wisdoin, Mississippi

Jack J. Jones who is over twenty-one years of age, of sound mind
and Resides in Keopeland, Alabama

Lizzie Barclay who is over twenty-one years of age, of sound mind
and Resides in Escatawpa, Alabama

George Jones who is over twenty-one years of age, of sound mind
and Resides in Chatam, Alabama

who is twenty-one years of age, of sound mind
and Resides in

who is twenty-one years of age, of sound mind
and Resides in

who is twenty-one years of age, of sound mind
and Resides in

who is twenty-one years of age, of sound mind
and Resides in

Your petitioner would further represent that Jos. B. Granade, T. J. Dees and
T. W. Lathan the said attesting witness or should be subpoenaed

and therefore further prays 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 proceed-
ings, 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.

Sworn to and subscribed before me, this

24th

day of

February, 1913
Hallie K. Smith,
Natary Public

STATE OF ALABAMA *
:
WASHINGTON COUNTY*

I, John D. Jones, a resident citizen of Washington County, Alabama, over the age of twenty-one (21) years being of sound mind and disposing memory, do hereby make and publish this, my last will and testament, hereby revoking any and all former wills which may have been made by me heretofore.

FIRST:

I will that my executor pay all my debts so far as they are just together with my funeral expenses as soon as practicable after my decease.

SECOND:

I will, devise and bequeath unto my beloved son, John M. Jones, the sum of Five Dollars (\$5.00), in cash, and aside from this I will that ~~he~~ shall not share in the distribution of my estate in any manner.

THIRD:

I will, devise and bequeath unto my beloved son, George Jones, the sum of Five Dollars (\$5.00, in cash, and aside from this, it is my will that he shall not share any further in the distribution of my said estate.

FOURTH:

I will, devise and bequeath unto my beloved daughter, Lizzie Easley, the sum of One Dollar (\$1.00) in cash, and I further make known that I have heretofore given her one cow and calf, and aside from this, it is my will that she shall not share any further in the distribution of my estate.

FIFTH:

I will, devise and bequeath unto my beloved son, Dock Jones, the sum of One Dollar (\$1.00) in cash, and I make known that I have already given to him one horse, and aside from this, it is my will that he shall share no further in the final distribution of my estate.

SIXTH:

I do further will, devise and bequeath unto my beloved wife, Sarah Ann Jones, all the rest and residue of my estate, whether real, personal or mixed, which shall remain after the payment of all

proper debts, the costs of Administration and the bequests mentioned
unto
in this will. To Have and To Hold, the said Sarah Ann Jones, and unto
her heirs and assigns forever.

SEVENTH:

I nominate and appoint my friend, James W. Baxter of Chatom, Washington County, Alabama, as the Executor of this, my last will and testament, and declare that he shall execute a good and lawful bond for the faithful performance of the duties hereunder to the Judge of Probate of Washington County, Alabama, in the sum of Three Hundred Dollars (\$300.00), and that he shall be allowed the sum of Twenty-five Dollars (\$25.00) for his individual compensation as Executor of said estate in winding up the affairs thereof. He shall be allowed any other necessary expenses which may be authorized by law in addition to the above.

Given under my hand and seal on this, the 27th day of July, 1909.

John D. Jones (Seal)
his
mark

Signed and declared to be his last will and testament by John D. Jones, in our presence; and we in his presence, and in the presence of each other, and at his request, have hereunder set out names as witnesses on this, the 27th day of July, 1909.

J. D. LaFleur
J. L. DeLoach
J. C. G. G. G.

I charge you gentlemen that it
is not necessary to prove to
you that John D Jones was
~~before~~ before you can find
a fault. the validity of the will
Richard D Jones

Pencil Writing

I Charge you gentlemen of the jury that
if you are reasonably satisfied from
the evidence that this is not the
True & Lawful Last Will and Testament
of John Jones, then your verdict must be
for Contestants, or Defendants. Refused.
D. J. Long

Pencil Writing

I charge you with the duty if you
are reasonably satisfied from the evidence
that John D. Jones was not of sound mind
and disposing memory when he signed
the will in this case, you must
find for contestants. Given
at Springfield
July 4, 1898

Pencil Writing

In Re:- Application to con-
test will of John D. Jones,
deceased.

In Probate Court,
Washington County, Alabama.
May 5, 1913.

Come J. M. Jones, Dock Jones and George Jones, sons,
and Mrs. Lizzie Jones Easley, daughter, and heirs of John D.
Jones, deceased, and hereby file this, thier application to con-
test that certain instrument which is offered in this honorable
court as the last will and testament of the said John D. Jones,
deceased, and as for grounds therefor set out as follows, to-wit:

1. Because, at the time of making the said will, the
said John D. Jones was not in a mental condition to make said will.
2. Because, after making the purported will and prior
to the death of the said John D. Jones, it was his desire and was
expressed, to change the terms of the said will, but was unable
to do so, on account of being unable to locate the said will.
3. Because, while in sound mental condition and sub-
sequent to the time of making the purported will, the said John
D. Jones did revoke the said purported will.
4. Because the said purported will is not the true last
will and testament of the said John D. Jones, deceased.
5. Because the said purported last will and testamanet
as offered was procured from the said John D. Jones by undue in-
fluence over the said Jones by one Sarah Ann Jones, who was the
third wife and principal beneficiary under the terms of said will.
6. Because the said purported ^{last} will and testament was
procured from the said John D. Jones by the undue influence of
one James W. Baxter, by the connivance of the said James W. Baxter
and the said Sarah Ann Jones, the third wife and widow of said
decendent, whoe is not the mother of petitioners.

WHEREFORE, petitioners request that a jury of good
and lawful citizens be summoned in accordance with law to try the
issues made herein.

James W. Baxter
Attorneys for Petitioners.

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Filed May 5 1913.

D. L. Long Judge of Probate

STATE OF ALABAMA

WASHINGTON COUNTY

KNOW ALL MEN BY THESE PRESENTS, That I, John D. Jones, for and in consideration of the love I bear to my wife, Sarah Ann Jones, and for the further consideration of One Dollar (\$1.00) to me in hand paid, the receipt whereof I do hereby acknowledge, do grant, bargain, sell and convey unto the aforesaid Sarah Ann Jones, her heirs and assigns, the following real property lying and situate in the County of Washington, State of Alabama, more particularly described as follows, to-wit:

"North East Quarter (NE 1/4) of Section Fourteen (14), Township Five (5) North, Range Three (3) West".

Also the following personal property: All of the cattle, hogs and sheep that I may now possess, also all of the buggies and wagons now owned by me.

Together with all rights and appurtenances to the aforesaid premises in anywise belonging or appertaining. TO HAVE AND TO HOLD THE SAME FOREVER.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, on this, the 23rd day of June, 1906.

Witness
D. J. Long
J. C. Guadalupe
STATE OF ALABAMA
WASHINGTON COUNTY

John D. Jones (Seal)

I, Daniel J. Long, Judge of Probate, in and for said county in said state, do hereby certify that John D. Jones, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of said conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this, the 23rd day of June, 1906.

D. J. Long
Judge of Probate,
Washington Co., Ala.

THE STATE OF ALABAMA,

PROBATE COURT.

Washington County,

Petition of *James M. Baxter* for the Probate of the Will
of *John D. Jones*, Deceased.

To the Hon. *A. J. Loring*, Judge Probate Court *Washington* County:

The petition of the undersigned *James M. Baxter* respectfully represents
unto your Honor that *John D. Jones* who was at the time of his

death an inhabitant of this County, departed this life at *his near Chatoon, Alabama*
on or about the *6th* day of *February*, *1913*, leaving assets in this State, and leaving a last

Will and Testament, duly signed and published by him, and attested by *Joe C. Grenade,*
T. J. Dees and *T. D. Lathan*

That your petitioner, as *he* verily believes, is named in said Will as *Executor*, 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
Sarah Ann Jones is the widow of said deceased, and that the names, ages,
residence, and condition of the next of kin are as follows, to wit:

Your petitioner would further represent that *it is necessary to subpoena*
Joe C. Grenade, T. J. Dees and T. D. Lathan the said attesting witnesses

and therefore further prays that your Honor will *make all other orders*
and decree necessary and sufficient for
the proof and probate of said last will
and Testament of John D. Jones, deceased,
and for the administration of the estate of said deceased,
J. M. Baxter

THE STATE OF ALABAMA, *Washington* COUNTY.

James M. Baxter
being duly sworn, deposes and says that the facts alleged in the above petition are true, according to the best of his
knowledge, information, and belief.

Subscribed and sworn to before me, this *24th* day of *February*, *1913*
Hallae P. Pruitt
Judge Probate Court, *Si P.* County.

WALLACE P. PRUITT
Attorney at Law
WASHINGTON COUNTY
CHATAM, ALABAMA.

Feb. 10, 1913.

Mr. J. M. Jones,

Wisdow, Miss.

Dear Sir,

As you have probably heard your father, Mr. John D. Jones, died very suddenly at his old place here the other night.

He left a will appointing Mr. James W. Baxter as executor. This will was made on July, 27th, 1909. It bequeathed all his property, both real, personal and mixed to his wife, Sarah Ann Jones. Since the making of this will however he sold his place to I. M. Turner, and bought the place from Mr. Bob Moss. In making this purchase from Mr. Moss he had the deed to this place made direct to his wife. And consequently that place was and is not his property, but is hers. And will not be included in his property upon the probating of the will. He also bought and turned over to his wife an interest in the new store here to the amount of \$500.00 so I am informed which is also in her name. And consequently will not be included in his estate.

In fact it seems that all the property of which he was in possession at the time of his death is and was his mule, a yoke of oxen, some cattle corn, fodder, potatoes and so on, to the amount of about \$200.00 or a little more.

In his will he bequeathed to you the sum of Five Dollars, to George Jones \$5.00, to Lizzie Hasley, \$1.00, and a cow and a calf previously given her, and to Lock Jones, \$1.00, and a horse previously given him.

All of his other property he gave under the terms of the will to his wife as previously told you.

Now you will readily see that under the present condition of his business his estate will amount to only about \$200.00 or \$250.00. If it becomes necessary to probate the will it will cost about \$100.00, and Mr. Baxter in talking to me about the matter, I advised him to see all the heirs and see if they would release their right to the estate upon his paying to each of them the amount provided in the will.

WALLACE P. PRUITT
Attorney at Law
WASHINGTON COUNTY
CHATON, ALABAMA.

Consequently I am writing to you to see if you would be willing to sign up a proper release to any interest in the estate if you are paid the amount bequeathed to you.

The purpose of so settling the matter is the saving of the expense of Probating the will.

I intend going to Keenton on Feb. 22, when I shall go out to your place and see about conditions out there and so on. Will write you more fully concerning it after that visit.

Hoping to hear from you, and hoping that it will be satisfactory to you to settle this estate matter without the expense of a Court procedure, I am,

Yours very truly,

Chatom, Ala.

Feb 23 1913

M. V. John Jones, ex.

To Washington County News, Dr.

1913

Feb 3

Notice of probating will

4 60

Paid
Wallace Smith

In Re:-Application of

James W. Baxter to probate
the last will and testament of
John D. Jones, deceased.

In Probate Court,
Washington County,
Alabama.

Before me, D. J. Long, Judge of Probate, in and for said
County in said State, personally appeared in open court, T. D.
Lathan, T. J. Dees and Joe C. Granade, who being by me first
duly sworn and examined did and do depose and say, on oath,

that they are each subscribing witnesses to that certain
instrument in writing which is now shown to them and which
purports to be the last will and testament of John D. Jones,
late an inhabitant of Washington County, Alabama.

Affiants further depose and say that the said John
D. Jones died near Chatom, Washington County, Alabama, on or a-
bout 6th day of February, 1913, and also, that he, the said
John D. Jones signed and executed said instrument above re-
ferred to on the day the same bears date, and declared the
same to be his last will and testament.

Affiants further depose and say that they signed said
instrument on the day the same bears date at the request and
in the presence of said testator, and in the presence of each-
other as subscribing witnesses thereto; and that said tes-
tator was on the day of the date of said will over the age
of twenty-one years, and, in the opinion of deponents, was ful-
ly capable of making his last will and testament at the day
the same was made as aforesaid.

Sworn to and subscribed before me on this the 14th day of
April, 1913.

Judge of Probate.

THE STATE OF ALABAMA,

Washington

County.

Probate Court of said County.

TO ANY SHERIFF OF THE STATE OF ALABAMA GREETING:

You are hereby commanded to summon

*T. D. Latham, T. J. Dees and Joe L. Granade*to appear in and before the Probate Court of said County, on the *31st* day of *March 1913*, to give evidence in a certain matter now pending in said Court, wherein *J. W. Baker*

has filed for

Probate an instrument of writing purporting to be the last will and testament of

John D. Jones

deceased.

And this you shall in no wise omit, under the penalty prescribed by law. Herein fail not, and have you then and there this writ at the office of the Judge of said Court.

Witness,

D. J. Long

Judge of said Court,

at office, this *12th* day of *March* A.D. *189* *1913*,

Judge of Probate.

The State of Alabama, }
Washington COUNTY. }

To any Sheriff of the State of Alabama:

To *Robert J. Jones, Lizzell Easley*
F. M. Jones

You will please take notice that on the *24th* day of *February*, 18*93*

a certain paper in writing purporting to be the last will and testament of

John D. Jones was filed in my office for

Probate by *J. H. Baxter* and that the

31st day of *March*, 18*93*, was appointed a day for the

hearing thereof, at which time you can appear and contest the same if you see proper.

Given under my hand this *12th* day of *March*, 18*93*.

D. J. Long

Judge of Probate.

NOTICE TO WITNESS TO PROBATE WILL.

[Box 576.]

Marshall & Bruce Co., Stationers, Nashville, Tenn.

THE STATE OF ALABAMA,

Washington County.

Probate Court of said County.

TO ANY SHERIFF OF THE STATE OF ALABAMA GREETING:

You are hereby commanded to summon *T. D. Latham, T. J. Dees and Joe L. Granade* to appear in and before the Probate Court of said County, on the *31st* day of *March, 1913* to give evidence in a certain matter now pending in said Court, wherein *J. H. Baxter*

has filed for
Probate an instrument of writing purporting to be the last will and testament of *John D. Jones* deceased.

And this you shall in nowise omit, under the penalty prescribed by law. Herein fail not, and have you then and there this writ at the office of the Judge of said Court.

Witness, *D. J. Long* Judge of said Court,
at office, this *12th* day of *March*, A.D. 189*9* *1913*,

Judge of Probate.

1.

Powers Miss

Feb. 19. - 1912

Mrs. W. P. Pruitt

I have
received your letter
stating that my father
made a will to his
wife, Mrs. Annie Jones.
I don't think there is
any thing to it for I
have heard him say
often times that he
never expected to make

Pencil Writing

2

a will to any one of
any property belonging
to which he was always
opposed to wills, and
I don't believe that he
could or been persuaded
to or made a will
as badly opposed as he
was to such. I don't
think that you can
find any will made
on the 12th day of
July 1909 with his
signature in any
record, for he has
placed it on file
for to be kept.

3

I don't dispute Annil
nor James W. Baxter
of trying to get up
something like this
and calling it a
will that he had made
he had a way of making
his signature that I
think I will know
any where I con-
sider it, I would be
glad that you would
look over the
St. Stephens and Chatur
record, as Mr. Baxter
has you employed
in this case

Pencil Writing

4.

I will not sign any
thing for Sir Baxter
and Annies sake
for them to have a
good time over what
my old father has
left, they will never
make me believe
that he had any
thing to do with
making her a will
just being plain with
what I know about

Pencil Writing

it there was never a
will made by him.
hoping to hear from
you all soon
yours Truly
J. D. Jones,

Pencil Writing

1 The State of Alabama,
2 Washington County, &

3 Know all men by these Presents,
4 That I, John D. Jones of Washington County,
5 State of Alabama, being in failing health,
6 but of sound mind, do make and
7 publish this my last will and testa-
8 ment, hereby revoking any former
9 wills by me at any time heretofore
10 made.

11 As to my worldly estate, and all
12 the real and personal property, of
13 which I shall die seized and pos-
14 sessed of, or to which I shall be en-
15 titled at the time of my decease, I
16 devise, bequeath, and dispose thereof
17 in the manner following, to wit:

18 First: - My will is that all my just
19 debts and funeral expenses shall, by
20 my executor, hereinafter named, be
21 paid out of my estate, as soon after
22 my decease as convenient.

23 Second: I give, devise and bequeath, to
24 my beloved wife, Sarah Ann Jones,
25 all my household furniture, including
26 China, glass and plate ware, and my
27 horse, and all other personal property
28 that I may own at my death. I
29 also give to her, to have and to hold in
30 fee simple all the real estate which
31 I may own at my decease, together
32 with all the appurtenances thereunto

1 belonging.

2 Third: I give, devise and bequeath
3 to my sons, E. J. Jones, ^{and} J. M. Jones, ^{and}
4 my daughter Elizabeth Easley, one dollar
5 \$1.00 each to be paid to them by my
6 executor herein after named within
7 one year after my decease.

8 Fourth: I do nominate and appoint
9 my wife, Sarah ~~Ann~~ Jones to be ex-
10 ecutor of this my last will and tes-
11 tament, and it is my desire that
12 no bond shall be required of her
13 as such executor.

14 In testimony whereof, I the said John
15 D. Jones, have to this my last will and
16 testament subscribed my name and
17 affixed my seal this 7th day of
18 September, 1900.

19 Signed, sealed and de-
20 clared by the said John
21 D. Jones, as his last will and
22 testament, in the presence of
23 us, who, at his request and
24 in his presence, in the presence
25 of each other, have subscribed
26 our names as witnesses thereto

John D. Jones (seal)
L. J. Coate
M. J. Porter

27 L. J. Coate
28 M. J. Porter
29
30
31
32