

County Court May Term 1855. In the last will & Testament
of Thomas B. Francis dec was provided to bestow for his wife and
was duly proven by the Oath of James H. Francis & before
the said will being read thereunto was done to be recorded.
Witness my hand at office May 15 1855
J. E. Taylor Sec.

Copy of
Last Will &
Testament of

Estate of Linnæus County of Tennessee, I Benjamin Francis
of the County & State aforesaid being aware in Body last of
I am and mind do make within my last will & Testament that
First of all, I give my soul to the Lord who gave it me & my
Body to my Executor whom I shall hereafter appoint to
bury me in a Christian like manner & as to teaching what
worldly goods it hath bestowed God to bless me with I give
in the following manner, I give, 1st I wish all my just &
Equitable debts paid out of my affairs money & change
being first used thereunto & then to be paid on such
Matters time as they shall see best & so on to satisfy said
debts. I give 2nd I wish after my debts are paid that the Remainder
of my property both Real & Personal shall go to my Wife
Elizabeth Francis during her natural life I give 3rd I wish my
said Wife to have one third of the proceeds of all my personal
property to dispose of by her or gift as she may choose said
debts not to take effect until after the death of my said
Wife Elizabeth Francis certain privileges granted to John
Francis out of Item 2 which is full of my intentions. I give 4th
I wish that my Nephew John Francis have the privilege
by his Executors the following upon any place of settling
a portion of my land of one of Ruck Creek. The field known
as the Sulphur Spring field & also a portion of the field
called the Sage field. These fields said John Francis
to have for his life during the life time of my Wife
Elizabeth provided they agree agree, should they agree
my Wife has the preference. I give 5th I also wish that after
the death of my Wife that my said Executor do have a Credit
twelve months & that give hundred dollars of the proceeds of
the Sale of the same be applied to the Law full Children of the
said John Francis in the purchase of land for their use
thereof. I give 6th I also wish that give hundred dollars
of the proceeds of the Sale of said land be given to my Wife
Susan Jane Francis. I give 7th I wish my Executor that
my Executor after the death of my Wife sell at for the
best all of my negroes & that he sell them in families &
sell them to such persons or persons as will treat them
humanely as the manner of the said testament is said Negroes
is of more importance to me than the price. I give 8th I
after the death of my Wife my Executor shall sell at the

same time on the same credit of the Land all the remainder of
my effects not heretofore disposed of by this will & I am by
this will that the executors of the last will of the said of my Land
after the five hundred dollars heretofore disposed of to the
the amount & the five hundred to Henry Jane Ansel & Leguine
in the Tennessee Annual Conference to be by said Conference
applied to the former Mission as they may think best, my
hope to bring the spread of the Gospel to the Salvation of Souls
I am 10 I do hereby appoint my friend George Mosley my
Executor to take care of this my last will & Testament. In
Witness whereof I have hereunto signed my name March 7th 1853
Just

Wm. B. Blanton
Wm. B. Blanton

Benjamin Francis (Seal)

Here follows the proof.
State of Tennessee }
Franklin County }

On the 30th day of July 1855 I personally
appeared before me the undersigned
Commissioners appointed by the Judge of the Probate Court
of Jackson County Alabama C. L. Blanton & Wm. B. Blanton
and made oath in due form of Law that on the 7th day
of March 1853 that they were personally called on by Benjamin
Francis to act as a spoken witness for the purpose to be his
will at his request we assembled our names as witnesses
in accordance of the will to be his Act & deed at the time
at which date. He further stated that we considered the
testimony of said decedent mind & disposing mind & understood
himself to be able to make his will on July 30th 1855
Wm. B. Blanton
Jeff Estee

In the Probate Court of Jackson County Alabama
Probate Court for said County August the 20th Regular term
1855. This being the day set for the hearing the proof read made
to the Executor of the last will & Testament of Benjamin Francis
deceased, who it was proved was made in Franklin County Tennessee
by Wm. B. Blanton & C. L. Blanton the subscribers & witnesses to
said will on the 30th day of July 1855 before William Handley
& Jeff Estee Commissioners appointed by this Court for the
purpose of taking the depositions of said witnesses to said
last will & Testament of said Testator. And it appearing to the
satisfaction of the Court that no objections are urged
against the probating of said Last will & Testament
of said decedent. Therefore it is ordered by the Court
that said will & the proof thereon be recorded, Publication
having been made & all other preparatory steps having
been taken for the probating said Last will & Testament
as fores called by Law
J. G. Giverson J. P. C.

Here follows the Letters of
 State of Alabama and Probate Court for said County July 6th
 Jackson County 1855. I J. Gordon Judge of the Probate
 for said County do hereby certify that Letters
 of Administration with the Will annexed & Letters of Administration
 on the Estate of Benjamin Francis deceased late of said County
 were this day granted to William Hunter of said County, who
 has duly qualified and executed his Bonds as such and is
 authorized to administer said Estate & to execute said last
 Will & Given under my hand this the date above written
 J. Gordon J.P.C.

the State of Alabama
 Jackson County In the Probate Court in Vacation
 July 6/1855 This day William Hunter
 comes into Court and makes application for Letters of
 Administration with the Will annexed & administration
 on the Estate of Benjamin Francis late deceased of said County
 and it appearing to the satisfaction of the Court that the
 Executor appointed by said last Will is a ~~Man~~ Resident
 of the State of Alabama which disqualifies him from
 acting as such Executor under the Statute of this
 State and it further appearing to the satisfaction of the Court
 that William Hunter is a fit and proper Person
 to administer said Estate and that he has executed his
 bond to this Court in the penal sum of Eleven thousand
 dollars for the faithful performance of the duties of
 said Administrator and qualified &c. with J. D. Crabtree
 for dan. Deubert as his Sureties which Bond is
 approved. Whereupon it is ordered by the Court that
 Letters of Administration with the Will annexed and of
 administration issue to him accordingly &c.

The State of Alabama I know all men by these presents that
 Jackson County Give William Hunter as principal and
 J. D. Crabtree as his Sureties all of the County of Jackson and State of Alabama are hereby
 jointly bound unto J. Gordon Judge of Probate for said County
 to his successors in office in the penal sum of Eleven
 thousand dollars which sum will truly & lawfully be paid
 hereby bound ourselves and each of our heirs Executors Administrators
 assigns jointly severally and jointly by these presents
 Given under my hand & Seal this 6th July 1855. The Condition
 of the above obligation is such that as long as the said
 William Hunter has been appointed Administrator with the
 Will annexed and administration of Benjamin Francis deceased
 Now then if the said Wm Hunter shall faithfully administer
 said Estate and carry out the strict meaning of said Will
 and Administration according to law then this Bond to be void

4 mch 1855

Dr L. G. Luntin and J. H. Luntin
approving the 1st day of July 1855
J. H. Luntin J. H.

Probate Court for said County July the 6th 1855. This day a paper was filed in my office purporting to be the Last Will & Testament of Benjamin Francis deceased State of said County with appearing to the satisfaction of the Court that some of the legates of said decedent resided in the State are Paul Residents of the State of Alabama. Thereupon it is ordered by the Court that the 2nd Monday in August next be set for hearing of the proof of the foregoing of said Will & that publication be made for three successive times in the Bullington Democrat a news paper printed in said County notifying all persons interested in said Estate to be and appear before the Court on the 2nd Monday in August next the day appointed for the hearing of the proof which is a regular Term of said Court & show cause if any they have or can why said last Will of said decedent shall not be proven and admitted to Record as the Law directs &c.

J. H. Luntin J. H.

the State of Alabama 3

Jackson County 3

J. H. Luntin Judge of Probate for said County. I do hereby certify that the foregoing attached Papers are a true copy from the Records of my office of the Will & proceedings thereon in this Court of Benjamin Francis deceased of said County & the order appointing Abraham Luntin the administrator of the Estate of this decedent. I also a copy of the Publication & for the Parties to appear & in witness whereof I have hereunto set my hand and affixed the Seal of said Court this 1st day of September 1855.

J. H. Luntin Judge of Probate
County. Sept 1st Term 1855.
That the foregoing copy of the last Will & Testament of Benjamin Francis deceased together with the Certificates of Probate & proceedings thereon were filed in said Court & ordered to be recorded &c. Attest my hand at office September 1855

J. H. Taylor Secy.