

Last Will & Testament of James S. Jackson

The State of Texas

County of Lavaca

Be it remembered that the honorable County Court of said County, pertaining to the Estates of deceased persons met this 27th day of February 1860. present B. B. Walker Chief Justice, John McBratney Deputy Sheriff and Josiah Dowling Clerk, when the following business was had and done -

There is this day produced in open Court a paper writing purporting to be the last will & testament of James S. Jackson deceased. bearing date the 15th day of December A.D. 1859 and thereupon came into open Court Franklin C. Kelly one of the subscribing witnesses to the annexed instrument of writing purporting to be the last will and testament of James S. Jackson, and after being duly sworn as the law directs upon his oath says that he was well acquainted with said James S. Jackson in his life time and was present when the said James S. Jackson signed said paper writing and heard him acknowledge the same to be his last will & testament, and that he signed the same together with William Thomas and William A. East as subscribing witnesses at the request of the said James S. Jackson & in his presence and in the presence of each other.

It is therefore ordered by the Court that these facts be so certified and that said paper writing may be admitted to registration as the last will and testament of the said James S. Jackson.

The State of Texas

County of Lavaca

In the County Court for Probate purposes. Before the undersigned Chief Justice personally appeared in open Court F. C. Kelly one of the subscribing witnesses to the annexed instrument of writing purporting to be the last will and testament of James S. Jackson and after being duly sworn as the law directs upon his oath says that he was well acquainted with said James S. Jackson in his life time, and was present when the said James S. Jackson signed said paper writing and heard him acknowledge the same to be his last will & testament and that he signed the same together with William

Thomas & William A. East as subscribing witnesses at the request of the said James S. Jackson and in his presence, and in the presence of each other.

Franklin C. Kelly

Sworn to and subscribed before me this 27th day of February 1860.

B. B. Walker Chief Justice L.C.

Filed in office 27th day of February 1860.

Josiah Dowling Clerk C.C.

The State of Texas

County of Lavaca

In the name of God. Amen.

I know all men by these presents that I James S. Jackson of said County and State being now of sound mind and memory and being fully apprised of the certainty of death do make and declare this my last will & testament. Item first. I will and bequeath my body to the dust and my spirit to to the great God who gave it.

Second, I will that all my just debts be paid.

Third, I will and bequeath unto my friend Mary M. B. Smith during her natural life. The following negroes namely, Yellow Boy Lewis, my woman Lucinda and her two children, Dock & Pining and at the death of the said Mary M. B. Smith. I will that the said negroes and their increase be equally divided between her children, namely Jasper R. Smith, Tranquilla Smith, James S. Smith and Jackson Smith to do with as they think proper. Fourthly, I will and bequeath to my beloved friend Jackson Smith my bond Colt. Red light and will that his mother Mary M. B. Smith shall sell the said Colt as soon as she can realize his value and the proceeds to be invested by her as she may think best to the interest of Jackson and deliver it to him when he arrives of age. Fifthly I will and bequeath unto my beloved friend Jasper R. Smith the horse Colt I purchased from the Widow Moore, to be now delivered to him.

Sixthly, I will and bequeath unto my dearly beloved friend Tranquilla Smith the mare Colt I purchased from the widow Moore to be delivered to her at my death.

Seventhly I will and bequeath unto my beloved friend James S. Smith My Gold Liver watch to be taken care

of by his mother and delivered to him when she may think proper.

Eightly - I will and bequeath unto my friend Mary M. B. Smith all other property or claims that I may have in possession or coming to me either in this State or in Tennessee to do with as she may think proper. Ninthly I will and do hereby appoint Mary M. B. Smith Executrix of this my last will and testament, and request that nothing be done in the Probate Court with my Estate - further than the probate of this my last will and testament, and that my Executrix be not required to give any bond, and that she take possession of and have full authority to carry out the bequest and bequests in this my will without the aid of Probate Court -

In testimony whereof I have set my hand and affix my seal using scroll for seal this the 15th day of December 1859.

James T. Jackson Seal

Signed Sealed and delivered in our presence and in witness it at the request of the Testator this day 15th 1859

J. M. Thomas
Wm. A. East

Frank B. Kelly

The State of Texas }
County of Lavaca } Personally appeared before me the undersigned authority Wm. A. East one of the subscribing witnesses to the last will and testament of James T. Jackson, who of us being duly sworn earth that he was present when said Jackson signed the foregoing and attached will and testament and that he the affiant, signed the same as a witness at the request of said Jackson and that he saw the said Jackson sign the same after it was read over to him. Subscribed and sworn to before me on this the 27th day of December 1859 - 1859, Walker Chief Justice L. C.

The State of Texas }
County of Lavaca } I J. B. Walker Chief Justice within and for said said County do hereby certify that the foregoing affidavit of Wm. A. East was made and signed before me this day - Given under my hand and the seal of the County Court of said County at office in Hallettsville this the 27th day of December 1859.

Seal

J. B. Walker Chief Justice L. C.

The State of Texas }
County of Lavaca } I Josiah Dowling Clerk of the Court in and for said County hereby certify that the foregoing contains all the proceedings had in the County Court in the matter of the Estate of James T. Jackson deceased as on the minute Book of said Court, and a true copy of the original and perf^d thereof of James T. Jackson Dec'd as it on file in my Office.

Seal of Lavaca County Texas

In testimony whereof I have hereunto set my hand and official seal at office in Hallettsville this 31st day of March A.D. 1860.

Josiah Dowling Clerk C. C. L. C.

The State of Texas }
County of Lavaca } I J. B. Walker Chief Justice in and for said County hereby certify that Josiah Dowling whose Official Signature and Seal appears to the foregoing Certificate is the Clerk of the County in and for said County duly qualified and commissioned as such whose official acts are entitled to full faith and credit.

Seal of Lavaca County Texas

In testimony whereof I have hereunto set my hand and official seal at office in Hallettsville this 31st day of March 1860.

J. B. Walker Chief Justice L. C.