

The State of Mississippi } Probate Court
Madison County } May Term 1863

The foregoing annexed writing purporting to be the nuncupative will of Josephine Collins deceased was this day produced before the Court and thereupon came Thomas L. Cotton, Emily V. Walker, and Susan Hamblett witnesses to said writing who having been duly sworn each stated that the said Josephine Collins called upon them to notice that she made disposition of her property as stated in said writing that said nuncupative will was made during the last illness of said Josephine Collins and on the day of her death and that at the time of making the same she was of sound mind and disposing memory and it was further proved to the satisfaction of the Court that said Josephine Collins at the date of said writing was over the age of eighteen years. It is therefore ordered and decreed that said foregoing annexed writing be and the same is hereby established as the last will and testament of said Josephine Collins deceased and that the same be recorded and filed as such Ordered, adjudged and decreed this 11th day of May 1863

Will Bailey
Judge Seal

Last Will and Testament of Joseph B Smith

In the Name of God, Amen I Joseph B Smith of the County of Madison and State of Mississippi being of sound and disposing mind and memory do make publish and declare this my Olographic last will and testament hereby annulling and revoking all former wills and Testaments of me made in manner following that is to say. First I hereby direct and request my Executor hereinafter named to pay my just debts and funeral charges after which I give devise and bequeath to my beloved nephew Christopher S Fenner of Memphis Tennessee his heirs forever the following. All the land Down in Conway County Arkansas there being fifteen hundred and fifty eight acres more or less. Also six silver spoons marked on their backs, Mark. also one half of the money notes, and accounts that I may be possessed of. Third. I give devise and bequeath to my adopted son Benjamin F Smith and his heirs forever the following to wit Nine Negroes Tom, Lazina, Margaret, Isaac, Mary, Pierce, Osborn and Martha, and one half of the money notes and accounts that I may be possessed of. Also devise and bequeath the residue of my Estate both real and personal to the said Benjamin F Smith for his proper use and behoof forever.

Fourth. I hereby appoint Christopher S Fenner my

46

nephew of the City of Memphis State of Tennessee to be
the sole Executor of this my last will and testament In
testimony whereof I have hereunto set my hand and seal 15th
day of May A.D. 1860 Joseph W. Smith

The above instrument consisting of one sheet was at the date thereof
signed, sealed, published and declared by the said Joseph W.
Smith 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 as witnesses thereto

Philip Sanford }
B. B. W. Suffolk } Residents of the County of
John H. Hamblen } Madison and State of
J. S. Wilder } Mississippi
J. M. Walker }

In the name of God Amen I Being of sound and
disposing mind and memory wishes to make the following codicil
to the foregoing will made by me in the eighth day of August
Eighteen hundred and sixty

In the event of my said adopted
son Benjamin dying without a child or children then and
in that case my will is that all the property that I have vested in
him shall go to my nephew Foster Christopher Smith of the
City of Memphis in the State of Tennessee to him and his heirs forever
In testimony whereof I have hereunto set my hand and seal on the
thirtieth day of October A.D. One thousand eight hundred and
sixty

The above codicil was signed by Joseph W. Smith in our
presence and by us witnessed at his request

J. M. Walker
Henry Lorraine
J. M. Davis

The State of Mississippi } Probate Court
Madison County } October Term 1864

A paper writing purporting to be the last will and testament of
Joseph W. Smith deceased was presented in Open Court at a former
Term of this Court and thereafter to wit on the Twelfth day of March 1864
came into Open Court John H. Hamblen and J. M. Walker Subscribing
witnesses to said writing who each made oath that they signed
the same as witnesses in the presence and at the request of the said
Joseph W. Smith who declared said writing to be his last
will and testament and that they verily believed that the
said Smith signed the same in their presence and that

they further verily believed that said writing and the signature "Joseph B Smith" thereto was wholly in the hand writing of the said Joseph B Smith and that they believed the last fact from having seen the said Smith write frequently and from having no suspect this writing in matters of business. And the said J. M. Walker who is also a witness to the codicil to said will which was filed at the same time with said writing purporting to be said last will and testament having been duly sworn testified that he signed said codicil as attaching witness. At the request of said Joseph B Smith and in his presence and in the presence of Henry Turrance and W. Davis Jr the other attesting witnesses thereto who also signed the same in the presence and at the request of the said Joseph B Smith who as affiant believes signed said codicil in his presence and in the presence of said Turrance & Davis. And afterwards to wit on the 12th day of October 1864 personally appeared in open court B. S. W. Gafford another one of the subscribing witnesses to the said writing purporting to be the last will and testament of said Joseph B Smith deceased who after being duly sworn deposed and said that he signed said writing in the presence of Philip Kauford John C. Hamblen J. S. Wilder and J. M. Walker the other subscribing witnesses who also signed the same in the presence of the said Joseph B Smith and at his request and in the presence of him the said B. S. W. Gafford.

And the said W. Davis Jr whose name also appears as a subscribing witness to the codicil aforesaid personally appears in open court on said 12th day of October 1864 and after being duly sworn on oath said that he signed said writing purporting to be the codicil to the last will and testament of said Joseph B Smith deceased in the presence and at the request of said Joseph B Smith and in the presence of J. M. Walker and Henry Turrance the other witnesses thereto who also signed the same in the presence and at the request of said Joseph B Smith who signed the same in the presence of him the said Davis one of said witnesses at the times at which they were respectively examined testified that said Joseph B Smith was of sound mind and memory at the time of signing said will and codicil thereto.

It is therefore ordered, adjudged and decreed that said writings purporting to be the last will and testament of Joseph B Smith and codicil thereto be and they are hereby established as the last will and testament of said Joseph B. Smith deceased and codicil and that they be recorded and filed as such. Given under my hand and seal this 12 day of October 1864.

Will S. Bailey Seal
Judge &c

Last Will and Testament of J. S. Kirkpatrick
Ganton Miss May 20th 1862

In the name of God Amen I J. S. Kirkpatrick of the
County of Madison and State of Mississippi being of a sound and
disposing mind and remembering the uncertainty of life do hereby
make and ordain this my last will and Testament to be in full of
all other wills and testaments by me heretofore made. At the
death I recommend my soul to God who gave it my body to
my mother's dust to be buried in whatever manner may be best
my friend preferring that it should be without any more
burial. As to my worldly affairs after my funeral expenses
are paid I desire that all my just debts may be paid, first
out of such moneys as may arise from the collection of my
accounts, second out of money from the collection of notes and
negotiables from the proceeds of the sale of my office and lot and
the surplus furniture about the premises. Thirdly if the debts are
still unpaid they are to be settled by money arising from the
sale of any other property I may possess except my residence for a
homestead and my negroes for the maintenance of my
family. But believing the first two provisions to be more than
sufficient for the payment of my debts I desire that the residue
be held by my widow for the support of herself and children
during her widowhood with full power to sell any part
thereof after proper counsel with her friends provided however
that if any of the children should become of lawful age they
should marry sweep child or children are to have their
equal portion of the property set apart to them. But if
my widow should marry again she is to have a portion of
the property set apart to her equal to that of one of the children
(the shares all being equal) but the children's portions remaining
undivided except as in the above specified case. If on a division
of the property there should occur a difference in the value of
the lots their difference shall be paid in money by those receiv-
ing the more saleable lots and in all valuations of property
for divisions the property is to be appraised at its value so
that the difference in the lots will be correct. I hereby make
constitute and ordain my wife Judette S. Kirkpatrick my
executrix to carry out this my last will and testament. In
witness whereof I hereunto set my name and seal this 20th
day of May A. D. 1862

David Hamblet
J. H. Jenkins

Attest J. S. Kirkpatrick Seal

The State of Mississippi } Probate Court
Madison County } Vest-Terrm 1864

A writing purporting to be the last will and testament of
James S. Kirkpatrick deceased was this day produced

in open court and therein appeared James A. Jenkins one of the subscribing witnesses thereto who having been duly sworn deposed and said that he signed said writing in the presence and at the request of the said James S. Kirkpatrick and in the presence of Samuel Hambleton who also signed the same in the presence and at the request of said James S. Kirkpatrick. That said Kirkpatrick acknowledged before affiant and said Samuel Hambleton that he had signed and sealed said instrument of writing as his last will and testament and that he the said Kirkpatrick was at the time of sound and disposing mind and memory. It further appeared to the court ~~ad~~ ⁱⁿ proof that said Samuel Hambleton is now dead. And John H. H. H. having then on this day been sworn in open court deposed and said that he is acquainted with the handwriting of said James S. Kirkpatrick deceased having frequently seen him write and that he believes said writing was wholly written and signed by him the said James S. Kirkpatrick. It is therefore ordered, adjudged and decreed that said writing be and the same is hereby established as the last will and testament of said James S. Kirkpatrick deceased and that the same be recorded and filed ~~as such~~ ^{as such}. Given under my hand and seal this 14th November 1864
 Will S. Bealy, Judge

Last Will and Testament of John H. Bishop

In the name of God Amen I John H. Bishop of Madison County in the State of Mississippi do make and ordain this my last Will and Testament revoking any and all testamentary dispositions by me heretofore made. I by funeral and testamentary expenses including those of my last illness and first and promptly to be paid and then my other just debts.

I give and bequeath to my wife Amanda M. Bishop and my two daughters Mary Elizabeth and Louisa Jane Bishop all my property both real and personal. Said property I desire to be kept together until my two daughters shall become of age or marry. Then I desire an equal division of the same between my wife Amanda M. Bishop and my two daughters above named and in the event of my wife's death her portion of the property shall be equally divided between my two daughters. I therefore appoint and constitute William Riley of said County and State Executor of this my last will and testament. Given under my hand and seal the 3rd day of May Anno Domini 1858

John H. Bishop Seal

Signed Sealed and published by the testator as and for

his last will and testament in your presence at his request
and in the presence of each other and being us witnessed on
this the day of the date thereof. See Ward
James A Cooper
R. Kiley

The State of Mississippi) Probate Court
Madison County) August Term 1865

On the eighth
day of May 1865 personally appeared in open court Robert Kiley
who having been duly sworn, deposed and said that John H.
Bishop signed the within writing as his last will and testament
in his affiant's presence and that he the said Robert Kiley signed
the same as attesting witness in the presence and at the request of
said John H. Bishop and in the presence of the other attesting
witnesses and further that at the time of the signing of said
writing said John H. Bishop was of sound and disposing
mind and memory and also on the same day personally
appeared in open court Edmund T. Ward who having been
duly sworn, deposed and said that he is a brother of George Ward
one of the attesting witnesses to said within writing that said
George Ward is now dead that he is well acquainted with the
hand writing of the said George Ward having frequently seen
him write and that he verily believes the signature of the
name of said George Ward as witness to said within writing is the
signature and proper hand writing of the said George Ward
and afterwards to wit on this the 14th day of August A.D. 1865
personally appeared in open court James A. Cooper who having
been first duly sworn, deposed and said that he is a brother
of James A. Cooper whose name appears as attesting witness to
said within writing that he is well acquainted with the
hand writing of the said James A. Cooper and that he
verily believes said signature to be in the hand writing of
the said James A. Cooper and further that the said James A.
Cooper is now dead. It is therefore ordered and adjudged
by the Court that said writing be and the same is hereby
established as the last will and testament of the said John
H. Bishop deceased and that the same be recorded and filed
as such. Given under my hand and seal this 14th day of
August A.D. 1865

Will S. Bailey Judge &c Seal

Last Will and Testament of James P Thomas Dec'd
 Madison County State Mississippi 15th July 1865
 In the name of God I James P Thomas in view of Death do
 make and Ordain This my last will & Testament, revoking all
 others made by me (To wit) I give to my four children Guston W,
 Carolinna, Oscar D. & David P Thomas all the lands I own in
 Washington County State of Miss and all the lands I own in
 Yazoo County to be equally divided between them, but should they
 find that it would not be just and equitable as regards their
 Mother they will arrange the matter satisfactorily with her.
 The place on which I live in Madison County and my Sea
 Shore property in Harrison County I give to my wife with all
 the improvements and fixtures on them. Now Allabama Land
 Macon County and improvements &c. I wish sold and the
 proceeds equally divided between my wife & four children
 also all the debts due me (except the Payne Huntington & Co claim
 which I have authorized my wife to collect for the benefit of
 my family) to be also equally divided between my wife & four
 children before named. The mules have already been divided
 Furthermore I nominate and appoint my son Guston W
 Thomas and my son in law George W Vaughan to be my
 executors without security.

In presence of
 Tho A Philips
 J R Kearney
 L L Kearney
 Guston Kearney

In witness I hereunto set my hand
 and seal day and date
 above written
 J P Thomas

The State of Mississippi
 Madison County) This day personally appeared in open
 Court Guston Kearney, J R Kearney and L L Kearney
 subscribing witnesses the foregoing writing purporting to be
 the last will and testament of James P Thomas dec'd
 who having been duly sworn deposed and said that
 each signed said writing in the presence and at
 the request of said James P Thomas on or about the
 day of its date, as attesting witnesses and that the
 said James P Thomas signed and sealed the same
 in their presence, he declaring said writing to be his
 last ^{will} and testament, and further that at the time of the
 signing of ^{said} writing the said said James P Thomas
 was of sound & disposing mind and memory
 It is therefore ordered & adjudged by the Court that said
 foregoing writing be and the same is hereby established
 as the last will and Testament of said James P Thomas
 deceased, and that it be recorded and filed as such
 from under my hand and seal this 15th day of August 1865
 Wm S. Bailey
 Probate Judge &c

Last Will and Testament of R. L. Brown Decd
Mississippi Madison County

In the name of God Amen

I Robert L. Brown of said State and County being of sound mind do make and ordain this my last ^{will} and testament revoking all other wills by me made.
Item 1st. I leave my soul to God, and my body to be decently buried by my surviving friends.

Item 2nd. I have an Individual note in the hands of R. C. Luckett and J. T. Luckett for \$1800 having a credit on it for five hundred dollars which credit should be for only about \$250. I have also in J. T. Luckett's hands all my books and notes and accounts, also a note on J. T. Luckett due me and J. T. Luckett for \$4300.00. I desire my executor, and all my honest debts and I wish after my debts are paid that my property be equally among my Brothers & Sisters, and appoint my Brother Darville J. Brown my executor to execute this my last will and Testament, the said J. T. Luckett is responsible for all monies received or paid out.

In testimony of the truth I, R. L. Brown have hereunto set my hand and seal, this the 31st day of ^{May} 1865 in presence of

J. R. Brooke
M. J. Kraft

R. L. Brown

The State of Mississippi Probate Court
Madison County Sept Term 1865

The foregoing writing purporting to be the last will and Testament of R. L. Brown deceased was this day filed in Open Court and therefor came M. J. Kraft one of the subscribing witnesses thereto who having been duly sworn deposed and said that he signed said writing as attesting witness in the presence and at the request of said R. L. Brown and in the presence of J. R. Brooke the other witness who also signed the same in the presence and at the request of the said R. L. Brown and that the said R. L. Brown J. R. Brooke and M. J. Kraft signed said writing in the presence of each other, the said R. L. Brown declaring said writing to be his last will and Testament, and further that the said R. L. Brown at the time of his signing said writing was of sound and disposing mind & memory. It is therefore ordered, adjudged and decreed by the court be and the same is established as the last will and Testament of R. L. Brown deceased and that the same be recorded & filed as such.

Given under my hand and seal, this the 15th day of September 1865
Wm S. Bailey Seal
Probate Judge &c

The last will and Testament of J A Cooper, a citizen of Madison County Mississippi and at present an Officer in Provisional Army of the Confederate States Viz.

I J A Cooper being of sound and disposing mind and Memory do make publish and declare my last will and Testament as follows, that is to say,

Item 1st, I do give devise and bequeath to my beloved wife Mathewine E Cooper all my estate real and personal in possession or action with its future increase and profits to be held used enjoyed and disposed of by her at her will and pleasure so long as she shall remain my widow but if she shall afterwards marry my will is and I do hereby direct that all of my estate real and personal with its increase and profits in whatever shape they may be shall vest equally in my said wife and my daughter Annie to be equally divided between them share and share alike and shall be thereafter as soon as may be equally divided between my said wife and daughter and immediately after the marriage of my said wife if such should occur a Guardian shall be appointed for my said daughter Annie and such division of my estate shall be made in such manner as my said wife and the Guardian of my daughter may agree on unless my said wife should be the Guardian in which event such division shall be made by three disinterested freeholders to be selected by my said wife and my said daughter with the concurrence of my brother W M Cooper or John W Henry Esq or Capt Samuel Magruder whichever of them may be living and disposed to act in the matter Item 2nd, It is further my will and I do hereby direct that in the event that my wife should marry and die without Children living at the time of her death such portion of my estate as is hereinafter given to her shall vest in my said daughter ^{Annie} if living or in the event of her not surviving that event it shall vest in my brother W M Cooper and the Children of my deceased brother John J Cooper or the survivors of them the said estate to be equally divided between my said brother W M Cooper as the owner of one half of it and the Children of my said deceased brother John J Cooper as the owners between them of the other half

Item 3rd, It is further my will and I do hereby direct that in dividing my estate between my said wife and my daughter as hereinafore provided for the said division shall be made in kind or by a sale either privately or at public vendue and a division of the proceeds as may be thought most judicious and as may be determined on by my said wife and the Guardian of my daughter or my daughter and concurring friends in the contingency provided for.

And making such division as is herein contemplated between between my said daughter and my brother and the Children of

My deceased brother the said estate shall be divided in kind or by public or private sale and division of the proceeds as may be agreed and determined on by such of them as may be adult and the guardians of such as may be minors Item 4th It is further my will and I do hereby direct that in the event of the death of my daughter Lennie after the marriage of my wife if such should occur or in the event of the death of my said daughter prior to the marriage of my said wife my said brother W M Cooper and the children of my deceased brother John S Cooper shall stand in the room and stead of my said daughter unless she shall leave children surviving her or a child and shall succeed to all her rights in reference to said estate, the said W M Cooper to own one half and the children of my deceased brother aforesaid to have the other half.

I do hereby nominate constitute and appoint my wife Catherine C Cooper my Executrix to execute this my will in accordance with the provisions hereinbefore contained and to this end do empower her to sell or exchange my part of my estate real and personal and to make deeds bills of sale receipts acquitances and to all other instruments and to do any and every act proper and necessary to be done in the execution of this my will. I further direct that no bond shall be required of my said wife in the Capacity of Executrix. In Conclusion I request in as much as I know but little of the relations of my wife that she will on her death leave such part of my estate as may fall to her share according to the provisions of this will to my daughter if she survive her or in the event of her death to my blood relations. In testimony that the foregoing three pages contains my last will and testament I do hereat affix my name and publish and declare this as my last will and testament in the presence of subscribing witnesses this 10 day of September A D 1862.

J. A. Cooper Test

Signed published and declared as his last will and testament by J. A. Cooper in our presence and subscribed by us respectfully in his presence and in the presence of each other this 10 Sept 1862

J. A. P. Campbell
 Jas H. Berrill
 R. B. Hearnshaw Jr

The State of Mississippi } Probate Court
 Madison County } October Term 1865

The foregoing annexed writing purporting to be the last will and testament of J. A. Cooper deceased having been produced and filed in this Court at a former term thereof and whereas during the present term of the Court to wit on the 9th day of October 1865 Jas H. Berrill one of the subscribing witnesses to said writing personally appeared in open Court and after having been duly sworn deponee and said that the said J. A. Cooper signed and sealed said writing in the presence of him the said Jas H. Berrill and in the presence of J. A. P. Campbell and R. B. Hearnshaw Jr the attesting witnesses declaring said writing to be the last will and testament of him the said J. A. Cooper and further

That he the said James H. Russell and the said J. A. P. Campbell and
 R. B. Campbell Jr signed said writing as witnesses thereto in the
 presence and at the request of the said J. A. Cooper and that the said
 J. A. Cooper at the time of signing said writing was of sound and
 disposing mind and memory and over the age of twenty one years
 and afterwards during the present term of the Court To Wit - on
 the thirteenth day of October 1865 personally appeared in Open
 Court J. A. P. Campbell another one of the subscribing witnesses
 to said writing who having been duly sworn depared and said
 that the said J. A. Cooper signed and sealed said writing in his presence
 and in the presence R. B. Campbell Jr and James H. Russell the other
 subscribing witnesses he the said J. A. Cooper declaring said writing
 to be his last will and testament that he the said J. A. P. Campbell
 James H. Russell and R. B. Campbell Jr signed said writing as
 witnesses thereto in the presence and at the request of the said
 J. A. Cooper and in the presence of one another and that the
 said J. A. Cooper at the time of signing said writing was of
 sound mind and memory and over the age of twenty one years
 and further that the signature of said R. B. Campbell Jr as witness
 to said writing is in the proper hand writing of him the said
 R. B. Campbell Jr and that he the said R. B. Campbell Jr is now
 dead. It is therefore now on this the 12th day of October 1865 ordered
 and decreed by the Court that said foregoing writing be and
 the same is hereby established as the last will and testament
 of J. A. Cooper deceased and that the same be recorded and filed
 do such. Given under my hand and seal this 12th day of
 October 1865,

Wm. S. Bailey Clerk
 &c Judge &c

Will of Patrick Noonan

In the name of God Amen, I Patrick Noonan of the County of Choctaw
 State of Arkansas as 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 the residue of my estate real and personal, I give
 bequeath and dispose of as follows to wit, I want all my property
 of every description sold as soon after my decease as it can be
 and realize a fair valuation and to be sold on such terms as will
 command the best price and the payment or payments if sold,
 on time to be secured by mortgages on the real estate and slaves
 To my Brother David Noonan I give and bequeath the sum of
 two thousands dollars, to my nephew John Noonan son of my
 brother all the lands I have in the State of Texas if any remain
 undisposed of and whereas my wife Margaret is now pregnant
 by me I give and bequeath to the offspring of said pregnancy if
 any and my son Henry the residue of my estate to be equally
 divided among them, Likewise I make constitute and appoint

W. W. Edwards to be Executor 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 thirteenth day of November one thousand eight hundred and sixty two
Signed Patrick Norman (Seal)

The foregoing written instrument was subscribed by the said Patrick Norman in our presence and acknowledged by him to each of us and he at the same time published and declared the foregoing instrument so subscribed to be his last will and Testament and we at the testators request and in his presence have signed our names as witnesses hereto and written opposite our names our respective places of residence

John Thompson Chicot Co Ark
Benjamin Avant " " "

State of Arkansas

County of Chicot } Be it remembered that on this 15th day of December A.D. 1862 Personally appeared before me Eli J. Mills Clerk of the Court of Probate in and for said County and State in vacation Benjamin Avant one of the subscribing witnesses to the will of Patrick Norman deceased late of said County who being duly sworn declared that he did see the said Patrick Norman deceased sign seal and execute the instrument hereto annexed which said instrument purports to be the last will and Testament of the said Patrick Norman deceased bearing date the 13th day of November A.D. 1862, that he heard him the said Patrick Norman publish and declare the same as and for his last will and Testament that at the time thereof he the said Patrick Norman deceased was of sound disposing mind and memory to the best of the knowledge and belief of him the said Benjamin Avant and that he together with John Thompson the other subscribing witness to said will did severally subscribe their names thereto in the presence of said testator and in the presence of each other and at said testators request.

In testimony whereof I Eli J. Mills Clerk of the County Court of Probate in the County aforesaid have hereunto subscribed my name as such clerk and affixed the seal of my said office this day and year first aforesaid
Eli J. Mills Clerk of Probate

State of Arkansas

County of Chicot } Be it remembered that on this 15th day of Dec A.D. 1862 personally appeared before me Eli J. Mills Clerk of the Court of Probate in and for the County and State aforesaid in vacation John Thompson one of the subscribing witnesses to the will of Patrick Norman deceased late of said County who being duly sworn declared that he did see the said Patrick Norman deceased sign seal and execute the instrument hereto annexed

which instrument purports to be the last will and Testament of said Patrick Norman deceased which instrument bears date the 13th day of November A.D. 1862. That he heard him the said Patrick Norman publish and declare the same as and for his last will and Testament that at the time thereof the said Patrick Norman deceased was of sound mind disposing mind and memory to the best of the knowledge and belief of him the said John Thompson and that he together with Benjamin Arant the other subscribing witnesses to said will did severally subscribe their names thereto in the presence of said testator and in the presence of each other at the request of said testator

In testimony whereof I Eli J. Mills Clerk of said Court of Probate have hereunto subscribed my name as such Clerk and affixed the seal of my office this the 15th day of December A.D. 1862.

Eli J. Mills Clerk of Probate

State of Arkansas }
County of Chicot } I Jas M. Murray Clerk of the Court of Probate for the County and State aforesaid do hereby certify that the foregoing is a true and correct copy of the will of Patrick Norman and Probate as it appears on pages 176-177-180 of the record of Mills now on file in my office.

In testimony whereof I have hereunto set my hand and seal of office of Lake Village, this 12th day of September A.D. 1865

Jas M. Murray Clerk

State of Arkansas }
County of Chicot } I Henry Hayes Judge of the County and Probate Courts in and for the County and State aforesaid do hereby certify that Jas M. Murray whose genuine signature is attached to the foregoing certificate of record was at the time of signing said certificate of record the Clerk of the Probate Court for said County of Chicot and that his attestation to certificate above annexed is in due form

In testimony whereof I have hereunto set my hand and seal as Judge of said Court of Probate and caused the seal thereof to be affixed this 30th day of Sep. 40/1865

H. Hayes Judge

State of Arkansas }
County of Chicot } I Jas M. Murray Clerk of the Court of Probate in and for the County aforesaid hereby certify that Henry Hayes whose genuine signature is affixed to the foregoing certificate of authentication at the time of signing the same the sole Judge of the Court of Probate in and for said County of Chicot and State aforesaid and that his said attestation and certificate is in due form. In testimony whereof I have hereunto set

13
The undersigned as Clerk of said County of Probate and caused the
Seal of said Court to be affixed, this 30th day of September AD 1865
Jas M^cMurray Clerk.

State of Arkansas } In the Probate Court
County of Chicot } January Term 1863
January 26th 1863

Court being proclaimed

Among others the following proceedings were had to wit
In the matter of admitting will.

W^m H^e Edwards Esq of P^r Norman died. On this day came up
for consideration of the Court the action of the Clerk in vacation
admitting to Probate the last will and testament of Patrick
Norman died and it appearing to the Court that said instru-
ment purporting to be the last will and testament of Patrick
Norman died was duly executed by the said Norman in the
presence of John Thompson and Benjamin Scott the subscribing
witnesses thereto and by said Norman in the presence of the
witnesses published and declared to be his last will and
testament and it appearing from the evidence of said witnesses
John Thompson and Benjamin Scott that the said Patrick
Norman did so publish and declare the said instrument
bearing date the 13th day of November AD 1862 to be his last
will and testament in manner aforesaid. And that day the
said witnesses at the request of said Norman and in his
presence and in the presence of each other did subscribe their
names as subscribing witnesses to said will and further that
the said Patrick Norman at the time of so publishing and declar-
ing his last will and testament was of sound and disposing
mind and memory to the best of their knowledge and belief.
It is therefore ordered by the Court that the action of the Clerk in
vacation admitting said will to Probate be approved, and it is
further that said will be recorded by said Clerk in the Record
of Wills of said Chicot County as prescribed by Law.

In testimony that the foregoing is truly copied from the Record
of the Court of Probate Book 6 pages 293 & 294 I have hereunto
set my hand and affixed the Seal of said Court at Office in Lake
Village this 14th day of September AD 1865

Jas M^cMurray Clerk
of County Probate Court

State of Arkansas }
County of Chicot } I Henry Hayes sole judge of the Court of Probate
in and for the County and State aforesaid hereby certify that James
M^cMurray whose genuine signature is affixed to the foregoing
attestation and certificate of record was at the time signing the
same the Clerk of the Court of Probate (Sept 12th 1865) in and for said
County of Chicot aforesaid and that his attestation as such
Clerk is due form of Law.

In testimony whereof I have hereunto set my hand
Judge this 30th day of September A.D. 1845

H. Hayes Judge

State of Arkansas
County of Chicot

I James M. Murray Clerk of the Court
of Probate in and for the County and State aforesaid hereby
certify that Henry Hayes whose genuine signature is affixed
to the foregoing attestation was at the time of signing
the same the sole Judge of the Court of Probate in and for said
County and State and that his said attestation is in due
form of Law.

In testimony whereof I have hereunto set my
hand as such Clerk and affixed my seal of Office
this 30th day of September A.D. 1845

James M. Murray Clerk

I Miss Louisa Rebecca Anderson Wife of Peter Anderson of the
United States of America Counselor at Law and at present
residing at Number one hundred and twenty two George Street
Edinburgh for the settlement of my affairs in the event of my
death do hereby give dispose devise and bequeath all lands and
Slaves in the United States of America which belonged to me at
the time of my marriage with the said Peter Anderson, and all
the increase of said Slaves as follows: That is to say I give dispose
devise and bequeath to my Sister Mrs. Jane Sarah McWillie
usually residing in Texas, at present in Edinburgh, the
said lands absolutely in fee, and I give dispose devise and
bequeath the said Slaves to the said Jane Sarah McWillie for
her life, rent use thereof during her life after my death if she
shall survive me, and in the event of her having a child or
children who shall be alive at the death of the Survivor of her and
me then to such or children and the Survivor and Survivor of
them equally among them which there shall be more than one
of them alive for the life rent use of such child or children
during their her or his life or lives so long as any one or more
shall be in existence, and failing such child or children if none
such shall exist at the death of the Survivor of my said Sister
and me, or after the death of any such child if there shall be
only one, or of the last Survivor of any such children (if more
than one) who may have been in existence at the death of the
Survivor of my said Sister and me, then I give dispose devise
and bequeath one third part or share of said bonds Slaves to
Emma Jane Lipscomb my Niece and her heirs or assigns
for their absolute use and benefit, another third part or share
thereof to Sarah Louisa Garrett daughter of the late Louis
Murray Garrett of Mississippi, and her heirs or assigns for the

absolute use and benefit, and the remaining third part or share thereof shall go and belong to such person or persons and for such uses and purposes as my sister Jane Sarah McWittie may have appointed (as I hereby authorize her to appoint) by her will or by any writing under her hand and failing such appointment to her own lawful heirs for their absolute use and benefit and I hereby give devise and bequeath the said last mentioned third part or share accordingly. But I leave to my husband for his use during his life the following Slaves, Viz. Philp and Kiziah his wife and their children, also Agnes another child, Daniel and Amanda his wife and their children, also Jack Frank and Abraham, which Slaves are to excepted from those included in the before written bequests of Slaves during my husband's life, only and are to go in terms of those bequests after his death. Further I leave all my wardrobe and personal ornaments and also my Masahie Table to my sister Jane Sarah McWittie and my dressing case and its contents to my Niece Emma Jane Lipscomb and further I hereby appoint and declare that my said husband is not to be accountable for the crops raised or made at any time on my plantation in the State of Mississippi and that if any investment has been made of proceeds from such crops, or if there have been any gains from our joint income such as are considered by the law of the State of Louisiana as community gains all such investments and gains are to belong to him absolutely and I hereby give devise and bequeath the same to him accordingly. I also appoint and declare that a fourth share or interest which I took as legatee under the will of my sister Cynthia shall belong to my said husband absolutely, he having advanced the amount or value thereof to her of the Co-legatees and I give devise and bequeath the same to him accordingly, and I give devise and bequeath to my said husband absolutely and for his own sole use and benefit the growing crop on my lands at the time of my death and my whole estate property and effects of every kind so far as not herein before otherwise disposed of and I appoint my said husband and the said Jane Sarah McWittie my sister to be executors of this my will, and I recommend for the benefit of all concerned that no division or separation of the shares and interests of my said husband and of the other parties who will be interested after my death in the lands or property in which he and I are or may be jointly interested shall be made for a period of one or two years after my death. The proceeds to be realized from the working and management of the whole together during that period being divisible among the parties interested in proportion to the extent of their respective interests, and before any division or separation is made

wish three Marble Monuments to be erected in burying ground at Mr. Lippincott's. One to my father, one to my Mother, and one to my Son Edward Livingston Foster, their cost not to exceed two hundred dollars each. I also wish a granite Vault built in the burying ground in New Orleans to receive the remains of my Sister Mrs. Francis A. Hunt and my brother Henry H. Anderson which I wish removed from their present places of entombment I do not know what this would cost, but I should like that it should be done and a marble Monument, a simple one bearing their names, placed at their heads. I desire that my husband and my sister Mrs. McVittie jointly should give their supervision to this. I also desire my husband before my Estate is divided to make a suitable present to all my servants in kind remembrance of their faithfulness and fidelity to me and to bid them adieu for me. I pray that they may be always kindly dealt by and taken care of. If my husband and my sister would at their death make over to Henry Foster the sum of Fifty hundred dollars each I should be very grateful, but this I leave to their choice and it is not binding upon them. And I declare this to be my last will and Testament and Disposition and Settlement of what property real and personal Reserving to myself full power of revocation and alteration at any time during my life. In witness whereof I have subscribed these presents written on this and the two preceding pages by Henry Leav Clarke to Messrs. Dunbar and Nelson Clarke to the signet with a marginal addition on the first page written by the said Henry Leav (the words "the same" on the tenth line of the first page the words "lands and" on the twenty sixth line of the same page and the words "lands and" on the sixth line of the second page being all deleted before subscription) at Edinburgh the twenty first day of December Eighteen hundred and fifty nine. In presence of Messrs. William Wilson Clarke to the signet, the said Henry Leav and William Dalglisk of Number one Melville Street Edinburgh Lodging House Keeper.

William Wilson Witness
Henry Leav Witness
William Dalglisk Witness

L. A. Anderson,

We the undersigned do certify that the foregoing instrument was signed by Louisa Rebecca Anderson in our presence including the words added on the margin of the first page. (the words "the same" on the tenth line of the first page the words "lands and" on the twenty sixth line of the same page and the words "lands and" on the sixth line of the second page being all previously deleted) and that she then and there declared the same to be her last will and Testament. In testimony whereof we have signed our names here in the presence of the Sdts

417

Testated, and in the presence of each other, this twenty first day
of December in the year of our Lords one thousand eight hundred
and fifty nine.

William Wilson 16 St Andrew Square Edinburgh

Clerk to the Signet

Henry Leven, Clerk to Messrs Dundas and Wilson Clerks to

the Signet 16 St Andrew Square Edinburgh

William Dalrymple 1 Melville Street Edinburgh

Loquing Housekeeper.

I Mrs Louisa Rebecca Anderson wife of Peter Anderson of the
United States of America Counsellor at Law and at present
residing at Number one hundred and twenty two George Street
Edinburgh do hereby make the following Codicil to my last
Will and Testament executed by me on the twenty first
day of December Eighteen hundred and fifty nine that is to
say I direct and appoint and declare it to be my will that
my said husband besides having the crop growing on my
lands at the time of my death as provided in my said
will, shall also have right to three successive crops thereafter
and to that end he shall during that time have the use of
the lands and slaves bequeathed in my said will and I
hereby give devise and bequeath the said three crops and
the use of my lands and slaves to my said husband accordingly
and no division of my estate shall take place until after the
expiration of the time of reaping the said three crops and
always that my said husband shall be bound to pay fifteen
hundred dollars out of the proceeds of each crop reaped
by him to my sister Mrs Jane Sarah McWilliam and
also to pay the expenses of erecting the monuments to my
father and mother and Son in Madison House and
the vault and monument to my brother and sister
in the Cemetery at New Orleans referred to in my said
will, with all which payments and expenses I hereby
charge and burden the said crops to be reaped by my
husband. The above mentioned vault must be of granite
and the monument at head of Marble. The monument
at the head of my parents is to be of pure white marble
and massive. The one to my son to be also of white marble
I also wish my husband to put an iron fence around
the burying ground of my parents and sons and with
the foregoing additions and alterations, I hereby confirm
my last Will and Testament, Reserving to myself full
power of alteration or revocation of these presents at any
time of my life. Declaring that it is my intention that
in case my husband dies before reaping the crops hereby
bequeathed to him, then the bequest shall be limited to such

crops as may have been realised in his life time and the crop growing at the time of his death, I do witness whereof I have subscribed these presents, written on this and the preceding page by James Sterling Clerk to Messrs Dundas and Wilson Clerk to the Signet (the words "do witness whereof" in the fifth line of this page being deleted before subscription) at Edinburgh the ninth day of August Eighteen hundred and sixty before these witnesses William Wilson Clerk to the Signet and James Robert Jamieson apprentice to the said Messrs Dundas and Wilson and the said James Sterling

William Wilson witness
 Jas Robert Jamieson witness
 James Sterling witness

G. R. Anderson.

I the undersigned do certify that the foregoing Instrument was signed by Louisa Rebecca Anderson in our presence and that she then and there declared the same to be a Codicil to her said Will, and Testament therein referred to her testimony whereof we have signed our names here in the presence of said testatrix and in the presence of each other this ninth day of August in the year of our Lord one thousand eight hundred and sixty.

William Wilson, 16 St Andrew Square, Edinburgh
 Jas Robert Jamieson - Clerk to the Signet
 Apprentice to Messrs Dundas & Wilson Clerks
 to the Signet 16 St Andrew Square Edinburgh
 James Sterling Clerk to Messrs Dundas & Wilson
 Clerks to the Signet 16 St Andrew Square Edinburgh

I, Peter Anderson husband of the late Louisa R. Anderson deceased, who executed the within will and Codicil have authorized and do hereby assent to said Will and Codicil, I hereby ratify and confirm the same, and pray the proper Court to admit the same to Probate

Peter Anderson

In the matter of certain instruments of writing purporting to be the last Will and Testament and Codicil thereto of Louisa Rebecca Anderson deceased.

Upon reading and filing the petition duly verified of Jane Sarah McWilliam for the probate of certain instruments of writing purporting to be and alleged to be the last and Testament and Codicil thereto of Louisa Rebecca Anderson who did sign and dispose of certain lands and tenements situate lying and being in

This County, and upon reading of said instruments, it appearing to the satisfaction of the Court that the same had been executed by the said Louisa Rebecca Anderson in the City of Edinburgh, in the Kingdom of Great Britain, and that the attesting witnesses thereto are residents of the City of Edinburgh, Kingdom of Great Britain, and beyond the jurisdiction of this Court, and it having been proved to the satisfaction of the Court that the signatures to said instruments of writing are in the hand writing of the said Louisa Rebecca Anderson, and it further having been proved to the Satisfaction of the Court that the said petitioners and J. H. Lipscomb - John W. Lipscomb - Joe F. Lipscomb and Emma Lipscomb are the only legal heirs and next of kin to the said Louisa Rebecca Anderson and that a citation had issued from this Court to the said J. H. Lipscomb - John W. Lipscomb - Joe F. Lipscomb and Emma Lipscomb (to appear and answer the petition of said petitioner who acknowledged the service of the same in writing and further admitted in writing that petitioner and themselves were the only legal heirs and next of kin of the said Louisa Rebecca Anderson and that having examined the Will and Codicil mentioned in the petition they admitted the same to be the last will and testament of Louisa Rebecca Anderson, and consented that the same be admitted to probate without further proof, and it having been proved to the satisfaction of the Court that the signatures to the said acknowledged admissions and consent were in the hand writing of the signers thereto, and that said acknowledgments admissions and consent were actually made by the said signers thereto.

And it having been further proved that the endorsement ~~and~~ said will and Codicil and the signature thereto purporting to be the consent of Peter Anderson, husband of Louisa Rebecca Anderson to the making of said will and Codicil and ratifying and confirming the same and praying for probate thereof were and are in the hand writing of said Peter Anderson.

It is therefore considered, ordered, adjudged and decreed that the said instruments of writing be admitted to Probate and recorded as the true and original last Will and Testament of Louisa Rebecca Anderson deceased.

Ordered, adjudged and decreed this 18th day of December 1865.

M. W. Cooper
Judge etc.

Madison County Mississippi
April 15, 1865

I, Edward C. Hart, of the County of Madison State of Mississippi
considering the mutability of earthly things, and being of sound mind
and memory, do constitute and publish this my last will and
testament,

Item 1. I hereby constitute and appoint William Goode, now living
in Chickasaw County of the State aforesaid, my Sole Executor of this
my last will.

2. I do hereby bequeath unto my brother John C. Hart, all my right
title and interest in the estate of John C. Hart, deceased, and also forty
dollars in gold and silver, now in the hands of Thomas L. Hart.

3. I do hereby bequeath unto Thomas L. Hart, of the County of Madison
my horse, bridle and saddle, and all property in his possession, for
his own use and benefit, or that of his heirs, except thirty dollars
above mentioned, which he has the privilege of using. Also two bars
of Cotton in the possession of James Weatherly of Holmes County, State
of Mississippi.

Signed sealed and delivered this the fifteenth day of April A.D. 1865
E. C. Hart

Attest
J. M. Pugh,
Notary Public.

Now the condition of the within will and testament is such
that should I in the Providence God survive from my present sickness,
then it is to be null and void, otherwise to remain in full force and
virtue my hand and seal this fifteenth day of April 1865.

Attest
J. M. Pugh
Notary Public

The State of Mississippi }
Madison County } In the Probate Court of said County,

at the January term A.D. 1866.

In the matter of a certain instrument of
writing purporting to be the last will and testament of E. C. Hart, deceased,
Be it remembered that at a term of the Probate Court begun and held at the Court
House in and for said County on the second Monday in January in the year of
Lord one thousand eight hundred and sixty six, personally appeared J. M.
Pugh one of the subscribing witnesses to the instrument of writing
purporting to be the last will and testament of E. C. Hart deceased, late of
said County, who having been duly sworn depone and said, that the
said Edward C. Hart signed published and declared said instrument as
his last will and testament, on the fifteenth day of April A.D. 1865, the
day of the date of said instrument, in the presence of this deponent, and
J. M. Pugh the other subscribing witness and that said testator was then of
sound mind & disposing memory & over twenty one years of age and
that he & the said J. M. Pugh subscribed & attested said instrument, as
witnesses at the request & in the presence of said testator & in the presence

of each other on the day and year of the date thereof.

M M Cooper
Judge &c

Probate Court, Febry Term 1866.

Be it remembered that at a term of the Probate Court begun and held for said County at the Court House thereof on the second Monday in February in the year of Our Lord one thousand eight hundred and sixty personally appeared J M Pugh one of the subscribing witnesses to a certain instrument of writing purporting to be the last will & testament of Edward C Hart deceased late of said County, who being duly sworn deposed and said Edward C Hart signed published and declared said instrument of writing to be his last will & testament on the 15th day of April 1865 the day of the date of said instrument, in the presence of this deponent, and that he, the said deponent signed the same as one of the attesting witnesses in the presence of and at the request of said testator, and that afterwards Asa Coleman, the other subscribing witness appeared and signed the said instrument at the request of & in the presence of said testator & in the presence of this deponent & the said Coleman the other subscribing witness that he did sign the same, and that to the said Coleman he declared and published said instrument of writing as his last will & testament, and this deponent further says that the said testator was over seventy one year of age & of sound mind and disposing memory on the day & date of said instrument of writing.

Febry 14th A.D. 1866.

M M Cooper
Judge &c

In the matter of a certain instrument of writing purporting to be the last will & testament of E C Hart deceased.

The application of Thomas Hart for Probate of a certain instrument of writing purporting to be the last will and testament of E C Hart deceased late a resident of this County, coming on now to be considered by the Court, and the testimony of Asa Coleman & J M Pugh subscribing witnesses thereto having been taken, the Court after taking all the proofs and allegations adduced & submitted and maturely considering the same being fully satisfied that said instrument is legally established as the true and original last will & testament of E C Hart deceased, and that the said E C Hart deceased was on the day of the date of said will, that is to say on the 15th day of April A.D. 1865 of lawful age to devise and of sound and disposing mind and memory, and of right and in law entitled to make said will.

It is therefore considered, ordered, adjudged and decreed, that the said instrument of writing be admitted to probate and recorded as the true original last will and testament of the said E C Hart deceased.

Febry 14th 1866.

M M Cooper
Judge &c

1122
Noncupative Will of A Z Beard of the County of Madison
State of Mississippi.

To. W. A. Blodson, John H. Beard and W. J. Parker of said County, on the thirty first day of this month, December 1865, were at the dwelling of A Z Beard in said County, who had been for some time, and was then quite sick, and said A Z Beard being in expectation of speedy dissolution, and in fact being in extremity about the seventh hour of that day, called around all who were in his dwelling, including us, and declared his wish to make his will, and did then and there request us and all so present to know and remember what he was then going to say, was his will, and did then and there utter the testamentary words following, that after his death, all his property including Land, tenements with his entire effects, he gave to his wife, to use and controul for the use and benefit of herself and children, without administering on the same.

That his wife use all diligence to pay his debts if it could be done without too great detriment to herself and children. At the uttering of these words the said Testator was of sound and disposing mind and Memory, and so continued to be during the next two hours, and we remained with him when he died, and afterwards in the evening of the same day, and before leaving the said dwelling we reduced the said Testamentary words to writing.

In Witness whereof we have hereunto set our names and seals on this the 31st day of December 1865.

W. A. Blodson
John H. Beard
W. J. Parker.

The State of Mississippi

Madison County In the Probate Court of said County at the February term A D 1866 thereof. In the matter of a certain instrument of writing purporting to be the noncupative last will and testament of Alexander Z Beard deceased.

Deborah Appraiser in open Court as the above stated term, John Henry Beard and W. A. Blodson the subscribing witnesses to said instrument as presented to this Court for Probate and being first duly sworn deposed as follows, to wit.

That they were both present together at the residence of said testator in said County and State on the 31st day of December A D 1865, that they were in the same room with said testator, that he was sick, nigh unto death, that he the said testator admonished them to give earnest and strict attention to the words that he was about to utter, as they were his last will and testament, that he uttered the testamentary words contained in said instrument of writing now before the Court, purporting to be the last will and testament of said testator, or their substance, and that he did publish and declare to the said deponents that the words then spoken were his last will and testament. They further depose that said testator was of sound mind and disposing memory, they further depose that they received the words spoken by said testator or their

substance to writing the same evening after they were spoken and these deponents further say that said testator departed this life on the morning next succeeding that, on which he spoke the testamentary words contained in the aforesaid instrument of writing purporting to be the last will and testament of said testator. The substance whereof was duly read by them to writing, as aforesaid, and duly subscribed by them, and further they say not.
Filed 7th Dec 1866,

M M Cooper Judge

The State of Mississippi

Madison County In the Probate Court of said County at the March term of 1866, sheweth,

In the matter of a certain instrument of writing purporting to be the last will and testament of J. B. Beard deceased.
Be it remembered that at a term of the probate Court of the County and State aforesaid begun and held at the Court House thereof on the 11th of March in March of 1866, persons appeared in open Court J. J. Parker who being duly sworn stated that he was at the residence of J. B. Beard about the last day of last year that said J. B. Beard who very old and low in health, that said testator said in his presence that he desired to make a will and called on said deponent to give his earnest attention to what he the said testator was going to speak, as he designed it to be his last will and testament, and that thereupon said testator spoke the words contained in said writing, purporting to be his last will and testament, &c. their substance to wit: further said, that said testator was of sound mind & disposing memory & was twenty one year of age. It is then sheweth, the testimony of the other two witnesses to said instrument of writing having been taken at a former term of this Court, and a process having been taken against Mr. Beard's widow of said testator upon citation to her returned duly executed to this Court.

Considered, adjudged & decreed, & ordered that the said instrument of writing be admitted to Probate and recorded as the true & lawful last will and testament of the said J. B. Beard deceased.

M M Cooper
Judge

Last Will and Testament of Lewis M. Figgitts

I, Lewis M. Figgitts of the County of Madison and State of Mississippi, being of sound mind and memory, but considering the uncertainty of life, do make and declare this my last Will and Testament, in manner and form following, that is to say:

First, that my Executors (hereinafter named) shall procure for my body, a decent burial, suitable to the wishes of my relatives and friends, and pay all of the funeral expenses, together with my just debts, out of the monies that may first come in their hands, as a part of my estate.

Item, I give and bequeath to my daughter, Mary Ellen Young, her heirs and assigns, the following tracts or parcels of land, known and designated as the Lawson tract, and the Wallace tract, each adjoining each, lying and being in the Yazoo County and State of Mississippi, containing eight hundred and eighty acres, more or less. I also give and bequeath to the said Mary Ellen Young the following negroes, Bob, Milton, Salience and her three children; Charles & Emaline, Charlotte, George & John, her sons, Dorsey and Nancy his wife, Gordon and Jimmy, to her heirs and assigns forever.

Item, I give and bequeath to my son Lewis M. Figgitts the following negroes, Jim Lacy, Ann and Rocky, George, Martha and her five children, Perry and Peggy his wife, Dollard & wife, Peter and child, Tom, Matilda, and her children, Aaron, Penny, Bill, her son & Noah, also Tom Billy the blacksmith, to have and hold during his natural life, the said negroes; and should he die without child, the said negroes are to revert to his full blood brother and sisters, their heirs and assigns, otherwise to descend to his child or children.

Item, I give and bequeath to my son David E. Figgitts the following named negroes, Jim Hughes, Peter his wife, Bob, Sons, Mary, his wife, and four children, George, Susan, and their two children, Anderson, Old Betty, Sylvia, her son and wife, Nancy, Billy Williams and Clara, Ellis and wife, Frank, Jackson, wife, Minnie and children, to have and hold said negroes during his natural life, and if he should die without child, the said negroes shall revert to his full blood brother and sisters, their heirs and assigns forever, otherwise to descend to his child or children.

Item, I give and bequeath to my daughter Meta, his daughter the following negroes, Emanuel, wife Mary Ann, Monroe, Ada, Will, Joe, Oliver, Andrew, Rogers and Louis her children, Suffer, son Yellow, Hannell, Julia, Isabella and Washington, her children, Lucinda and her children, Alice and her four children, Daniel, Daisy and her children, Hanniah and her three children, to have and to hold the said negroes during her natural life, and should she die without child, the said negroes shall revert to her full blood brothers and sisters, otherwise to descend to her child or children.

Item - I give to my two youngest children, Pauline and Fidelity, on condition that their mother, Margaret L. Figgitts shall relinquish forever, all claim of dower, right, title or interest, whatsoever, in my estate, both real and personal, farther than that which I shall give her hereafter to be mentioned, the following named negroes, Little Ann and two children, also her brother's children Indiana & Caroline Athaline, Wiley, Eliza and Wilson her children, Harrison, Francis and child, Henrietta, Gyp, Little Harriet and children, Lou, Sarah, Katy, and two children, Dr. Clark, Manda, Harriet, Hawkins, yellow Kung, Jim Bradley, Tennessee Charles, Shadrack, Christopher, Phill, Madison, Lucy and child, Ben, Dutz and Edith. Also, I give to the said Pauline and brother Fidelity, the following tract or parcel of land known as the Richard Plantation in Yazoo County & State of Mississippi, containing one thousand and fifty acres, to have and to hold in equal portions, the said negroes and land, during their natural lives, and should either or both die without child or children, then their portion or portions, both real and personal, shall revert to my own children heirs and assigns, forever, but should their mother, Margaret L. Figgitts, refuse to relinquish all claim of dower or other interest in my estate, then and in that case my will and desire is, that the said Pauline and Fidelity Figgitts should have one one third of the above mentioned negroes (conditionally given), and that the land and balance of the said negroes, should be equally divided among my children, Mary Ellen Young, David M. Figgitts, David E. Figgitts and Mita Nicholson their heirs and assigns forever.

Item - I give and bequeath to Margaret L. Figgitts, the sum of ten dollars only, she having voluntarily absented herself from my house, bed and board, for more than two years, and taken her entire estate, consisting of 12 negroes &c. from my possession, which property I regard as a sufficiency for her ample maintenance.

Item - I give to my niece, Elizart Parker, three negroes, Wesley, Lou, and Pottery Ann, also five hundred dollars, to have and to hold during her natural life, and at her death to descend to her sister Mary Early & children in A. C.

Item - I give and bequeath to my sister Nancy W. Parker the sum of five thousand dollars, in current money, during her natural life, and at her death to descend to Mary Early & children, the said money to be held in trust by Lewis M. & David E. Figgitts, for her use, and bury it.

Item - I give and bequeath to Mita Nicholson, in addition to the above legacy, all of my household and kitchen furniture whatsoever. Item - My will and desire is, that all the residue of my estate shall be sold, and the surplus after paying my debts and expenses, and legacies, should be equally divided among my children, their heirs and assigns. Lastly - I appoint my Son, L. M. Figgitts, David E. Figgitts and John Robinson & F. Nichols my lawful Executors, to this my my last Will and Testament.

according to the true intent and meaning of the same. I, hereby
swore and declare void all other wills and Testaments by me herebefore
made. In witness whereof, I, Lewis M. Siggitts, do hereunto set my
hand and seal, this 17th of November 1864.

Lewis M. Siggitts,

signed, published, and declared, by the said L. M. Siggitts to be his
last will & Testament, in the presence of us, who at his request, and
in his presence, do subscribe our names as witnesses thereto.

Test. John Robinson,

Pennington W Tucker,

In the Probate Court of Madison
County, Feby, Term 1866,

Be it remembered that at a term of the Probate Court of the County of
Madison & State of Missis., begun and held at the Court house thereof on the
second Monday in February in the year of our Lord one thousand eight
hundred and sixty six, personally appeared in open Court, John Robinson
one of the subscribing witnesses to the instrument of writing purporting to be
the last will and Testament of L. M. Siggitts deceased, late of said County
bearing date the 17th day of November 1864, who having first been duly
sworn, deposed and said that said L. M. Siggitts signed, sealed, published
and declared said instrument as his last will and Testament in the
presence of this deponent and of P. W. Tucker the other subscribing witness
on or about the day of the date thereof, that said Testator was at that time of sound
& disposing mind & memory, and more than twenty one year of age, and that
this deponent subscribed said instrument as witness thereto at the instance
and at the request of said testator, and also in the presence of P. W. Tucker
the other subscribing witness and that the said P. W. Tucker also subscribed said
instrument at the request and in the presence of the testator and in the
presence of this witness at the same time.

Feby 17th 1866,

W. W. Cooper Judge &c

State of Mississippi Probate Court

Madison County In Vacation, March Term A. D. 1866.

On the matter of the probate of the last will and testament of L. M. Siggitts deceased
P. W. Tucker sworn, deposed that some time during the month of A. D. 1864
he was at the residence of said testator, and that he signed the instrument
now offered in Court & purporting to be the last will and testament of L. M.
Siggitts late of Madison County, State of Mississippi, deceased at the
request & in the presence of said testator, and in the presence of John
Robinson the other subscribing witness, who also signed said instrument
in the presence of said deponent at the request of said testator, who then and
there declared that he signed, published and declared said instrument
of writing to be his last will and Testament, Deponent further
said, that said instrument in all of its parts was in the hand writing
of said testator, and that said Siggitts was over twenty one year of age
and of sound mind & disposing memory.

W. W. Cooper

Judge &c

April 2nd A. D. 1866.

In the matter of a certain instrument of writing purporting to be the
 Last Will and testament of L. M. Figgitts deceased.
 This cause coming on now to be heard and the testimony of John Robinson
 & P. H. Tucker subscribing witnesses to said instrument of writing
 purporting to be the last will and testament of L. M. Figgitts late of Guilford
 County deceased, being duly considered by the Court, whereat it
 appears that said instrument is in the hand writing of said testator
 and it further appearing to the satisfaction of the Court, that said
 instrument is fully and legally established as the true and original
 last Will and testament of L. M. Figgitts deceased, and that said
 L. M. Figgitts was on the 17th day of November A. D. 1864, the day
 of the date of said Will, of lawful age to devise and of sound mind
 and disposing memory and of right and in law entitled to make
 said Will. It is therefore ordered and adjudged and decreed that
 said instrument of writing be admitted to probate and recorded
 as the true and original last Will and testament of L. M. Figgitts
 deceased. And it is further ordered and decreed that letters
 testamentary of said last Will and testament be granted to
 M. Figgitts in his taking the oath prescribed by the Statute and
 entering into bond in the sum of Thirty five thousand dollars with
 John Robinson as his sureties.

M. M. Cooper
 Judge

April 16th A. D. 1866.

North Carolina } October 16th 1865.
 Cabarrus County }
 Having the uncertainty
 of life and the certainty of death, I have thought it best to will
 what in the way I wish it to go and in disposing of it I wish
 first debt to be paid. First, I will give to Sister E. H. Widdington five
 thousand dollars, and to share an equal share in the balance of my estate
 with Brother H. C. Scott & Sister Sarah Shaw, Second, I will give to
 Brother W. G. Scott Two thousand
 dollars to be placed in the hands of a guardian to be arrived at the age
 of twenty one years, and if he dies before that time it is to go back to my
 Brothers and Sister. Third, I will that the balance of my estate be equally
 divided between Sister Sarah Shaw and Brother H. C. Scott & Sister E. H.
 Widdington. I leave Brother H. C. Shaw, Brother H. C. Scott
 and Brother W. G. Scott if he wishes to enter in as executors of this my last
 will and testament.

This made and signed the day and year before mentioned.
 J. G. Scott

W. L. Archibald
 Justice

State of North Carolina } J. C. Wallace clerk of the Court of Pleas and
 quarter sessions do hereby certify that the foregoing is a true and perfect copy of the last
 will & testament of J. G. Scott and that the same was duly proved in open Court by
 the oaths of the attesting witnesses thereto, and was ordered to be recorded & filed.
 Witness, J. C. Wallace Clerk of said Court at Office in Command this 27th Febry 1866
 J. C. Wallace Clerk

In the matter of a certain instrument of writing purporting to be a copy of the last will and Testament of S. G. Scott deceased.

Upon reading & filing the petition of A. C. Scott, C. D. Scott for admission to probate of a certain instrument of writing purporting and alleged to be a duly and legally authenticated copy of the last will and Testament of S. G. Scott deceased a resident of the County of Canawha in the State of South Carolina and for better testamentary therein and it appearing to the satisfaction of the Court after maturely considering the same that said original will has been duly and properly admitted to probate and better testamentary issued thereon by the County Court of Cabarrus County North Carolina and that the instrument of writing here now filed is a duly and legally authenticated copy of said last will & Testament it is therefore ordered, adjudged and decreed that better testamentary be issued in the case of S. G. Scott as now issued to the said A. C. Scott and C. D. Scott with Wm. C. Dancy Wm. Jones and J. W. L. Jones as their auditors therein.

W. M. Cooper
Judge

Last Will and Testament of William Bennett.

In the name of God Amen.

I William Bennett of the County of Madison and State of Mississippi being at present sound in mind and memory but fearing the uncertainty of life, and desiring what is usual to dispose of my worldly effects in the manner & to that most acceptable to make and ordain this my last will and Testament thus, to wit: I bequeath and give to God who gave it and give my body to the earth from whence it was taken.

2nd. I wish all my just debts paid at once at the same rate and order as they be due after my decease.

3. I give and bequeath to my daughter Amanda Scott one her share forever in land of land on which she now resides, it being the lot 64 of Sec 33 Township 29 N Range 2 East containing one hundred and one city acres of land more or less with its appurtenances.

4. I give and bequeath to my beloved wife Elizabeth Bennett all the residue and remainder of my estate of every kind and description whatsoever for and during the term of her natural life, and at her death I give and bequeath to my daughter Victoria W. Atkinson and the heirs of her body forever my interest in with the lands thereto appertaining - and all the rest and residue of my estate whether real or personal, or mixed of every kind I give and bequeath to my said daughters Amanda Scott and Victoria W. Atkinson, and their heirs forever share and share alike. Lastly, I hereby appoint my friend Elin Cordts as said Executor of this my Last will and Testament, as he knows all about the situation of my property and will do justice to my children and carry out my wishes.

In testimony whereof I have set my hand and name and affix my seal this 10th day of May A. D. 1857, Signed, sealed, published & declared.

by the testator as and for his last will & testament in our presence who have signed our names as attesting witnesses in the presence and at the request of said testator on the day and year first above written.

Witnesses
S F Afford
R T Simmons
W H Shackelford

William Bennett

The State of Mississippi

Madison County In the Probate Court of said County as the January Term A.D. 1866.

In the matter of a certain instrument of writing purporting to be the last will & testament of William Bennett deceased. Do it remembered that at a term of the probate court, before and held at the Court House in and for said County on the second Monday in January in the year of our Lord one thousand eight hundred and sixty six, personally appeared S F Afford one of the subscribing witnesses to the instrument of writing purporting to be the last will and testament of William Bennett deceased late of said County, who having been duly sworn deponee and said that the said William Bennett signed published and declared said instrument as his last will and testament in the year A.D. 1857 the year of the date of said instrument in the presence of his deponent and that said deponent was unacquainted with said testator, but that said testator appeared to be of sound mind disposing memory & over twenty one year of age, and he said deponent and R T Simmons, one of the other subscribing witnesses subscribed & attested said instrument as witnesses at the request of the testator & in the presence of each other in the year of the date thereof.

M M Cooper Judge

The State of Mississippi

Madison County In Vacation February 21st A.D. 1866.

This day personally appeared before me M M Cooper, Probate Judge in and for said County and State, W H Shackelford, who being duly sworn deponee and said that he had an indistinct recollection of having signed the instrument of writing purporting to be the last will & testament of William Bennett late of said County deceased, that his genuine signature appears thereon, that he signed in some or request of testator and in his presence, who acknowledged that the instrument here shown to the witness was his last will and testament and he further says that said testator was over twenty one year of age and of sound mind and disposing memory.

M M Cooper Judge

In the matter of the instrument of writing purporting to be the last will and testament of William Bennett deceased.

The Court here now after hearing all and singular the proofs adduced and submitted and maturely considering the same, being well fully satisfied that said instrument is the true original last will and testament of said testator legally established, and that the

said William Bennett was on the day of the date of said will of lawful age to devise and of sound mind and disposing memory, and of right and in law entitled to make said will. It is therefore ordered, adjudged and decreed that the said instrument of writing be admitted to probate and recorded as the true and original last will and testament of said William Bennett deceased.

March 12th 1856

J. W. W. Cooper

Judge

Last Will and Testament of Lewis M. Figgitts

I Lewis M. Figgitts of the County of Madison and State of Mississippi, being of sound mind and memory, but considering the uncertainty of life, do make and declare this my last will and testament, in manner and form following, that is to say:

First - That my Executors (hereinafter named) shall procure for my body a decent burial, suitable to the wishes of my relatives and friends and pay out of the funeral expenses, together with my just debts, one of the priorities that may first come in their hands as a part of my estate.

Item - I give and bequeath to my daughter Mary Ellen Young, her heirs and assigns, the following tract or parcels of land, to-wit: one and designates as the Saw in tract, and the Wallac tract, each adjoining each, lying and being in the Yazoo County and State of Mississippi containing eight hundred and eighty acres more or less. I also give and bequeath to the said Mary Ellen Young the following negroes: Bob Smith, Patience and her three children, Charles and Charlotte Henry & John, her sons, Dorsey and George his wife, Flanders and Jimmy to his heirs and assigns forever.

Item - I give and bequeath to my son Lewis M. Figgitts the following negroes, Jim Lay, Ann and Leahy, George, Martha and their four children, Perry and Peggy his wife, Pollard & wife Sink and child, Fern, Martilda and her children, Aaron Perry, Bill her son & Arab, also Fern Billy the blacksmith to have & hold during his natural life the said negroes, and should he die, without child, the said negroes are to revert to his full blood brothers and sisters their heirs and assigns forever, or to descend to his child or children.

Item - I give and bequeath to my son David E. Figgitts the following named negroes, Jim Hughes Pettie his wife, Bob Jones, Mary, his wife and four children, Dompsey, Susan and their two children, Anderson, Ed, Polly, Fyphie, Norman and wife & son, Billy Williams and Clara, Ellis and wife Sarah, Jackson, wife Minta and children, to have and hold the said negroes during his natural life, and if he should die without child, the said negroes shall revert to his full blood brothers and sisters, their heirs and assigns forever, or to descend to his child or children.

Item - I give and bequeath to my daughter Meta Nicholson the following negroes, Emanuel, wife Mary Ann, Monson, Ada, Phil, Joe, Olive

Andrew, Rogers and Louis her children, Jefferson Yellow Hammett, Julia Isabella and Washington her children, Lucinda and their children, Alice and her four children, Daniel, Polly and her children, Hannah and her three children, to have and to hold the said negroes during her natural life, and should she die without child the said negroes shall revert to her full blood brothers and Sisters, otherwise to descend to her child or children.

Item I give to my two youngest children Pauline and Fidelity on condition that their mother Margaret L. Figgitts shall relinquish forever, all claims of dower, right title or interest whatsoever in my estate, both real and personal, farther than that which I shall give her hereafter to be mentioned, the following named negroes, Lillian Amy and two children, also her brother children, Indiana & Caroline, Athaline, Wiley, Eliza & Wilson her children, Harrison Francis & child, Henrietta, Jeff. Little Hammett and children, Anne Isham, Katy and two children, Ben Clark, Amanda Hammett, Martha Yellow Henry, Ann Branch, Juniper Charles, Whadrack, Christopher Hill, Madison, Lucy and child, David, Rufus and Edith.

Also, I give to the said Pauline & Brother Fidelity, the following tract or parcel of land, known as the Richard Plantation in Yazoo County & State of Mississippi, containing one thousand & two hundred acres, to have and to hold in equal portions the said negroes and land, during their natural lives, and should either or both die without child or children, then their portions or portions both real & personal, shall revert to my own children, heirs and assigns forever, but should their mother Margaret L. Figgitts refuse to relinquish all claim of dower or other interest in my estate, then and in that case, my will and desire is, that the said Pauline and Fidelity Figgitts, should have only one third of the above mentioned negroes (conditionally given) and that the land and balance of the said negroes, shall be equally divided among my children, Mary Ellen Young, Lewis M. Figgitts, David E. Figgitts and Meta Nicholson, their heirs and assigns forever.

Item I give and bequeath to Margaret L. Figgitts, the sum of ten dollars only! She having voluntarily absented herself from my house, bed and board, for more than three years, and taken her entire estate, consisting of 12 negroes &c from my possession, which property I regard as a sufficiency for her support & maintenance,

Item I give to my niece, Elizabeth Parker, three negroes, Wesley Joel, and Patsy Ann, also five hundred dollars, to have and to hold during her natural life, and at her death to descend to her sister Mary Early & children in A. W.

Item I give and bequeath to my sister Nancy W. Parker, the sum of five thousand dollars, in current money, during her natural life, and at her death to descend to Mary Early & children the said money to be held in trust by Lewis M. & David E. Figgitts for her use and benefit.

Item I give and bequeath to Meta Strickland, in addition to the above legacy, all of my household and kitchen furniture whatsoever.

Item My will and desire is, that all the residue of my estate shall be sold, and the surplus, after paying my debts, and expenses and legacies, should be equally divided among my children their heirs and assigns,

Lastly, I appoint my sons, L. M. Liggitts, David E. Liggitts and John Robinson & S. J. Strickland my lawful Executors to this my last Will and Testament, according to the true intent and meaning of the same. I hereby revoke and declare void all other Wills and Testaments by me heretofore made. In witness whereof L. Lewis M. Liggitts, do hereunto set my hand and seal this 17th of November 1864.

Lewis M. Liggitts

Signed, published and declared by the said L. M. Liggitts to be his last Will & Testament, in the presence of us, who at his request, and in his presence do subscribe our names as witnesses thereto.

John Robinson

Samuel W. Tucker.

In the matter of the application of Lewis M. Liggitts }
to have a probate of a certain paper purporting } Probate Court
to be the last Will & Testament of Lewis M. Liggitts, dec'd. } Term Term 1866

A certain paper purporting to be the last Will & Testament of Lewis M. Liggitts and dated 17th November 1864 having been presented to the Court by Lewis M. Liggitts, the Executor therein, and on his application to take the additional testimony of John Robinson and Lewis W. Thompson, and the said Robinson being duly sworn stated on oath that said paper was wholly in the hand writing of said Lewis M. Liggitts dec'd, and that at the date of the signing of said instrument, the said Lewis M. Liggitts dec'd was of sound disposing mind & memory and a citizen of said County of Madison, and Lewis W. Thompson being duly sworn states on oath that Lewis M. Liggitts was on the 17th of November A.D. 1864 of sound mind and disposing memory and so continued to the time of his death, and has at all times been so and he further states that said paper dated as aforesaid on 17th day of November 1864, was wholly written in the handwriting of Lewis M. Liggitts dec'd and Thomas S. W. Tucker did on the 2nd day of April 1866 state on oath that the instrument dated as aforesaid on the 17th November 1864 was signed by him as an attesting witness at the request & in the presence of John Robinson, the other attesting witness, who also signed said instrument in the presence of said Tucker at the request of said testator, who then & there declared that he signed, published & declared said instrument to be his last Will and

Testament and he further stated that said instrument was in all its parts in the hand writing of said Siggitts & that said Siggitts was over twenty one year of age and of sound mind and disposing memory & over twenty one year of age, therefore the premises considered it is ordered adjudged and decreed that the said paper dated as aforesaid on the 17th November 1864. be and the same is hereby established as the true last Will and Testament of Lewis M Siggitts Decd and that it be executed as such. Ordered adjudged and decreed this 11th June 1866.

M M Cooper

Judge &c,

Last Will and Testament of Wm A North.

I William A North of the County of Madison in the State of Mississippi being sound in body & mind do on this the twenty ninth day of May A D eighteen hundred & sixty one make the following as my last Will and Testament:

In order to secure my mother Mrs Elizabeth Elizabeth A North of Memphis Tennessee in whose hands and integrity I have superabundant cause to repose the most implicit confidence, the payment of my indebtedness to her which is specified in certain notes signed by myself & payable to her order. I do hereby appoint her my Executor or Executrix so far as all my real or personal property is concerned except my medical accounts books, bills for medical services, the lot on which my family may reside, and every thing pertaining thereto, house and kitchen furniture, horses & Buggy or such other and any other or four house servants that I may own at the time of my death included, I do hereby authorize the said Elizabeth A North to buy at valuation, to sell convey by deed or otherwise in short to do with & dispose of said property whether real or personal herein before confided to her charge as she deems best and her act & deed shall be as binding as though I were alive present and acting for myself. I do place as a trust upon the notes held by the said Elizabeth A North and my surplus to be paid over to the permanent or regular administrator of my Estate or Guardian of my children and to be managed as hereinafter provided for my other property.

I do further desire that no security be required of the said Mrs Elizabeth A North my mother for the fulfillment of the foregoing trust.

I also appoint my wife Martha Ann North of whom no security is to be required the permanent or regular

239
administrator or Executor of my Estate and Guardian of my children with full authority to sell dispose of convey manage & control as she may deem best during her widowhood every thing real & personal of which I may die possessed or which may become mine except what is hereinafter placed in charge of my Mother Mrs Elizabeth Booth for the purpose specified.

I also authorize my wife the said Martha Ann Booth to convey title to any property real or personal of mine my Mother may decide to buy in liquidation of my indebtedness to her in case such conveyance may be deemed necessary and this conveyance shall be as binding as though I were alive present & signing the title bond deed or bill of sale myself.

Should my wife the said Martha Ann Booth during I hereby give and bequeath all the property she may be possessed of at the time of her marriage to my children and desire that a guardian who shall be required to give two securities each worth as much as the whole of said property for the fulfillment of his trust be appointed for my children who shall keep their property together use & manage it for their mutual benefit till the youngest becomes of age and then divide it equally between them.

I hereby appoint & request Thos Shackelford Esq. & C Shackelford Esq. & Dr M. S. White of this place by the friendship they bear me and the claims of childhood upon all men to see this part of this my last will & testament complied with it being understood that my wife the said Martha Ann be allowed & is hereby authorized as or before the time of such marriage to select out of the above property five hundred dollars worth of such perishable property as she may desire for her own use and benefit.

I wish it distinctly understood that there is nothing herein contained intended to convey the idea that I am opposed to second marriages or that I have not the most complete confidence in the judgement & integrity of my wife & her fealty to our children.

I desire to do only what I know she will approve but which might be postponed till too late through negligence or dilatory of feeling.

In testimony of all of which I hereunto affix my hand & seal this the 29th of May A D 1861.

Witnesses
J. E. Dancy
D. S. Mosby

Wm. A. Booth (Seal)

In the matter of the application for the admission of a certain instrument of writing purporting to be the last will & testament of W. A. Booth to Probate. May 14th 1866.
J. E. Dancy sworn deposed that he signed the instrument

now before the Court, purporting to be the last Will and Testament of W A Booth as attesting witness in the presence of and at the request of the testator, The signing was done in this County in Kenton, and occurred on or about the 29th of May 1861, to the best of his recollection. The testator was of sound mind & disposing memory & was over twenty one year of age. I think the entire will is in Dr Booths handwriting. Testator was a citizen of this County and resided here next before his death.

W J Mosby sworn, testimony sworn as former witness. Mr M A Booth sworn deposed that the instrument, now before the Court purporting to be the last will and testament of W A Booth is in the hand writing of the testator in all of its parts. The Shackelford sworn deposed from his knowledge of Dr Booths hand writing should say that the will now before the Court purporting to be the last will and testament of Dr Booth is wholly in his hand writing. Has sent notes from him. Has had several letters from him. He was a citizen of this County at the time of his death. He was living here in May 1861. So far as I know he was at that time sane to all intents & purposes. I never heard any thing to the contrary, and said testator was at the time of his death over twenty one year of age. He also stated that he had seen Dr Booth write.

M C Cooper
Judge &c

In the Matter of the Estate of a paper
Purporting to be the last Will & Testament of W A Booth
The following testimony having been taken at the present term of the Court, and one is appearing to the Court that said paper dated 29th May 1861 purporting to be the Last Will and Testament of W A Booth was and is wholly written by said Booth and that he was at the time of sound and disposing mind and memory, was at the time over twenty one year of age and that he had a manse house or residence in Madison County, at the time of his death and was a citizen of Madison County Mississippi at the time of his death, therefore the premises considered, it is ordered that the said paper dated 29th May 1861 signed by W A Booth and attested by W J Mosby and W E Davis as attesting witnesses be and the same is hereby established as the true last Will and Testament of the said W A Booth and that it be recorded as such, and it is ordered that the letters of Administration on said estate granted at a former term of this Court be and the same are hereby revoked.

May 15th 1866

M C Cooper
Judge &c

Last Will and Testament of Mary R. Fort of the County Madison State of Missisippi

First. I direct that all my just debts and funeral & testamentary expenses may be paid by my Executor hereinafter named with all convenient speed after my decease. & I do hereby subject, charge & make liable all & every my real & personal estate & effects, whatsoever & wheresoever to & with the payment of the same & of the legacies hereinafter bequeathed according

Second. I direct that when I am dead, I shall be buried in a neat & becoming manner, in a metallic coffin, and that a monument shall be erected over my grave, handsomely constructed & finished, to be worth & cost with a suitable iron railing around it, One thousand two hundred dollars, with a suitable inscription or Epitaph engraved & carved upon said monument, with the date of my birth and death, & the places at which they occurred.

Third. I give and bequeath to my servant, Ann, a negro woman, who was formerly & for many years my slave, but who is now a freed woman, the sum of five thousand dollars, but upon the express condition however, that she shall remain & live with me as my servant, and shall serve me as she has always hitherto done, according to my request in a dutiful and faithful manner, & perform such labor well & faithfully as I shall require of her in sickness & in health from time to time as long as I shall live. And I also give and bequeath to my said servant Ann a set of my trunks, boxes, chairs, tables & other household furniture, & all my clothes, wearing apparel, make & ornaments, that I shall own at the time of my death. And I direct that my Executor hereinafter named, shall invest, or loan said sum of five thousand dollars to the best advantage, and upon good & sufficient security & securities and shall pay to my said servant Ann, the interest on said sum of five thousand dollars, semiannually to wit, on the first day of July & January in each & every year, as long as said Ann shall live.

I direct that at the death of said Ann, the said sum of five thousand dollars shall descend to her child or children, if she shall have any and if she shall die without issue living then the said sum of five thousand dollars shall go, belong & be paid to my nephew Benjamin S. Ricks Junior son of my brother Benjamin S. Ricks Senior of Madison County Missisippi.

Fourth. As to all the rest, residue & remainders of my real & personal estate and effects whatsoever & wheresoever, not hereinbefore specifically disposed of, or which I shall have a disposing power at the time of my death, I give devise and bequeath the same unto my nephew Benjamin S. Ricks Junior, son of my brother Benjamin S. Ricks Senior of Madison County Missisippi.

Fifth and lastly, I do hereby nominate and appoint my nephew Benjamin S. Ricks Junior, son of Benjamin S. Ricks Senior, Executor of this my last Will & Testaments.

In witness whereof I have hereunto set my hand & seal, this the ninth day of September, A. D. Eighteen hundred & sixty five.

Mary R. Fort

Signed, sealed, published & declared by the said Mary R Fort as and for her last will and testament, in the presence of us, who in her presence and at her request, and in the presence of each other, have hereunto set and subscribed our names, as witnesses hereof, this the ninth day of September A D 1865.
10th U.S. Annals Remains

Det & Graves
W L Harrell

In the matter of the probate of a certain instrument of writing purporting to be the last will & testament of Mary R Fort dec'd. Det & Graves sworn. ^{the} Mary R Fort was at my house in Madison County Mississippi and requested me to write the instrument now before the Court purporting to be the last will and testament for her, it wrote the will now before the Court. Testatrix was of sound and disposing mind & memory & over twenty one year of age. I saw her sign said instrument, it was done in my presence & in the presence of the other subscribing witness, W L Harrell & she did then & there in the presence of each of said witnesses publish & declare the instrument in writing purporting to be the last will & testament of said testatrix as her last will & testament. All this occurred on the 9th day of Sept A D 1865.

W L Harrell sworn. deposed substantially the same as Det & Graves
M M Cooper

In the probate Court of the State of Miss for the County of Madison as the May Term 1866. In the matter of a certain instrument of writing purporting to be the last will and testament of Mary R Fort deceased.
Upon the application and oath filed of Benjamin S Richards junior for probate of a certain instrument in writing purporting to be the last will and testament of Mary R Fort deceased, late a resident of this County, and for letters testamentary thereon, and on taking the testimony of Det & Graves and W L Harrell subscribing witnesses thereto, the Court after hearing their testimony and the same being reduced down into words, being now satisfied that said instrument is truly and lawfully established as the true and last testament of Mary R Fort deceased, and that she said Mary R Fort was at the date of said will, that is on the ninth day of September 1865 of lawful age, and of sound disposing mind and understanding and of right and in law entitled to make said will, it is therefore ordered, adjudged and decreed that the said instrument of writing be admitted to probate, and be recorded as the true will and testament of Mary R Fort deceased, and the said Benjamin S Richards junior having given bond in the sum of twenty thousand dollars with good & sufficient security (B S Rich. & Richard Winters) according to law requiring for the faithful and legal performance of his duties as the Executor of said will and testament of Mary R Fort deceased, it is further ordered, decreed and decreed by the Court that the said Benjamin S Richards junior having taken the oath prescribed by law statute, that letters testamentary of said last will and testament be granted to him.

M M Cooper
Sept 10

Last Will and Testament of John Sumner


Georgia } I John Sumner of said County do make
Wilkes County } and ordain the following to be my last will and
Testament,

Item 1st. I wish all my just debts to be paid,
 Item 2nd. I wish my estate to be held & enjoyed by my wife during her life or widowhood to be used in the manner herein specified. I desire her to have the control of the property in as ample a manner as I would have it if living, so as to sell or dispose of it & reinvest as she may think proper, having full confidence in her desire to manage it for the best. When my children become of age or marry I leave it in her discretion whether or not to give off any portion of property to them, and how much. In case of her marriage I wish my estate to be divided between her, my said wife, and my children then living, or having children to wit. one part to my wife, and one part to each living child, and one part to the children of any deceased child. At the death of my wife I wish my estate to be divided between my children then living, or deceased leaving children as above provided. My wife may in her discretion give off to my children at any time such portion or portions as she may think proper, and the estate subject to division shall be the residue remaining at the time of division.

Item 3rd. In case of the death of either of my children I desire the share which would have accrued to him or her if living to go as above provided, not subject to his or her debts, and I desire all the property passing to my daughter Mary J Sumner under this will, or set off to her by my wife under this will, to be her sole & separate property, not subject to the debts or marital rights of a husband, who power on the part of a trustee, who may be chosen by herself, if she desires it, and vacancies filled by herself, by and with her consent to sell or otherwise dispose of such property, holding the proceeds subject to the same trusts.

Item 4th. I do hereby appoint my wife Lucy J Sumner Executrix of this my last will & testament, and in case of her death during the minority of my children or either of them, request my friend Samuel Barnett to execute this my will, and act as guardian of such child or children.

signed, sealed, declared and published
 as his last will & testament by the
 testator John Sumner in our presence
 who signed in his presence & of each
 other, this 13th day of February 1854.

John Sumner 

R. H. Vickard
 P. E. Barnett
 Lewis S. Brown
 Samuel Barnett

The State of Mississippi
Madison County

The State of Mississippi
To G. G. Norman, Ordinary of the Court of Wilkes State of Georgia.

Know ye, that, trusting to your fidelity, competency and circumspection we have appointed you a commissioner and by these presents do request and authorize to examine upon oath or affirmation to be given administered by R. H. Vickers of E. Barnett Lewis Brown & Saml Barnett, subscribing witnesses to the instrument of writing hereto annexed purporting to be the last will and testament of John Simmes deceased now depending in the Probate Court of the County of Madison State aforesaid for probate, to specially inquire the said witnesses to state distinctly upon oath or affirmation as aforesaid whether the said testator John Simmes signed and published said instrument of writing as his last will and testament, or whether some other person signed it by his direction whether said testator was of sound disposing mind & memory when signing said instrument, and whether the said witnesses subscribed the said instrument in the presence of the said testator and at his request, and to plainly and distinctly set in writing and certify under your hand and seal their examination and to return the same to our said Court together with the writ, and the writing annexed enclosed.

Witness the Hand of Me Cooper Judge of said Court
in and for said County the seven and thirty day of April
A D Eighteen hundred and sixty six

Done the 16th day of April A D 1866.

E. S. Ward Clerk,

State of Georgia, Wilkes County.

The undersigned G. G. Norman, Ordinary for the said County, being thereby the Judge of a Court of record & being Cooper Clerk of said Court has caused Saml Barnett & Robert H Vickers two of the witnesses named in the foregoing writ to appear before him (the witness P. E. Barnett not being in the State but residing in Barber County Alabama, in Glenville - and the witness Lewis S Brown being dead) and have in sets forth their answers to the interrogations propounded, said witnesses Saml Barnett & Robert H Vickers having been first duly sworn. Viz. That the said John Simmes in person signed & published the annexed instrument as his last will and testament, that the said John Simmes was at the time of the signing of said instrument of sound & disposing mind & memory & signed voluntarily & of his own accord, and that he signed the same in our presence & in the presence of P. E. Barnett & Lewis S Brown & on with said Barnett & Brown subscribed the same as witnesses at his request and in his presence, & sworn to & subscribed before me

April 28th 1866.

G. G. Norman Ordinary

Saml Barnett
R. H. Vickers,

And I do hereby certify that the foregoing answers were made by
said witnesses, and that this certificate is in accordance of law,
Witness my official signature & seal of Office this April 28th 1866,
G. J. Norman, Ordinary

State of Mississippi
Madison County For the Probate Court of Madison County.

In the matter of a certain instrument of writing purporting to be the last
will & testament of John Sumner deceased.

Upon hearing the petition of W. C. Orrick for probate of a certain instrument
of writing purporting and alleged to be the last will and testament of
John Sumner deceased, late a resident of this County & State and for letters
testamentary thereupon, and on taking & reading the testimony of Samuel
Barnett and R. H. Dickers, subscribing witnesses thereto, who testify that
John Sumner in person signed & published the will hereinafter as his
last will and testament, and that the said John Sumner was at the
time of signing of said instrument of sound and disposing mind
& memory and of lawful age to devise as the time of signing & sealing
said instrument, and signed & voluntarily and of his own accord,
and that he signed the same in the presence of the presence of the said witnesses
and in the presence of S. E. Barnett and Lewis S. Brown, now deceased, two other
subscribing witnesses to said last will and testament, and that the said subscribing
witnesses, the said Samuel Barnett & R. H. Dickers with the said S. E. Barnett
and Lewis S. Brown subscribed the same as witnesses as the request
& in the presence of the said John Sumner.

The Court after hearing all and singular the proofs, allegations, admissions and
submitted & maturely considering the same being well satisfied that said
instrument is fully & legally established as the true & original last will &
testament of the said John Sumner deceased, & that the said John Sumner
was on the day of the date of said will, to wit, on the 13th day of February 1854
of lawful age to devise, and of sound & disposing mind, memory & under-
standing, and of right and in law entitled to make said will. It is therefore
considered, ordered, adjudged & decreed that the said instrument of writing be admitted
to probate and recorded as the true & original last will & testament of the said John
Sumner deceased, & whereas Lucy Sumner widow of said John Sumner deceased
she is appointed in said last will & testament Executrix of said last will & testament
has filed in this office her written resignation of said appointment, and inasmuch that
letters testamentary be issued thereon in law W. C. Orrick it is further considered, ordered
adjudged & decreed that letters testamentary of said last will & testament be hereby
granted to the said W. C. Orrick of this County & State in his having
taken the oath prescribed by the statute, and having entered into bond in the
sum of one thousand dollars with R. C. Landrum and Joshua F. Richards
as his securities, and it is further ordered that R. H. Simms, Samuel Taylor
& Ed. Fall be appointed appraisers to value & appraise the goods
chattels and personal estate of said testator, and that a warrant
issue in this behalf according to the Statute.

May 15th 1866

W. C. Orrick
Judge &c

241

Last Will and Testament of W. R. Hill

The State of Mississippi }
Madison County }

In the name of God, Amen.

I, William R. Hill, being of sound and disposing mind and memory do make, publish and declare this as my last will and Testament, hereby revoking all prior Wills and Testaments and all ~~creditors~~ ^{debts} heretofore made Item 1st I give and bequeath unto my dearly beloved wife Nancy, all my personal property, whatever except chosen in action, Item 2nd It is my will and desire that my plantation on Silver Creek in Yazoo County - Mississippi shall be worked and cultivated under the control and direction of my Son J. Hill on the same terms that he works it during the present year until all my debts are paid and extinguished, provided in the judgment of my executor hereafter named it is deemed advisable so to continue its cultivation, and if he deems it unadvisable so to continue its cultivation, then it may be sold for the payment of my debts, under the direction of the Probate Court, but until such sale, I wish it to remain under the direction of and control of J. Hill my Son.

Item 3rd, I give and bequeath unto my Grand daughter Nettie Singleton, Ten Thousand Dollars, and to my nephew and namesake Randolph Hill the Son of Genl. G. H. Hill - one Thousand Dollars and my estate is hereby charged with the payment of said legacies.

Item 4th All the residue of my estate real personal and mixed, I desire and bequeath share and share alike to my wife, my daughter Corrie Cashum, and my Son G. Joseph R. Hill, to be equally divided between the three. No bequest is being made or assigned for my daughter Adeline Lyons, she having been sufficiently advanced and provided for by me in my lifetime.

Item 5th, I hereby nominate and appoint my Son J. Joseph R. Hill my executor and expressly request that neither Bond nor Security shall be required of him by the Probate Court on the granting of Letters Testamentary, and I also desire if it be deemed legal, that no Bond nor Security shall be required of him in any subsequent proceedings in said Probate Court.

Signed, sealed and published this third day of January
A. D. 1866. } W. R. Hill.

442
Signed, Sealed, published and declared by the
Testator as his last will & Testament in our
presence and of us at his request & by his direction
and in his presence Signed our names hereunto as
Attesting Witnesses.

A. P. Hill
Jefferson Love
W. A. Hill

The State of Mississippi }
Madison County } Personally appeared I, Frances
Clerk of the Probate Court of said County W. A. Hill
who being duly sworn stated on oath that she
recognizes the papers shown her signed by W. R. Hill
and dated January the third A. D. 1866. and she states
that she signed said papers on the day of its date as an
attesting witness in the presence and by the direction of
W. R. Hill and the presence of the other two witnesses and
each of the other witnesses signed at the same time, and
she states that she said W. R. Hill, was at the time
of sound and disposing mind and memory and over
Twenty one years of age, and she further states that
he was at the time of its execution and at the time of
his death a resident of Madison County; and the
said W. A. Hill further stated that she was now
and had been for some two months confined by sickness
at home and mainly to her own chamber and that
she is not able to go to the City of Canton to have
her testimony taken before the Court.

In testimony whereof I have hereunto
set my hand and the Seal of said
Court. this ninth day October A. D. 1866
C. D. Ward Clerk

In the matter of certain papers
purporting to be the last will
and Testament of W. R. Hill } Probate Court of
Madison County.

As it remembered that this cause coming on
to be heard at the present Term of the Court, Jefferson Love
and A. P. Hill being duly sworn, each stated on oath
that the paper signed by W. R. Hill, and attested by the
said witnesses, A. P. Hill and Jeff Love was by them
signed in the presence and by the request of the said
W. R. Hill, and the said W. R. Hill signed the
same in the presence of each of the said witnesses
of the said W. A. Hill, and that he was at the time of
sound & disposing mind and memory and that

He published and declared the same as his last will and Testament, and he was at the time a resident of the County of Madison Mississippi then and at the time of his death, and also was filed in open Court the affidavit of M. A. Hill who stated substantially the same facts, namely, that she signed as attesting in the presence of the other attesting witnesses and the presence of the testator and by his request, that W. R. Hill was of sound mind and over twenty one years of age and a resident of Madison County Mississippi, and that he signed and published the same as his last will and Testament in the presence of the witnesses; Therefore, the premises considered, it is ordered, adjudged and decreed that the said paper be established as the true, last will and Testament of the said W. R. Hill and be recorded as such, and that letters Testamentary be granted to Joseph R. Hill, the executor therein named.

Ordered, adjudged and decreed
 9th day of October A.D. 1866
 W. M. Cooper
 Judge.

Last Will & Testament of J. C. Cooper (Deceased)
 Canton June 27th 1864.

Being about to leave home on a journey, and not being able to find a Will formerly made, I hereby make this my last will and Testament, and revoke all Testaments heretofore made.

1st I give & bequeath all my estate, real and personal to my dear Wife and Children, to be divided equally between them. Share and share alike meaning, however, the property belonging to my wife (to wit and inasmuch as I have, John, Pott and Children, Maria and Queen, Arthur and Mary, and their Children) to be disposed of as my wife may think proper - provided that my wife Mary is so thinks proper retain possession of all my property, I without division till our said Daughter quires of the age of 18 years or marries - Making such advances to the children from time to time as she may deem proper.

2nd I hereby appoint my wife Sole executrix of this my last will and Testament, and hereby authorize and empower her to sell, & dispose of any of my property and reinvest the proceeds thereof in such measure as she may deem best for the interest of the family - And I direct that letters Testamentary be granted to her without requiring Security - Provided, if my said wife shall marry again, her Administration of the Estate and the

Exercise of the above powers shall cease, and it
is requested that the same be conferred on one or more of
my sons if living.

At Witness my hand and seal
this 27th day of June 1864
T. C. Supper

In the matter of a certain instrument of writing
purporting to be the last will and testament of
T. C. Supper deceased.

Upon reading and filing the application
of Mary H. Supper, for Probate of a certain instrument of
writing purporting and alleged to be the last will and
testament of T. C. Supper deceased late a resident of this
County - and for letters testamentary thereon and William
S. Bailey, Robert P. Hill and Edmund L. Ward -
having been first duly sworn deposed and said, that they
were familiar with the handwriting of the late T. C. Supper
that they had frequently seen him write that they had fully
and closely examined the instrument in writing purporting
to be his last will and testament bearing date the 27th
day of June 1864 - and that said instrument and the
signatures thereto were wholly and entirely in the handwriting
of the said T. C. Supper and that the said T. C. Supper
was on the day of the date of said will - that is on the 27th
day of June 1864 of lawful age, of sound and of sound
disposing mind - memory and understanding and of right
and in law entitled to make said will - and that
said Supper was at the date of said will, to wit, on
the 27th day of June 1864 and at the time of his death
a citizen and resident of the County of Madison
State of Mississippi.

It is therefore ordered, adjudged and decreed that
the said instrument of writing be admitted to probate
and recorded as the true and original last will and
testament of the said T. C. Supper deceased.

And it is further ordered, adjudged and decreed that letters
testamentary of said last will and testament be granted to
Mary H. Supper, on her taking the oath prescribed by the
Statute and the said Mary H. Supper having appeared
in open Court and taken the oath prescribed by the Statute
letters testamentary on said last will and testament
are accordingly granted her.

Ordered, adjudged & decreed this 11th day
of September A.D. 1866.

M. W. [Signature]

Judge

440

Last Will and Testament of Michael O'Reilly Esq

State of Mississippi, I, Michael O'Reilly of the Madison County and State aforesaid, being of sound mind and memory do make and ordain this my last will and testament, revoking all others heretofore made by me -

- 1st I bequeath to James Kelly Son of Sulphur Springs the sum of Ten Hundred Dollars currency -
- 2nd I bequeath to Lemuel Roubie of Sulphur Springs Ten Hundred Dollars in currency -
- 3rd I bequeath to James Ward Sulphur Springs Ten Hundred Dollars in currency -
- 4th I bequeath to Estienne - Son of Leake County Ten Hundred Dollars in currency -
- 5th I bequeath to James R. Brooke of Sulphur Springs Five Hundred Dollars in currency -
- 6th I bequeath to Leane (Keary) Son Ten Thousand Dollars in currency -
- 7th I bequeath to Richard A. Deal my Clock and Bed of Bedstead and furniture in the Bed Room -
- 8th I bequeath to John Deal Ten Hundred Dollars in currency -
- 9th I bequeath to James Deal the sum of Five Hundred Dollars in currency -
- 10th I bequeath to Anna's "Red room" now being with me Fifty Dollars in currency and all my Bells -
- 11th The verbal contract making my land to George S. Covert for the year eighteen hundred and sixty seven will be carried out by my executor -
- 12th It is my wish that my real Estate shall be sold whenever in the judgment of my executor he shall think it most advisable and to the best interest of my Estate and the proceeds to be appropriated to the use and benefit of the Roman Catholic orphan Asylum at Natchez - Miss -
- 13th Should any surplus remain after paying the foregoing specific bequests and my funeral expenses or other necessary expenses connected with my Estate such surplus will be appropriated to said Roman Catholic orphan Asylum at Natchez -
- 14th I hereby constitute and appoint my friend J. A. Somell of Madison County - Executor of this my last Will and Testament -

In testimony whereof I have hereunto set my hand and affixed my Seal this thirty first day of October Eighteen hundred and sixty six -

M. O'Reilly Esq

James Brown
George H. Calloway

246
Camp near Corinth April 3rd 1862

Dear Brother & Sister

You will no doubt be surprised at receiving a letter from me at such a place, I came here from Madison one week ago I am one a company called the Common Rifles and belong to the 9th Regiment Reg Vols we have a Splendid company composed of 90 men, the object of my writing at present is to learn what Regiment Bro John and Co's a belongs to and where they are stationed, this I want you to write immediately without fail, I went out to where they were throwing up Breast works and met Jesse Bethea your great son named William I think, I was sick yesterday and don't feel so well to day but went out on duty this morning, we are ordered to prepare one days rations and it is reported the fight will come off to morrow and fighting this evening with our advanced Column But I cannot hear any firing. I have not any thing of interest to write I left my papers with David Dean in Canton and also a verbal will to wit, if I do not return I give all to my mother and Sisters equally Your affectionate Brother

A A Hairgrove

In the Matter of a certain letter and Instrument of writing of A A Hairgrove late of Madison County deceased proposed as the last Will and testament of the Said A A Hairgrove deceased

Upon reading and filing the petition duly verified of R J McLeod of Letcher County Mississippi for probate of a certain letter and instrument of writing dated "Camp near Corinth April 3rd 1862" signed A A Hairgrove and directed to said R J McLeod alleged to be the last Will and testament of said ^{A A} Hairgrove late a resident of this County and for letters testamentary thereon and on taking and reading the testimony of David Dean B H Mann and R J McLeod the Court after hearing all and weighing the proofs and allegations adduced proposed and submitted and maturely considering the same being now satisfied that said letter and instrument of writing is fully and legally established as the true last Will and testament of said A A Hairgrove deceased especially the last clause of said letter or instrument in writing in the following words to wit - "I left my papers with David Dean in Canton and also a verbal will to wit if I do not return I give all to my mother and Sisters equally Your affectionate brother

A A Hairgrove"

and that the Said A A Hairgrove was on the day of the date of said letter and instrument of writing that is to say

Enclosed in an Envelope & directed to Capt R J McLeod
also directed to said Envelope from said R J McLeod
9th Regiment Reg Vols
C. A.

copy
of
the
will

on the 2nd day of April 1862 a Soldier in actual Service of lawful age to devise and of sound disposing mind memory and understanding and of right and in law entitled to make said will and that said A. A. Haugrove after making said will continued in actual Service as a Soldier to the day of his death to wit in 1863 and that said letter was wholly written and subscribed by the said A. A. Haugrove and altogether in his own handwriting It is thereupon considered ordered adjudged and decreed by this Court and this Court doth order adjudge and decree that the said letter and instrument in writing be admitted to probate and recorded as the true and original last will and testament of the said A. A. Haugrove deceased and it is further considered ordered and decreed on application of said R. S. M. Lead that letters of Administration with the will annexed be granted to the said David Dean on his taking the oath prescribed by law and entering into bond in the sum of Four thousand five hundred Dollars with W. J. Taylor and Joseph C. Richards his Sureties signed sealed and embodied and made a part of the records of this Court the 23rd day of March 1867

M. W. Cooper Seal
Judge

Last Will & Testament of
A. A. Haugrove

Madison County, State of Mississippi

Know all men that I, A. A. Haugrove, being of a sound and disposing mind, and knowing the uncertainty of life, do make this my Last Will and Testament, viz:

To my Brother Reuben Haugrove I give and bequeath the sum of five Dollars; and to my Brother David Yellowmyre I give and bequeath the sum of five Dollars; and to my beloved Sister Martha, Matilda and Parmelia Bishop I give and bequeath equally. The remainder of my estate after paying my funeral expenses and just debts, I do hereby appoint and constitute my friend Messrs R. Powell, Executor of this my Last Will and Testament.

Witness my hand and seal this 13th day of September A. D. 1866

In Witness whereof I have hereunto affixed my hand and seal this 13th day of September A. D. 1866
A. A. Haugrove

Witness
A. J. Montgomery
L. S. Montgomery
A. Rogers

448
In the matter of a certain instrument purporting
to be the Last Will and Testament of P. S. Cox Deceased.
Upon reading and filing the petition of
Amen R. Powell for Probate of a certain instrument
of writing purporting & alleged to be the last will &
testament of P. S. Cox, Deceased late a resident
of this County, and for Letters Testamentary thereupon
and on taking and reading the testimony of A. J.
Montgomery & Absalom Rogers subscribing witnesses
thereto. The Court after hearing all and considering
the proof submitted, being now satisfied that said
instrument is fully and legally established as the
true and original last will and testament of said
P. S. Cox deceased as to personalty, and that the said
P. S. Cox was upon the day of the date of said will
of lawful age to devise and of sound and dis-
posing mind & memory, and entitled to make
said Will. It is therefore considered, ordered
adjudged and Decreed that the said instrument
of writing be admitted to Probate and Receive
as the last will and Testament of the said P. S. Cox
Deceased.

It is further ordered and Decreed
that Letters Testamentary of said Last Will and
Testament be granted to Amon R. Powell, upon
his taking the oath prescribed by the Statute and
entering into Bond in the sum of Five thousand
Dollars with good and sufficient Sureties as
provided by Statute.

Ordered, Adjudged and Decreed
this 18 day of October A. D. 1866.

M. M. Cooper
Judge &c

The Last Will & Testament of
Jacob M. Cobb, of the County
of Madison, State of Mississippi.

I, Jacob M. Cobb, of said County do
hereby make valid and establish this My Last
Will & Testament as follows:

1st After the payment of all my just debts and funeral
expenses, I give and bequeath all the personal Estate
I now have or may have at the time of my death
as follows, in equal shares to my sons, Erasmus

449

Cobb. Madison A. Cobb. Milton A. Cobb and
Jacob M. Cobb Jr. and to my Daughter Miriam
Cobb & Sabrina Debraugh each one share, and to
my Grandsons Peyton Wales and John Wales
one share to be equally divided between them the
said John and Peyton; and to my wife Mariah
one share.

2^d I give and devise all my Real Estate to be divided
in equal shares among my said Children and Grand-
Children as follows: To Erasmus Cobb one share, to
Madison Cobb one share, to Milton A. Cobb one
share, one share to Jacob M. Cobb Jr. one share
to Miriam A. Cobb one share, to Sabrina Debraugh
one share each, and to John Wales & Peyton Wales one
share to be equally divided between the said John and
Peyton.

3^d If either of my Children above named should die
without will and leaving no issue, then it is my will
and desire that the property real and personal herein
bequeathed shall go to the surviving Brothers or Sisters of the
one so dying or their Children, excepting always that
I wish my Daughter Mahala Shannon Missouri
Pickett, Mary Ann Atkinson & Amanda Bishop to
have one share whatever in any of my estate real personal
or mixed, either directly from me or my Executor, or from
any of the Legatees & devisees herein named, who may die
without will leaving no issue; as I have heretofore given
& delivered to said Mahala Shannon Missouri Pickett
Mary Ann Atkinson and Amanda Bishop as much of
my property as I desire them or either of them to have.
Lastly I hereby nominate and appoint my sons
Erasmus Cobb & Jacob M. Cobb Jr. Executors of this my
Last Will & Testament.

Given under my hand and
Seal this 26th day of September A.D. 1863—
Signed Sealed acknowledged and
delivered by the testator as for
his last Will & Testament in our
presence, who in the presence of the
testator & of each other and at the re-
quest of the testator, have subscribed
our names witnesses thereto, this 26th
day of September A.D. 1863.

J. S. Hollingsworth
Robert Faneutt
J. Nelson McCaully—

450
In the matter of a certain instrument of writing purporting to be the Last Will and Testament of Jacob M. Cobb Deceased.

The Instrument of writing purporting to be the last will and Testament of Jacob M. Cobb Deceased, late a citizen of said County, having been pronounced for probate at the present Term of this Court - and for Letters testamentary thereon by Erasmus L. Cobb, one of the executors therein named - and the Court has regulated the testimony of C. J. Hollingerworth, J. Nelson McCaulley, and Robert Faucett. Subscribing witnesses thereof, and the Court after hearing all and singular the proofs and allegations advanced, proposed and submitted, and maturely considering the same being well satisfied that said instrument is fully and legally established as the true original Last Will & Testament of the said Jacob M. Cobb Deceased and that the said Jacob M. Cobb was at the date of said Will of lawful age, to devise and of sound and disposing mind and memory and understanding and of right and in law, entitled to make said - It is therefore considered, ordered, adjudged and decreed, that the said instrument of writing be admitted to probate and recorded as the true original Last will & Testament of the said Jacob M. Cobb Deceased - And it is further ordered, adjudged and decreed, on the petition of Erasmus L. Cobb, Jacob M. Cobb for the other executor named in said instrument, having appeared in open Court, and renounced his right to executorship on said will, that Letters testamentary of said Last Will & Testament be granted unto the said Erasmus L. Cobb - on his taking the oath prescribed by the Statute and entering into Bonds in the penal sum of Eight Thousand Dollars with James Wiles and John Wiles as Sureties - and the said Cobb having appeared in open Court and taken the oath and given the Bonds, Letters testamentary were accordingly granted him.

Ordered, adjudged & decreed this 14th day of January, A. D. 1867.

M. N. Cooper
Judge cc

Last Home Miss December 15, 1866.

In the name of God Amen,

I, Elizabeth Jane Smith being of a sound mind memory and understanding and impressed with the great uncertainty of life and the certainty of death and being desirous to dispose of my temporal affairs so that after my death no controversy may arise relative to the same

Therefore I, Elizabeth Jane Smith of the County of Harrison and State of Mississippi do hereby make, publish and declare this my last Will and Testament hereby revoking all other Wills made by me, heretofore made.

1st I give devise and bequeath unto my beloved Daughter viz Virginia Fitzgallen Smith, Marcella Caroline Smith and Amelia Sophia Smith all the lands heretofore and hereafter and Real and Personal Estate devised to me by the last Will and Testament devised to me by the last Will and Testament of my dear Brother Samuel B. Locke, Situated lying and being in the County of Harrison and State of Mississippi known and described as the N. E. 1/4 of the E. 1/4 and E. 1/2 of the N. E. 1/4 of section 29 Township of Range 3 East being 240 acres more or less to wit and to wit the said lands & heretofore Real Estate to the use of them the said Virginia Fitzgallen Smith, Marcella Caroline Smith, and Amelia Sophia Smith and their heirs and assigns forever

2nd I give devise and bequeath unto my said Daughter viz Virginia Fitzgallen Smith, Marcella Caroline Smith and Amelia Sophia Smith the following personal chattels effects and property hereinafter mentioned to wit My Bay Mare "Starlight" and colts, the Mare aged about five or six years; Also all my Tools and accounts shown in account or claims that I may be due me at the time of my death and all cash on hand at the time of my death together with three Bales of Cotton made by me this year with five Labor Men give devise & bequeath to my above mentioned Daughter to them and their heirs and assigns forever

3rd I give devise and bequeath unto my beloved son Frank Addison Smith, My beloved Daughter Emily Emma Macey, and to my loving son Daniel R. Jacobs who married my Daughter Zilpha Jane Smith though now dead and having a living issue which has since the time of one Dollar of each out of personal property which I request my hereinafter named Executor to pay to them, and that is all I wish them to have

out of my Inward property both Real and personal devised to me by my deceased brother J. B. Locke.

4th I give devise and bequeath unto James M. Thompson an orphan the sum of Fifty Dollars \$50. for his uniform kindness and love treatment to me and family while living with me,

5. I give devise and bequeath the sum of seventy five \$75.00 dollars to get 1 Marble Slab to put over my deceased Brother Samuel B. Locke grave, and request my hereinafter named executor to see that it is attended to -

6. All the residue, remainder and balance of my estate and property of every kind nature character and description whatsoever either real or personal or mixed, and all property effect and estate not personal or mixed which I may own or possess at the time of my death in my individual character of right, I give devise and bequeath unto the said Virginia Fitzgerald

Smith the said Caroline Smith and Amelia Sophia Smith, to them their heirs and assigns forever. I nominate and appoint James M. Walker of Madison County and State of Mississippi my sole executor of this my last Will and Testament hereby revoking all other wills or wills made by me.

In Witness whereof I have set my hand and seal voluntarily without compulsion or constraint the influence and aid of anyone on this the 15th day of December 1850

Elizabeth D. Smith, (Seal)

Signed sealed and published by the Testator for his Last Will & Testament in our presence at his request and in the presence of each other and so by us witnessed on the day of the date thereof

W. Grafton }
R. Wick } Witnesses,
James M. Grafton }

Page 2

Last Will & Testament of B. L. Richards

In the Name of God, Amen.

I, B. L. Richards being of sound and disposing mind and memory do make this my Last Will and Testament, revoking all other wills.

I will 1st That all my just debts should be paid. 2nd I will, and devise to my dearly beloved Wife, Emily P. Richards all my personal and personal, Legal and Equitable, and of every nature and description - except a part of the Branch Place hereinafter bequeathed, to Sallie L. Hill formerly Sallie L. Collins, and a forty acre tract to John M. Foster, and a tract of Land to the heirs of Fred. Hollomell.

3rd I will and bequeath to Sallie L. Hill formerly Sallie L. Collins the following portion of the Branch Place, viz: 1/2 of North West 1/4 and West 1/2 of South West 1/4 and 1/2 of the South East 1/4 Section 21 Township 9 Range 4 East lying and being in Harrison County and State of Mississippi containing two hundred acres.

4th I also will and bequeath to my friend John M. Foster a certain forty acre tract of Land adjoining the place now held by the said John M. Foster, viz: South half of the West half of the south West quarter Section 21 Township 9 Range Four East.

5th I also will and bequeath, to Martha C. Hollomell, William Hollomell, Quintin J. Hollomell, Lucan, C. Hollomell, John F. Hollomell & Frederick Hollomell, heirs and children of Frederick Hollomell Dec'd, 1/2 the place where Frederick Hollomell their father lived and died, situate in Harrison County, Mississippi, viz: a one half (1/2) interest in a quarter section of Land, with all the improvements thereon. But this bequest is upon the special special promise that said land or no part thereof is to be sold or disposed of until the youngest of said children become of age.

I also will, and devise and do hereby appoint my well beloved Wife Emily P. Richards and my friend John M. Foster my Executors to execute the provisions of this my Last will and Testament and hereby release them from giving any Bonds as such Executors of this Will.

In testimony whereof I have set my hand and seal this 8th day of March A. D. 1867.

Attested & signed by me in the presence of each of B. L. Richards as Testator and in the presence of B. L. Richards Sr who signed and sealed and published the said Will in our presence and we signed the same in his presence & at his request.
H. C. Love, J. P. Love, B. C. Love, J. P. Love, B. C. Love

The above is a part of the original of the will of B. L. Richards and a tract of Land to the heirs of Fred. C. Hollomell - beginning 1/2 of the South West quarter Section 21 Township 9 Range 4 East lying and being in Harrison County and State of Mississippi containing two hundred acres.

Last Will & Testament of O. D. Kearney

In the name of God amen: I Oscar D. Kearney of the County of Madison & State of Mississippi, Planter being of sound & disposing mind do make & ordain this my last Will & Testament.

First, it is my wish that payment be made with as much dispatch as possible of any debts I may owe at the time of my death & that an inventory be made or account taken of the household & kitchen furniture and the meat which may be in my smoke-house, but that the furniture be used by my wife & the family of our children & the provisions or stores which may be in hand be used for the common benefit of my Estate.

Second It is my will that my wife occupy the place of our present residence with its surroundings according to the provisions hereafter to be named, having her support from the revenues of my plantation until our youngest child may be grown or married having her interest in common with our children while they remain with her or have no advancement made to them; but whenever an advancement is made thereafter each & every one to whom such advancement is made shall cease to have any further claims of residence or support from my estate until the youngest of our children marries or is of age.

Third When our youngest child marries or is of age then it is my wish that a final division of my entire or remaining Estate at that time be equally distributed between my wife & children so far as the personal part is concerned, share & share alike, making a difference in my land, giving my wife one third in value by estimation including the residence during her life time.

Fourth It is my wish that my Estate be kept together & managed by my Executors hereinafter named any such as I have done, buying negroes & adding lands if in their judgment considered to the interest of the Estate as the plantation may put them in funds.

Fifth Whenever any one of my children marries or becomes of age it is my wish that my Executors make to such one an advancement in negroes to be purchased for said purpose to the amount of ten thousand dollars as soon as they may have money of the Estate to that amount, after such majority or marriage takes place.

Sixth In order to make the youngest child equal in distributing share with those to whom advancements have been made it will be necessary to give him or her also ten thousand dollars before the distribution of the Estate.

Seventh, In the event of the marriage of my wife it is my wish & I herein do direct that her husband shall have no guardianship of my children or control of their property but the portion herein named as designed for my said wife shall be set apart to her & the balance of the Estate not given out in advancement remain together according to the expressed intent of this instrument until the youngest child may be entitled to claim a general & final distribution, in which contingency of her marriage & receipt of her distributive share she of course will be entitled to no interest in the remainder.

Given under my hand this 30th day of Aug. 1859 in presence of subscribing witnesses
I do hereby nominate & appoint my father Gustav Kearney & brother Walter G. Kearney executors of this my last will & Testament

C. D. Kearney (Seal)

J. P. Thomas
John H. Brown
Wm Jordan Benson

I do hereby make & confirm this as a codicil to my last will & Testament which bears date sometime in the month of June of the present year, I do not remember having left the last will in the care of my father in Madison County previous to our departure on our summer tour; on the return of my father I wish him to attach this codicil to said will, & for it to constitute a part of said will

Viz. It is my wish that my father Gustav Kearney & brother Walter G. Kearney who are named in said will as executors thereof, when they shall give Bond for the faithful performance of their duties as executors, shall not be required to give any security to their Bond, & I do hereby exempt them from such requirement by the Court, believing that it is sufficient for them to put in properly their own Estates as they will do by signing a joint Bond.

Given under my hand & seal this 11th day of September 1859 in the County of Harrison & State of Mississippi.

In presence of
J. P. Thomas
G. W. Thomas
Wm Jordan Benson
C. S. Smiley
Thos. G. Phillips

C. D. Kearney (Seal)

State of Mississippi }
Madison County }

Probate Court
November Term 1859

In the matter of the last will & Testament of C. D. Kearney

considered; be it remembered that on this the 14th of November
 a certain paper writing purporting to be the last will & testament
 (with a codicil attached) of C. D. Kearney deceased, dated the 30th
 of May A. D. 1858, was presented to this Court for probate & es-
 tablishment, and that J. P. Thomas one of the subscribing wit-
 nesses to said last will & testament was in open Court sworn
 & said that he at the request & in the presence of the tes-
 tator aforesaid signed the said paper writing as the last will &
 testament of C. D. Kearney deceased & that the said C. D. Kearney
 at the time of publishing & declaring the said paper writing
 to be his last will & testament was of sound & disposing
 memory, more than twenty-one years of age & a resident of
 Madison County & State aforesaid. (And the said J. P. Thomas
 was one of the subscribing witnesses to the Codicil aforesaid, said
 that he signed the same at the request & in the presence of
 said testator at that time the testator was of sound & dis-
 posing memory, more than twenty-one years of age & resident
 of Madison County & State aforesaid.) And further that on
 the 18th instant that this Court adjourned to the house of
 John Brown in Madison County & State aforesaid who was
 then subscribing witness of the said will & who was too sick
 to attend the Court in Canton & he the said Brown was then
 sworn in the presence of the Court & said that he signed the
 said paper writing as the last will & testament of C. D. Kearney
 deceased in the presence & at the request of the said tes-
 tator. And further that C. D. Kearney at the time was of
 sound & disposing memory, more than twenty-one years of age
 & a resident of the County & State aforesaid. And on this the
 18th instant in open Court appeared Wm. Jordan also one of
 the subscribing witnesses to the said last will & testament
 who being sworn, said that he signed the said paper writ-
 ting as the last will & testament of C. D. Kearney deceased in
 presence & at the request of the testator & in the presence
 of J. P. Thomas one of the witnesses to said will & that the said
 testator at the time of declaring the said paper writing as his
 last will & testament was of sound & disposing mind & mem-
 ory, a resident of the County & State aforesaid & more than
 twenty-one years of age. And the said Wm. Jordan also one
 of the witnesses to the Codicil also said that at the time the
 testator published the annexed Codicil to said will that he was
 of sound & disposing mind & memory, more than twenty-one years
 of age & a resident of said County & State. Thomas A. Phil-
 lips having been sworn, one of the witnesses to the Codicil attached
 to said will, said that he signed the same at the request &
 in the presence of the testator as the Codicil to his last will &
 testament & at the time of such request & such declaration
 that the testator was of sound & disposing memory, more than
 twenty-one years of age & resident of said County & State aforesaid.

said. Therefore it is ordered, adjudged & decreed that the said paper writing purporting to be the last will & Testament with the said Codicil attached of O. D. Kearney deceased, be, & the same is hereby admitted to probate & established as the last Will & Testament with the said Codicil attached of O. D. Kearney deceased. this 16th day of November 1859.

J. H. Batell (Seal)
Judge &c.

Last Will & Testament of Moses Heard Fmc.
Canton Mississippi, April 13th, A.D. 1867

In the name of God Amen: I Moses Heard, a freed man, now living in the City of Canton, County of Madison, State of Mississippi, being of a sound and disposing mind, and realizing the uncertainty of life, and wishing to dispose of my property as best suits me do make & ordain this my last Will & Testament:

First: I do make and appoint my daughter, Celia Heard, now living with me, and in whom I have implicit confidence, to be the Executrix of this my will.

Secondly: I do will that my burial & funeral expenses shall be paid within a reasonable time after my decease and burial.

Thirdly: I am free of debt to the best of my recollection, but if I owe any just debts, they are to be paid.

Fourthly: I will and bequeath my son Henry Heard, now supposed to be living in Liekeburg Miss. The Sum of Two (2) Dollars.

Fifthly: I will & bequeath to my son Robert Heard now supposed to be living in Baltimore Md. one dollar.

Sixthly: I do will and bequeath to my son Moses Heard now supposed to be living in Savannah Georgia one dollar.

Seventhly: I will and bequeath to my daughter Celia, for her use & benefit, the house and lot on which I now reside, together with all the buildings and tenements belonging or appertaining to said lot. I also will to my daughter Celia, my horse and wagon, and all my house and kitchen furniture, and all the moneys I now have at my decease, in short I will that she shall have all my property not previously bequeathed by this Will.

Eighthly: No security shall be required of my daughter Celia as Executrix of this my last Will and Testament.

Wm H. Cassell Witnes
Daniel Gunn
Moses ^{his} Heard
Mark

In the matter of the application of W. H. Cassell, proposed for probate the last will & testament of Moses Heard, freed man, late of said County deceased.

This cause coming on to be heard this day on the application of W. H. Cassell and the Court having now before it the

instrument of writing purporting to be the last will and testament of Moses Heard J. M. C. dec'd. & having taken the testimony of W. H. Cassell & Daniel Dunn subscribing witnesses thereto and being now satisfied that said Heard was a resident of said County - over the age of twenty-one years - of sound and disposing mind and memory and of law and in right entitled to make said will - and that said instrument of writing was made & declared by said decedent in the presence of said witnesses as his last will and testament - and the Court being further satisfied that said Heard has since departed this life doth here now order the same to be probated and recorded as the true & original last will and testament of the personal estate of said Heard only - under the proofs it appearing to the satisfaction of the Court that there were only two subscribing witnesses thereto.
Ordered, adjudged & decreed this 11th day of July A. D. 1867.

M. M. Cooper
Judge &c.

Last Will & Testament of Absalom Rogers.

State of Mississippi }
Madison County }

I, ~~of~~ Absalom Rogers of The County and State of Mississippi, being of sound and disposing mind, do this day make and ordain this my last will and testament, hereby revoking all previous wills and testaments heretofore made by me.

Item 1st - It is my wish and desire that all my just debts be paid by my executors as soon as possible after my death; - the money to be raised by the sale of crops made on the plantation - and no division of any of my property to take place until all my debts are paid.

Item 2^d - It is my wish that all my property be kept together on my plantation where I am now living, the plantation to be kept up and the negroes worked under the direction of my executors, until my children arrive to the age of twenty-one years or marries; and when such one attains to the age of twenty-one years or should marry, then in that event he or she shall receive their proportionate share of all my personal estate to be appraised by valuation; and further all the family and plantation expenses to be defrayed out of the annual crops raised on the plantation.

Item 3^d - It is my wish that my wife Harriet Rogers, live on my plantation during her life or widowhood,

and in the event she should marry again, then she is to receive a child's share of my estate both real and personal, my land to be sold and its proceeds together with my personal property divided among heirs.

Item 4th, It is my wish that my executors manage my estate to the best advantage, & I authorize them if they deem it best to invest the proceeds of the plantation (after paying current expenses) in property to be used and worked on the plantation, or loaned at interest.

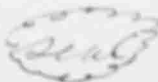
Item 5th, It is my wish that my wife have the control and guardianship of my children during her life or widowhood, and that she keep a list of all moneys expended in their education and maintenance, and in case of her death or marriage, then that duty to devolve upon my executors; and should some of my children expend more money than others in the completion of their education or for any other purpose, then those expending the larger amounts have them deducted from their pro rata share of my estate, so as to place them all upon an equality.

Item 6th, It is my wish that my son Wm J. Rogers remain with his mother on the plantation and assist her in the management of the same, until he arrives to the age of twenty-one years, and that he shall receive a fair and reasonable compensation for his services until he attains his majority, to be paid out of proceeds of the annual crops raised on the plantation.

Item 7th, I wish my executors to keep up the plantation management as mentioned in item two, until my son Absolom J. Rogers arrives to the age of twenty-one years; then my land to be sold and the proceeds equally divided among my children, unless my executors think that a sale of it at an earlier day than the time mentioned, will be to the best interest of my estate, in that event they are authorized to act as they may deem best, reserving to my wife Harriett Rogers her right of dower in my land.

Item 8th, Having full faith and confidence in my wife Harriett Rogers, my son William Rogers, and my esteemed friend J. B. Powell, I do hereby constitute and appoint them my executors to execute this my last will and testament.

Signed and sealed in our presence
This first day of April 1861


A. Rogers 

J. W. Slaughter
J. E. Burns
Thos. M. Griffin

Item 8th, It is my wish and desire that my executors named in the above will shall give no bond or

Security

J. M. Houghton
J. E. Burns
Thos. M. Griffin

A. Rogers 

The State of Mississippi } In Probate Court
Madison County } Madison Co. Miss.
} Womaha Term A.D. 1867

Be it Remembered That

on the 17th day of Oct. 1867 was produced in open court a certain writing purporting to be the last will & testament of Absolom Rogers decd. whereupon appeared in open court J. E. Burns & T. M. Griffin who being duly sworn each deposed and said that he signed, the instrument of writing before the court & hereto annexed and dated April 1st 1861 purporting to be the last will and testament of Absolom Rogers late of Madison County decd. on the day of the date of said instrument in the presence of each other and in the presence of the other attesting witnesses and also in the presence of said Rogers and at his request and that said Rogers declared said instrument in the presence of each of the attesting witnesses thereto to be his last will and testament. Deponents further stated that said Rogers was of sound and disposing mind & memory and over twenty-one years of age, and that at the date of his death he was a citizen of Madison County Miss. and afterwards to wit on the 26th day of November A.D. 1867 personally appeared before E. D. Ward clerk of this court J. M. Houghton who being duly sworn deposed and said that he signed said instrument of writing hereto annexed dated April 1st 1861 and then exhibited to him on the day of the date thereof purporting to be the last will and testament of A. Rogers decd. at the request of said decedent and in the presence of the other subscribing witnesses thereto and they also signing the same in his presence at the request of said testator who at the time declared and published the same to be his last will and testament. Deponent further states on oath that said A. Rogers was at the time of signing, sealing, publishing & declaring said instrument of writing to be his last will & testament of sound and disposing mind and memory & that he was over twenty-one years of age and a resident of Madison County Mississippi at the time of his death. It is therefore ordered adjudged and decreed by the court that said foregoing & annexed writing be and the same is hereby established as the true original last will and testament of said Absolom Rogers decedent and that it be recorded

and filed as such, ordered adjudged and decreed This 30th day
of November A.D. 1867.

M. M. Cooper

The Last Will & Testament of Henry Bacon

I Henry Bacon of the County of Madison in the State of Mississippi, being of sound disposing mind and memory do make, publish & declare this to be my last will and testament as follows:

Item 1st. It is my will and desire that all of my just debts be paid by my executors, herein after named as soon as convenient and practicable after my decease.

Item 2^d. I hereby devise and bequeath to my wife Emily J. Bacon all of the residue and remainder of my estate real, personal and mixed of which I may die seized and possessed or in any way entitled to, left after payment of my said debts & funeral and administrative expenses for and during the term of her natural life; charged however with the support, clothing, tuition and all necessary expenses of all such children as I may have living at the time of my death, up to the time of their respective marriages, emigrations or deaths.

Item 3^d. I hereby devise and bequeath all of my said estate real personal and mixed, which shall remain at the death of my said wife to my said children share & share alike and if any of them should be dead leaving descendants such descendants to have the share or shares that their ancestor or ancestors would have received had he, she or they been living at the death of my said wife.

Item 4th. I hereby nominate and appoint my said wife to be executrix of this my last will and testament and Guardian of the persons and estates of my minor children and direct that she shall not be required to give bond or security as such executrix or guardian; and in case my said wife should renounce the said executrixship and guardianship or either or should be incapacitated from discharging the duties of the same or either of them, by death, fortune of health or otherwise, then it is my will and desire that my brother Montford Bacon be the executor of my said will and guardian of my said children.

In testimony whereof I have hereunto set my hand and affixed my seal This the 13th day of August A.D. 1862
Henry Bacon Seal

Signed, sealed, published and declared by the said Henry Bacon as and for his last will and testament in our presence, who in the presence of said testator and at his request and in the presence of each other hereunto subscribed our names as witnesses on the day of the date of said last will and testament.

John G. Howard
Jacob A. Rofs
G. W. Edwards

In the matter of a certain instrument of writing purporting to be the last will & testament of Henry Bacon.

This day Emily Bacon widow of Henry Bacon deceased presented in open court a certain instrument of writing purporting to be the last will & testament of said decedent with her petition for letters testamentary thereon & on taking and reading the testimony of Dr. John G. Howard and Jacob A. Rofs subscribing witnesses thereto. The court after hearing & considering all the proofs and allegations adduced proffered & submitted and it being proven in open court in addition to the written affidavits of the subscribing witnesses that G. W. Edwards one of the subscribing witnesses to said instrument is dead the court is now fully satisfied that said instrument is fully & legally established as the true & original last will & testament of Henry Bacon dec'd, and that the said Henry Bacon was on the day of making said will of sound disposing mind and memory - of lawful age - a citizen of Madison County Miss. and of right & in law entitled to make said will. It is here now ordered adjudged & decreed that said instrument of writing be admitted to probate & recorded as the original last will & testament of Henry Bacon dec'd.

It is further ordered adjudged and decreed that letters testamentary issue to the said Emily Bacon upon said Estate upon her taking the oaths prescribed by the Statute.

M. M. Cooper

Last Will & Testament of John Horgan, Decd.
 State of Mississippi }
 Madison County }

In the name of God amen. I John Horgan of the county of Madison, State of Mississippi, being of sound and disposing mind and memory, do make and publish this my last will and testament, revoking all former wills.

1st It is my desire that all my just debts should be paid promptly.

2^d I hereby ratify and confirm the gift of my dearly beloved wife now deceased of a feather bed to each one of my children and request my executors herein after named to execute this bequest as soon after my decease as possible.

3^d I give and bequeath to my son John M. Horgan my bed and bedding book case, wardrobe, bureau + glass, lounge and candle stand and six arm chairs.

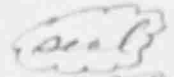
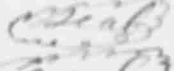
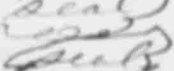

4th I give and bequeath to my daughter Honora E. Beatty my piano forte, parlor mirror, sofa, one centre table and two side tables, six parlor chairs, fire fender and shovel + tongs and audirons, two spittoons and carpet belonging to the parlor.

5th I desire and direct my executors to collect all debts due and owing to me as quickly as possible, and after collecting the same or any part thereof to divide the money equally between all my children viz Patrick H. Horgan, Edward L. Horgan, Honora E. Beatty and John M. Horgan.

6th All the residue of my property of all kinds and nature, I give and bequeath to my children Patrick H. Horgan, E. L. Horgan, Honora E. Beatty and John M. Horgan to be equally divided between them.

7th I hereby nominate and appoint my sons Edward L. Horgan and John M. Horgan my sole executors. Signed sealed and published by the testator as his last will and testament, at his request and direction + in his presence and in presence of each other.

Madison Co. Miss.
 June 21 1866.

John Horgan 
 J. L. Whitworth 
 D. J. Sample 
 A. C. Carson 

In the matter of the application of E. L. Horgan proposing for probate an instrument of writing purporting to be the last will and testament

of John Henson deceased late a citizen of
Madison County and State of Mississippi;
This cause coming on to be heard this day
on the application of E. L. Henson propounding for
probate a certain instrument of writing purporting
and alleged to be the last will & testament of
John Henson deceased late a citizen of this County
and State for letters testamentary thereon and
the Court having duly examined the testimony
of John S. Whitworth & Daniel Sample sub-
scribing witnesses to said instrument of writing
now before the Court purporting to be the last will
and testament of said Henson deceased. Taken by the
Clerk of this Court in vacation in pursuance
of the statute in such cases made and provided
and being now satisfied that said instru-
ment is truly and legally established is the
true and original last will and testament of
said Henson deceased, and that said Henson
was on the day of the date of said will, to wit on
the 21st day of June A. D. 1866. of lawful age to devise
& of sound and disposing mind memory &
understanding, and of right and in law entitled
to make said will

It is therefore ordered adjudged & decreed
that the said instrument of writing be admitted
to probate and recorded as the true & original
last will & testament of John Henson deceased,
and that letters testamentary thereon issue
to E. L. Henson one of the executors named in
said will on his entering into bond in the penal-
ty of one thousand dollars with good & sufficient
sureties and taking the oath by the Statute
prescribed

Ordered, adjudged & decreed this 12th day
of November A. D. 1867 M. M. Cooper

463

Last Will & Testament of Joseph D. Balfour, Esq.

I Joseph Davis Balfour residing near New Orleans Madison Co., Mississippi do make this my last will & testament. I own as heir of my deceased father fifteen thousand dollars & twenty negro slaves which by the provisions of his will I was entitled to receive from his executors on my attaining the age of majority, but which I have hitherto consented to leave in a state of indivision in the hands of the said Executors, who have agreed to pay in consideration thereof, so long as I shall elect to continue the arrangement eight per cent per annum upon the stipulated sum say forty thousand dollars. I give and bequeath the whole of the aforesaid sum & fifteen thousand dollars, and the twenty negroes to which I am so entitled as aforesaid in the manner following, (that is to say)

I direct that all my debts be first paid and satisfied under my said estate & subject to such payment. I give & bequeath the whole of my said estate to my wife Estelle Musson. Should I have no issue from my marriage with her at my decease, but if I should have a child, or children of my said marriage now surviving then I give and bequeath to my said wife one half of my said estate, and the remaining half to such child, or children to be divided into as many shares as I may leave children now surviving to be paid them on their attaining the age of majority, well assured that my said wife will from the provision already made by me in her favor, and from the interest she will take, under this my will, make such further provision in their behalf as she shall think desirable & proper.

I appoint H. G. Blackburn & Michel Musson Executors of this my will which I have written, dated & signed in New Orleans this tenth day of March eighteen hundred & sixty two

Joseph Davis Balfour

Personally came and appeared before the undersigned authority, Jules E. Lemaire and Hamilton McNeil Vance, who after being sworn according to law, did depose and say:

That they are well acquainted with the signature and writing of above Joseph Davis Balfour, having had much business correspondence with him, and that they have no hesitation whatever in pronouncing the above will and signature genuine sworn to and subscribed by J. E. Lemaire before me on the 16th day of June A.D. 1862 H. M. Vance.
H. B. Brantley J.S.

In the matter of a certain paper } Probate Court
purporting to be the last will + } of Madison County
Testament of Joseph D. Balfour } Sept. 3. 1867.

A paper dated 10th March
A. D. 1862 purporting to be the last will + Testament
of Joseph Davis Balfour having been propounded
for probate and M. Musson being duly sworn
stated on oath that he was the father in law of
Joseph Davis Balfour and had frequent opportunities
of knowing his writing and that the said instrument
was wholly written by him, that he was on that day
of sound and disposing mind + memory and
capable of making a will, and was at the time of his
death a resident of Vernon, Madison County Missis-
sippi and over twenty one years of age, and also ap-
peared in open Court Joseph D. Davis, who being duly
sworn states on oath that he was a relative of
the said decedent and familiar with his handwri-
ting + believed both the signature + the whole body of
the paper was in the handwriting of said Balfour;
Therefore the premises considered it is ordered ad-
judged and decreed that said paper signed "Joseph
Davis Balfour" + dated 10th March 1862 be established
as the true last will + Testament of said Joseph Davis
Balfour, and be admitted to record as such.

Ordered adjudged + decreed this 21st September
A. D. 1867.

M. M. Cooper
Probate Judge

In the matter of the last will
+ Testament of Joseph Davis Balfour } Sept. 3. 1867

It appearing to the Court from a letter of
H. G. Blackman dated 10th Dec. 1866 that said H. G. Blackman
who is named as one of the executors has renounced said
trust, it is therefore ordered that Letters Testamentary
be granted to the other Executor Michael Musson on his en-
tering into Bond in the penalty of fifteen hundred
dollars with J. R. Powell as surety and that he adver-
tise the grant of Letters for six weeks.

Ordered adjudged + decreed this 21st Sept. 1867

M. M. Cooper
Judge -

Last Will & Testament of J. A. B. Wiles

In the name of God amen, I J. A. B. Wiles of Madison County in the State of Mississippi do make & ordain This my last will and Testament not revoking any and all testamentary dispositions by me heretofore made my funeral and testamentary expenses including those of my last illness all first and promptly to be paid & then my other just debts

Item 1st, Having bequeathed to my eldest son William W. Wiles a portion of my property to wit - One horse saddle & bridle & one negro boy Aaron - I deem it not advisable to make any further provisions at present for him

Item 2nd And I also give to my son James M. Wiles which he has now in possession one horse saddle and bridle & one Negro boy named Simon which is all that I think advisable to give or bequeath to him at present

Item 3rd I also give & bequeath to my daughter Cornelia E. Wiles one horse saddle & bridle & Negro girl named Mariah aged about 20 years together with all her increase of her body from after this date to be delivered to her by my executors when she shall marry or at the division of my estate

also one gold watch worth one hundred dollars

Item 4th, I give and bequeath to my daughter Percella Amanda Wiles one horse saddle & bridle and Negro girl aged between sixteen & eighteen ^{years} to be purchased for her by my executors when she shall ^{have} arrived at the age of eighteen years or married. I also require of my executors to pay over to her the sum of five hundred dollars it being a legacy obtained from her mother's Est also one gold watch worth one hundred dollars

Item 5th I give & bequeath to my Grandson Alfred T. Wiles son of W. W. Wiles one negro girl named Laura about 3 years old to be delivered into his father's possession by my executors when my estate is divided (The child's father to be his Guardian) in case the child die before my estate is divided then to come back to my estate.

Item 6th. The balance of my estate to be kept together on the plantation on which I now reside

and managed by my executors for the purpose of raising & schooling my youngest daughter Priscilla Amanda. I wish her expenses paid also my daughter Cornelia & Wiles expenses paid until they marry out of the proceeds of the estate & all other expenses accruing while the property is kept together the balance of the income should there be any I want to be invested by my executors for the benefit of said estate in that manner which in their judgement think best

Item 7 the estate so kept together & managed by the executors until the first day of January 1861 at which time said estate to be equally divided between my four children above named by sale of the land & perishable property & division of the negroes.

Item 8th It is my wish that my son ~~son~~ James M Wiles remain on the place and managing it as he may think best at such wages & terms as he & my executors may agree upon from year to year until the division of my estate

Item 9th I hereby constitute & appoint my two sons William M Wiles and James M Wiles my executors of this my last will & testament hereby revoking all others heretofore made by me this the 22 day August A.D. 1859

Attest } W. J. Huerton
 } J. J. Scott

A. B. Wiles (seal)

Interlines on 2nd page between third & fourth line from bottom (when my estate is divided) in our presence

W. J. Huerton
J. J. Scott

In the matter of ^{the} application of J. M. Wiles propounding for probate an instrument of writing purporting to be the last will & testament of A. B. Wiles late of Madison County State of Mississippi deceased

This cause coming on this day to be heard by the court in the application in the above stated cause & the instrument of writing produced before the court purporting to be the last

will & testament of A. B. Miles deceased & The court having examined said instrument and also having examined said instrument & also having taken the testimony of W. G. Kearney & Thos. D. Phillips who being duly sworn stated in open court - That W. J. Houston & J. J. Scott subscribing witnesses to said instrument were both dead and that they said Kearney & Phillips were each well acquainted with the hand writing of each of said subscribing witnesses having each frequently seen each of said witnesses write and that the signatures of said witnesses as they appeared to said instrument were genuine signatures of said Houston & Scott deceased. deponents also stated that they were well acquainted with said Miles at the date of said instrument saw him frequently during the said year & that he was at that time of sound & disposing mind & memory & was over twenty one years of age & a citizen of Madison County Mississippi

It is therefore by the court ordered adjudged & decreed that said instrument writing as to the property therein disposed of be & the same as hereby declared to be the true & original last will & testament of said Miles & that the same be recorded

And the J. M. Miles one of the executors named in said will having made application for the grant to him of letters testamentary - then W. W. Miles also named as an executor in said will having filed the waiver of his right to letters as executor and declined to undertake the execution of the trust - it is here now by the court ordered that letters testamentary on said will issue to J. M. Miles on his executing bond in the penalty of six thousand dollars with security approved by this court and taking the oath by the statute in such cases made & provided & the said J. M. Miles having appeared open court & executed bond & taken the oath as required by this decree letters were accordingly issued to him

Ordered adjudged & decreed this 13th day of January A. D. 1868

M. M. Cooper

470
Last Will & Testament, Filed for Record & Record & Records &
Edward Lloyd } March 24th 1888

In the name of God, Amen. I Edward
Lloyd of Talbot County in the State of Maryland, being of
sound & disposing mind, memory & understanding, do make &
publish this my last Will & testament in manner & form following;
that is to say

First I desire that my funeral may be plain & private & without
parade & preaching

I give, devise & bequeath to my son Edward
Lloyd his heirs and assigns all the lands contain-
ed in my farms following: including the wood-
land contiguous to the same that is to say Wye town
farm Wye House farm, 400 acres farm New Design
farm Hopewell farm & Blepsland farm on the
Choptank River, all being in the County aforesaid
and also my plate prints paintings Books such
furniture & house hold goods as shall be in my
dwelling house at Wye at the time of my death
except such furniture as may belong to the chamber
or chambers of my daughter Alicia & Sally which
I give & devise to them respectively

I give devise & bequeath unto my son Edward Lloyd
his heirs Executors & administrators for & during
the life of my daughter Elizabeth Key and no longer
my farm called Rodmans with two hundred acres
of woodland one hundred ^{acres} of it to be laid off on
the south side of what is known as the white House
neck woods next to the New Quarter fence by a line
from the corner of the wood fence west of the
gate at the New Quarter farm going into said ~~farm~~
woods near what is called (Turkey trap) and
thence to the road on west side of woods going to
White House farm. The other one hundred acres
of woodland to be laid off from the three hun-
dred acres bought of my Brother J. M. Lloyd's estate
in the Park woods on the south side; all being in the
County aforesaid; and also the sum of five thousand
dollars (\$5,000) current money of Maryland in special
trust & confidence that he will collect & receive the
profits & interest of said lands & money thus devised
& bequeathed to him & pay the same over to my daug-
hter Elizabeth Key for her sole use & benefit during
her natural life whose receipt in writing shall be
a sufficient discharge for the same to the said trustee
her coventure notwithstanding and from & after
her death I give & bequeath the said land & money

beforegiven in trust for the benefit of my said daughter
unto her child or children if any. Their heirs executors
administrators and assigns equally to be divided between
them share & share alike. Subject however to the pay-
ment of by them of one third of the profits & interest
thereof to any husband she may leave behind her
during his natural life to whom I give the said third
during his life.

I give devise & bequeath to my said son Edward
Lloyd his heirs executors and administrators for during
the life of my daughter Alicia Winder and no longer
my farm called White House together with the balance
of the woodland in what is known as the White
House Neck woods being in the County aforesaid and
also the sum of Eleven thousand Dollars (\$11,000) cur-
rent money of Maryland in special trust & confidence that
that he will collect & receive the profits & interest of the
said lands & money thus last devised & bequeathed
to him & pay the same over to my daughter Alicia for
her sole use & benefit during her natural life whose
receipts in writing shall be a sufficient discharge
for the same to the said trustee though she may
be under coverture and from & after her death I give
devise & bequeath the said land & money before given
in trust for the benefit of my said daughter Alicia
unto her child or children if any. Their heirs executors
administrators and assigns equally to be divided betwe-
en them share & share alike; subject however to the pay-
ment by them of one third of the profits & interest
thereof to any husband she may leave behind her
during his life to whom I give the ^{said} third during his
life.

I give devise & bequeath to my son Edward Lloyd
his heirs executors & administrators for & during
the life of my daughter Sally S Lloyd & no longer
my farm called New Quarters with the balance of
the woodland in the Park woods bought of the
Estate of my Brother S. M. Lloyd being two hundred
acres also my farm called Davises as bought from
Mr Johnson all being in the county aforesaid &
also the sum of Ten thousand Dollars (\$10,000) current
money of Maryland in special trust & confidence
that he shall collect & receive the profits & inter-
ests of said lands & money thus devised & bequeath
ed to him & pay the same over to my daughter
Sally S Lloyd for her sole use & benefit during her
natural life whose receipt in writing shall be a

472
sufficient discharge for the same to the said trustee, though she may be under coverture and from & after her death I give devise & bequeath said land & money before given in trust - for the benefit of my said daughter Sally I Lloyd unto the child or children if any, their heirs executors administrators & assigns equally to be divided between them share & share alike subject however to the payment by them of one third of the profits & interest ~~of~~ thereof to any husband she may leave behind her during his life to whom I give the said third during his life

If either or any of my said daughters shall die without leaving lawful issue living at her or their death, in that case, I give devise & bequeath unto the surviving husband or husbands of such deceased daughter or daughters during the natural life or lives of such husband or husbands and no longer all the property real & personal here in before, given to his or their deceased wife or wives respectively; I give devise & bequeath unto my son Edward Lloyd his heirs executors & administrators for & during the life & lives of my surviving daughter & daughters & no longer all the property real & personal herein before given to such deceased daughter or daughters in special trust & confidence that he my said son his heirs executors & administrators shall collect & receive the profits & interest of the property herein before given to such deceased daughter or daughters & pay the same over to the surviving daughter & daughters equally for their sole use & benefit during their natural life whose receipt in writing shall be a sufficient discharge for the same to the said trustee though they may be under coverture; and from & after the death of such surviving daughters respectively, I give devise & bequeath all the said last mentioned property real & personal unto the children of the surviving daughters respectively their heirs & assigns equally to be divided between them share & share alike that is to say the children of each surviving mother to take an equal part to be divided among, them subject however to the payment by them of one third of the profits thereof to any husband or husbands that the surviving daughters may leave behind them during his or their natural lives to whom I give the said third accordingly

I give & bequeath to each of my daughters a negro girl such as each of my said daughters may

select. The eldest to have the first choice & so on according to seniority.

I will & direct that my interest in the lands in Allegany County in the state aforesaid & also my property both real & personal in Madison County in the State of Mississippi be sold by my executor herein after named at his discretion & be by him conveyed to the purchaser or purchasers & that the proceeds be applied to the payment of my debts & legacies.

After the payment of my debts & legacies all the rest & residue of my estate real & personal not herein before disposed off, I give devise & bequeath unto my son Edward Lloyd his heirs Executors & administrators.

I do hereby constitute & appoint my son Edward Lloyd my sole executor of this my last will & testament. In testimony whereof I have hereto set my hand & affixed my seal on this seventeenth day of November in the year of our Lord eight hundred & fifty six

Edw Lloyd Seal

Signed sealed published & declared by Edward Lloyd the before named Testator as & before his last will & testament in the presence of us who at his request & in his presence & in the presence of each other subscribed our names as witnesses hereto

Francis Buchanan

Wm T Goldsborough

Thos H Holyday

Robert C Buchanan

I Edward Lloyd being desirous of adding a codicil to my will bearing date the seventeenth day of November in the year of our Lord ^{on the point of} ~~eight hundred~~ & fifty six do here by ratify and confirm my said will in all its parts except so far as the same shall be revoked or altered by this my Codicil. I hereby revoke all that part of my said will (except the conditions of the Trust) which gives & devise to my ~~dear~~ daughter Sally Scott (now Sally Scott Trimble) the real & personal property devised (namely New Quarter & Davies farms & the ten thousand dollars) & in lieu thereof I give and devise to my said daughter Sally Scott Trimble agreeably with the conditions of the Trust in the said will expressed all the

674
lying in the Chapel District of Talbot County
known as the Wye Heights farm. In testimony where
of I have hereto set my hand & affixed my seal on
this sixteenth day of June in the year of our Lord
one thousand eight hundred & sixty one

Edw Lloyd

Witness

Lloyd Lowndes

William S Winder

Wm Henry De Courcy.

Talbot County Set: } Then came Franklin Buchanan
23 day of August 1861 } William P Goldborough & Thomas
R Hollyday three of the subscribing witnesses to the
aforegoing last will & testament of Col Edward Lloyd
late of Talbot County aforesaid test & severally made
oath on the Holy Evangelists of Almighty God that they
did see the Testator therein named sign & seal the
said will; that they heard him publicly pronounce
& declare the same to be his last will & testament
that at the time of his so doing he was to the best
of their apprehension of sound & disposing mind
memory & understanding & that they together with
Robert C Buchanan the other subscribing witness
separately subscribed their names as witnesses in the
presence & at the request of the said Testator & in
the presence of each other

Cert for N. Rice Regt of Wills
for Talbot County

Talbot County Set: } Then came Lloyd Lowndes Wm
23rd day of Augt 1861 } S. Winder & Dr William H. De Courcy
The three subscribing witnesses to the Cordicil to the
aforegoing last will & testament of Col Edward Lloyd
late of Talbot County aforesaid test & severally made oath
on the Holy Evangelists of Almighty God that they did
see the Testator therein named sign & seal the
said Cordicil; that they heard him publicly pronounce
& declare the same to be a cordicil to his last will
& testament; that at the time of his so doing he was
to the best of their apprehensions of sound & disposing
mind memory & understanding & that respectively
subscribed their names as witnesses to the said
Cordicil in the presence & at the request of the
said Testator & in the presence of each other

Cert for N. Rice Regt of Wills

Falbot County set: Then came Edward Lloyd the Executor
23rd day of Augt 1861 & named in the within will & made
oaths on the Holy Evangelis of Almighty God that he does
not know of any other will or cordial of Col Edward
Lloyd late of the County aforesaid dec^d other than
the aforesaid instrument of writing and that he found
the same among the papers of the testator a few days
subsequent to his decease

Cutpr N Rice Regt of Mills
for Falbot County

Maryland Falbot County set

I hereby certify that the aforesaid
going is a true & perfect copy of the last will & tes-
tament of Col Edward Lloyd late of Falbot County
aforesaid filed & now remaining in my office

In testimony of which I hereby
subscribe my name & affix
the seal of my office this
20th day November A.D. 1861

Cutpr N. Rice Regt of Mills
for Falbot County

State of Mississippi 3 January 1st 1868

Madison County I A. J. Montgomery of State
& County above mentioned being of sound mind
doth make this my will & testament viz

I hereby give to my beloved wife and ten children all of
my estate both Real & Personal and for the management
& carrying out the above written will and testament

I do hereby appoint my Brother L. T. Montgomery and
my beloved wife Susan L. Montgomery as Executors &
Executrix of this my last will & Testament and fully
empower & require them to execute the same without
giving bond in Court

I witness under my hand & seal

A. J. Montgomery (Seal)

Witness } J. B. Green
 } W. J. Rogers
 } J. E. Cameron

In the matter of the application of L. T. Montgomery
propounding for probate an instrument of writing purpor-
ting to be the last will & testament, of Andrew John-
son deceased

This cause coming to be heard this day by the Court and the Court having examined the testimony of J.S. Green, W.J. Rogers & J.C. Cameron subscribing witnesses to said instrument of writing taken by C.D. Ward Clerk of this Court in accordance with the Statute in such cases made & provided - in vacation and being satisfied from the examination of the testimony of said witnesses taken as aforesaid, that said A.J. Montgomery deceased was at the date of the signing of said instrument of writing purporting to be his last will & testament of sound ~~mind~~ and disposing mind and memory and over twenty one year of age and at the date of his death a citizen of Madison County Mississippi and that at the date of the signing of said instrument of writing now before the Court purporting to be the last will and testament of said Montgomery - that on the said Montgomery acknowledged in the presence of each of said witnesses that he had signed said instrument as his last will & testament and then & there in their presence published & declared the said instrument of writing now before the Court to be his last will & testament and that they the said witnesses then & there signed the same at the request of and in the presence of the said Montgomery and of each other as subscribing witnesses as aforesaid.

It is therefore ordered adjudged and decreed and the Court doth order adjudge & decree that said instrument ~~of~~ of writing be and the same is hereby declared to be established as the true original last will and testament of the said A.J. Montgomery deceased - and ordered as such.

Further ordered that letters testamentary thereon issue to said S.H. Montgomery and Susan D. Montgomery executors therein named for their taking the oath of the Statute prescribed.

Ordered adjudged & decreed this 23rd day of April A.D. 1868

W.M. Cooper
Judge

The last Will and Testament of Milton Caution

I Milton Caution do in the first place give and bequeath to my beloved wife Sarah B Caution my Homestead place with all the appertinances thereto ~~including~~ including such household & Kitchen furniture and plantation tools and implements as she may need and desire to have and to hold the same as her own during her natural life and at her death it is my will and desire that said Homestead shall revert to my children John B Caution Bennett C Caution Thomas J Caution and Mary Catherine Caution. I do also give and bequeath to my beloved wife Sarah B Caution all the cash money that I now have on hand

I do in the next place give and bequeath to my Daughter Mary Catherine Caution my Ball Horse my Buggy with the top & one Cow and Calf. To my Granddaughter Lucy Jane Leitaker my mule Pen my Buggy without the top and one Cow and Calf. To my Grandson William Alexander Leitaker my mule Bill & one Cow & Calf. To my Grandson John James Leitaker my mule Bully and one Cow and Calf.

The above bequeath to my Grandsons William Alex and John James Leitaker are made subject to the Condition that they remain on the place with their Grandmother until they become of age. In the event that they leave the place the said mules and Cows and Calves shall revert to my beloved wife Sarah B Caution

And I do finally give and bequeath all the remainder of my property to be equally divided between my children John B Caution Bennett C Caution Thomas J Caution & Mary Catherine Caution. I having heretofore given to my children William A Caution Columbus C Caution & Augustine C Plalock all the property that I desire them to have

And I do now appoint my sons Bennett C Caution and Thomas J Caution to be the executors without security of this my last will and Testament

In testimony whereof I do hereby affix my hand and seal on this the 21st day of May in the year of our Lord 1868

Milton Caution

Witness
John C. Russell
J. P. George

438
In the Estate of ^{said} Milton Caution ^{deceased} In the matter of a certain paper writing
purporting to be the last will & Testament
of Milton Caution deceased

Be it known that a certain instrument of writing
dated 31st day of May in the year 1868 and
attested by John D. Russell & J. W. George purporting
to be the last Will and Testament of Milton
Caution deceased was this day produced in open
Court, and it appearing to the satisfaction of
the Court from the testimony of the said J. W. G.
Russell & J. W. George the subscribing witnesses thereto
heretofore duly taken in open Court that the said
Milton Caution signed said writing in their
presence declaring the same to be his last will
and testament, and that they each signed
the same as attesting witnesses in the presence and
at the request of said Milton Caution and in
the presence of each other

And it appearing further from the provisions
of said Will that it was the desire of the said
Testator that Bennett O. Caution and Thomas
A. Caution should be the executors of the said
Will without security

It is therefore ordered and decreed by the Court
here that the said writing be fully established as
the last will and testament of the said Milton
Caution deceased in so far forth as the provisions
of the same embrace the personal property belonging
to the estate of the said decedent, and that the same
be recorded & filed

And it is further ordered and decreed by the
Court that Letters Testamentary upon said Estate be
granted and issued to Bennett O. Caution and
Thomas A. Caution on their taking the oath prescribed
by law and entering into bond in the sum of Twelve
hundred dollars without security the same being
dispensed with by the provisions of said Will

Done in open Court this 13th
day of July 1868
J. M. Cooper

The last Will and Testament of Francis Pughard deceased

I Francis Pughard a citizen of the County of Madison & State of Mississippi being of sound and disposing mind and unclouded memory and desirous of arranging all of my earthly affairs as I deem that come the best for all concerned do hereby execute make and publish this as my last will and testament on this the 12th day of May 1868

Item 1st I leave it in charge to my executor to first pay all of my just debts and liabilities
Item 2^d I will and bequeath unto my well beloved daughter Harriet J. Muse for the term of her natural life my house and lot in Mississippi City in the County of Harrison and State of Mississippi and at her death I will a one half interest to the heirs of her body and the other half interest in said house and lot to the heirs of James S. Pughard my late son

Item 3rd I will and bequeath to my daughter Harriet J. Muse all of my household & kitchen furniture and fixtures and also all other property of which I do seized and possess it not hereinafter otherwise disposed of

Item 4th I further will and direct that all of my stock consisting of mules & cattle be retained upon the place where they now are until my youngest grand child shall have attained the age of twenty one years under the charge & care of my Executor to be used by him for the benefit of my daughter Harriet J. Muse and take of my minor and unmarried grand children who may live with me and I hereby authorize my Executor to make use of the same in any manner that he may deem best to accomplish the purpose specified

Item 5th I will and direct further that whatever stock as aforesaid credited shall be upon the place when my youngest grand child shall have attained the age of twenty one years shall be divided into two and one half to go to my daughter Harriet J. Muse if she be living at that time and if not living then to the heirs of her body and the other half to go to the heirs of James S. Pughard deceased

Item 6th I will and bequeath to my grandsons Walter Pughard and Oliver S. Pughard each when they shall respectively have attained the age of twenty one years a horse to be furnished by my executor out of my moneys

Item Seventh

I will and direct that my Executor shall pay out of my money such sums as he may think proper to such of my servants as have proved faithful and kind to me in my old age and sickness

I will and direct that my Executor shall take into possession all the money that I shall die possessed of or any promissory notes or bills or other evidence of debt and that he shall use it as them according to his best judgment and discretion in the education and maintenance of those of my grand children who may be living at the time of my death

Item 8th

I will and direct further that whatever money shall remain unpaid at the time when my youngest grand child shall have attained the age of twenty one years shall be equally divided and my daughter Harriet J. Muse if living to receive one half of the same and if she shall not be living then said half of said money to go to the wife of Sir Peter and the other way to go to the wife of James S. Pritchard my son now deceased

I hereby nominate appoint and declare my friend Horatio L. Perkins to be the sole executor of this my last will and testament and relying on his integrity I hereby declare that he is not to give bond or other securities or account as such executor

In testimony whereof I have this day signed and sealed this my last will and testament in this the 13th day of May 1808

Francis Pritchard

Witness

H. S. Pote

J. H. Muse

J. S. Richards

We the witnesses whose names are foregoing testify that the said Francis Pritchard signed and sealed the foregoing as his last will and testament in our presence and that we signed the same in his presence & in the presence of each other

H. S. Pote Jr

J. H. Muse

J. S. Richards

In the Probate Court of Madison County State of Missouri
p. 112 July Term of said Court

I am called of the application of Horatio L. Perkins to me the said Court and to set out of Francis Pritchard's will admitted to probate and that after testimony taken and

That matter coming to be heard at a regular term of the Probate Court
of said County and State, viz. on the 18th day of June 1815 and it appears
to the satisfaction of the Court by the evidence submitted that Henry
S. Perkins and A. Richards and H. M. Mearns that the latter was
present to the Court as the last will and testament of James
Perkins was signed, in their presence and in the sight of them as
witnesses at his request in his presence, and that the said James
Perkins was of sound and disposing mind and memory at the time
of said instrument was made, and that he was of age and a resident
of said County and State of Mississippi at the time of his
death and it further appearing from said last will and
testament that Charles S. Perkins, is constituted the
Executor of said last will and testament without being named
therein and that the said instrument is a duly executed and
valid one by the Court said instrument be admitted to
probate as the last will and testament of James Perkins
deceased and that letters testamentary issue to Charles S.
Perkins without his being required to in and out of
said Perkins appearing in Court and taking the oath
by the Statute required.

Order adjudged and heard this 18th day of June,
A.D. 1815

M. M. Ogden

Last Will & Testament of Peter Prammigan Dead

In the name of God Amen

I Peter Prammigan of the County of Madison State of Mississippi being of sound mind & memory do make certain public & declare this to be my last Will & Testament

First after all my legal debts are paid & discharged the residue of my estate I give bequeath & dispose of as follows

To my Wife a child's portion of my assets the same a House & Lot in Canton in her own Name which I deem amply sufficient for her

To my Daughter Mary Elizabeth a certain lot of ground with improvement & ~~is~~ ^{is} situated lying & being in the City of Canton County of Madison State of Mississippi and described as follows Beginning at the SE corner of a lot of ground conveyed by Jas P. Cameron & wife to Mrs Prammigan thence West with her line about 312 to a street thence South with said street 100 feet to a stake thence East about 310 feet to a stake in a street running north & South & thence north with said street 100 feet to the beginning. Should she marry & have one or more children the above property must go to them & not be liable for her debts or her husband's

To my sons Jno J. & Patrick W. a certain lot of ground located as above & described as follows Beginning at a stake 40 feet north of Jno Lutz north west corner at the intersection of two streets thence north 100 feet to a stake thence East to the hedge or range line about 485; thence South 100 feet to a stake in the street & thence West to the beginning. Of the above last mentioned Jno J. is to have the east unimproved half and Patrick W. the West & improved half. His wife to share the profits equally with Patrick W. on his portion of the above described property and reside with him if she prefers it until he becomes twenty one years of age provided she lives so long

To my son James a certain lot located as above described as follows Beginning at a stake at the intersection of two streets 40 feet west of the ^{North} corner of the foregoing lot thence 100 feet to a stake thence West 312 to a street thence South 100 feet to a stake thence East 312 feet to the beginning. My wife to share the profits jointly on the above lot until James becomes of age. There is due on the above lot \$300 to be paid out of my assets or by my heirs.

I nominate & appoint Thos. M. Mason Executor of this my last Will of him I require no security he may assume & execute this trust.

In Witness whereof I here to set my name & seal this 17th day of July A.D. 1858

Peter Prammigan

(Seal)

signed sealed & published by by the testator as & for his last will & testament in our presence at his request & in presence of each other & so by us witnessed on the day of the date thereof

Thos. W. Wakon
A. B. Breedlove
J. C. Cameron

Whereas Peter Brannigan of Madison & State of Mississippi, have made my last will & testament in writing bearing date the 17th day of July 1868 in and by which I have given & bequeathed to my son Jno. J. Brannigan a portion of a certain of ground described & situated in the town of Canton

Now Therefore I do by this my writing which I do hereby declare to be a codicil to my last will & testament and to be taken as a part thereof order & declare that my will is that John J. Brannigan shall have for his portion of my Estate one hundred & fifty acres of land located in the state of ~~Mississippi~~ Missouri & which a deed in my possession fully describes and that shall constitute his entire share of my Estate. All of the joint Canton lot I wish to go to ^{my son} Patrick M. Brannigan

It is my desire that this Codicil be annexed to & made a part of my last will & testament as aforesaid to all intent & purposes

In witness whereof I have hereunto subscribed my name and affixed my seal the 12th day of August in the year of our lord one thousand eight hundred & sixty

Peter Brannigan (Seal)

In the matter of a certain instrument purporting to be the last will & testament of Peter Brannigan deceased

This day came on to be heard by the Court the application of Thos. W. Wakon the Executor therein named to admit to probate a certain instrument of writing purporting to be the last will & testament of Peter Brannigan deceased and for letters testamentary thereon & the Court having examined the testimony of Thos. W. Wakon & A. B. Breedlove subscribing two witnesses to said instrument of writing now produced before the Court purporting to be the last will & testament of said Brannigan taken by the Clerk of this Court in Vocation under the statute in such cases made & provided and the Court on such examination being satisfied that said Brannigan is dead & he was at the date of his death was a citizen of Madison County, Mississippi & owned personal property in said County & being further satisfied that he was over twenty one years of age & of sound & disposing mind & memory at the date of the execution of said instrument of writing doth therefore order & adjudge said instrument of writing aforesaid to be & the same is hereby declared to be the true original last will & testament of Peter Brannigan late of said County deceased & doth order the

the same to be recorded

Further ordered that letters testamentary on said last will & testament issue to said M^cMahon on his appearing in open Court & taking the oath as such executor & that said M^cMahon having appeared in open Court & taken said oath letters testamentary were accordingly issued

Further ordered that Hugh Lewis & Fayette Montgomery Thos. N. Jones J. D. Horn & D. L. Cameron be & they are hereby appointed appraisers of the Estate of said Prammigan

Ordered adjudged & decreed this 14th day of September A.D. 1860

M^c Cooper

The Last Will and Testament of Sarah Stooly deceased

In the name of God Amen - I Sarah Stooly being weak in body but of sound & disposing mind & memory do make, ordain & publish this as my last will and testament.

I give and bequeath to my husband Charles Stooly all my property of whatever kind or nature, real, personal & mixed and I hereby appoint my said husband to be the executor of this my last will & testament & direct that no account be required of him for the faithful performance of trust.

Signed & published by me as my last will & testament, this 8th day of November 1864.

Signed in our presence and declared by the testatrix to be her last will & testament, and in witness whereof we have hereunto signed our names in the presence of each other & in presence of the said testatrix.

G. W. Russell
A. H. Cage
Jas. Robinson

Sarah ^{her} Stooly
~~Stooly~~

The State of Mississippi

Madison County Probate Court November 21st 1864

This day was produced in open court a certain writing purporting to be the last will and testament of Sarah Stooly deceased and Thompson came G. W. Russell A. H. Cage and John S. Robinson subscribing witnesses

these, who having been duly sworn deposed and said that they each signed said writing in the presence said at the request or by the apent of said Sarah Stooty and in the presence of each other, that said Sarah Stooty at the same time declared said writing to be her last will and testament and that she the said Sarah Stooty was then of sound mind and disposing mind and memory as affiant verily believes.

It is therefore ordered, adjudged and decreed by the court that said writing be and the same is hereby established as the last will and testament of said Sarah Stooty deceased and that the same be recorded and filed as such.
Orlando, adjudge we are at New Orleans 15th day of November 1864.

Wm. J. Bailey
Judge &c.

Last Will & Testament of Wm. D. Glenn

The State of Mississippi
Madison County, S. B.

In the name of God, Amen - I W. D. Glenn of the county aforesaid do make, publish and declare this my last will and testament - I make this will because I am considerably advanced in life having no wife nor children and not being in any when my days end and wishing to be ready for death.

- Item First - I give and bequeath to my nephew Wm. Glenn (son of my Brother John Glenn of Etowah county Alabama) all my Estate both real and personal of which I may be seized and possessed including every thing known as Estate or property whatsoever.
- Item Second - The real Estate I direct that the said William Glenn shall not sell nor dispose of during his life but that he shall live upon the same and keep all the property on the place as much as possible and not sell nor squander same but try to add thereto.
- Item Third - I give this property to the said Wm. Glenn because he is blind & poor & needs help.
- Item fourth - To all my other two Brothers & four sisters and their children I give & bequeath my love and commendation them to God for his blessing as well as all my other kin folks whether of the same kin or more distant and the children of my two deceased Brothers.
- Item fifth - that my Executors shall take no exceptions to the provisions in which I have disposed of my little estate and hope that they will ~~obey~~

Satisfied.

In testimony whereof I have hereunto set
my hand and seal the 31 day of March A.D.
1853. Wm. D. Glenn (C.A.)

Signed, published and
declared in the presence of
Bradford D. Hester
Thomas ^{his} Hester
Elijah ^{his} Hester
_{Mark}

State of Mississippi

Madison County } Personally appeared before
me Joseph M. Gilliam Clerk of the Probate Court
of the county of Madison State aforesaid -
Thomas M. Hester who being duly sworn made
oath that the annexed writing purporting to be the
last will & testament of Wm. D. Glenn was signed
by said Glenn in his presence and in the pre-
sence of the other subscribing witnesses thereto - to-wit
Bradford D. Hester and Elijah C. Hester and was
signed by him and the other witnesses in the
presence and at the request of said Glenn - he
at the same time declaring and publishing said
writing to be his last will and testament -

The said Thomas M. Hester further stated that the
said Glenn was at the time of signing the
same of sound and disposing mind and
memory - over twenty one year of age
and a citizen of Madison county Missis-
sippi

Sworn to and subscribed
before me on the 14th day of
December A.D. 1853.

Ed. his Hester
mark
E. A. Ford Attorney

Joseph M. Gilliam Clerk J. E. A. Ford C.C.

State of Mississippi }
Madison County } Personally appeared before
the undersigned Clerk of the Probate Court of said
county Bradford D. Hester who being duly sworn
made oath that the annexed writing purporting
to be the last will and testament of Wm. D. Glenn
was signed by said Glenn in his presence and was
signed by him in the presence of and at the
request of said Glenn. He at the same time
declaring and publishing said writing to be his
last will and testament. The said Bradford
D. Hester further stated that the said Glenn was
at the time of signing the same of sound
mind and disposing ^{mind &} memory. . . over twenty

one year of age and a citizen of Madison County
Mississippi. Bradford D. Hester

known to & subscribed
before me this 11 day of
March A.D. 1869

J. W. Colleton clerk - By E. A. Ford D.C.

State of Mississippi }
Madison County } Before the undersigned Judge
of the Probate Court of said county personally
appeared Elijah Hester one of the subscribing
Witnesses to an instrument in writing on file &
among the records of said court purporting to be the
last will and testament of M. D. Glenn late a citizen
of said county deceased who being duly sworn
stated on oath that he did at the request of said
Glenn in his lifetime sign an instrument which
said Glenn declared to be his last will and testa-
ment but that he cannot write nor read writing
and cannot therefore say that the instrument now
before him is the same instrument which
he signed at the request of said Glenn and which
said instrument said Glenn then declared to be his
last will and testament.

Deponent further stated that he never met or
could be at any other time signing any other
instrument as a subscribing witness.

Witness my hand this 11 day of March
A.D. 1869. W. M. Cooper

Last Will & Testament of Amos Johnson French

United States of America }
State of Louisiana }
Parish of Orleans }
City of New Orleans }
of the United States the Nineteenth. Before me Thomas
Reck a Notary Public, in and for the Parish of
Orleans, State of Louisiana domiciliated in said City, duly
Commissioned and sworn; personally came and
appeared Amos Johnson French a resident of this
City (but formerly of the State of New York) of sound mind
and memory as he appeared to me Notary, and the
three witnesses hereinafter named and undersigned
which said appeared declared
that being aware of the uncertainty of human life
and the certainty of death, he was desirous to make his
last will & testament and for which purpose he had come
to me Notary. Whereupon the said Amos.

French. did declare and dictate to me notary, in
the presence of and with the hearing of Messrs
Robinson, David S. Vasson, and Thomas D. Brock
Competent witnesses of lawful age and domiciled in
this City his last will and testament, did write
down the same, in my own hand writing, accord-
ing to his own direction which is as follows to wit:

My name is Amos French. I am and have
been for many years a citizen of New Orleans. I was
born in the State of Connecticut, but resided during
my boyhood, youth and early manhood, in the State
of New York, and am now Fifty three years of age.
And have no forced heirs.

I do hereby bequeath and will unto my lawful
and dearly beloved wife, Miss Louisa French
born More, late widow of Stephen S. More decd.
all the property, whether real, personal or mixed of
whichever kind or nature, and whatsoever situa-
tion of which I may die seized and possessed, and
to that use and purpose, I do hereby institute,
constitute and appoint her my said dearly be-
loved wife, my universal heir and legatee; and I
do hereby nominate and appoint my said dearly
beloved wife Mrs. Louisa French and Robert Swain
my esteemed friend and a resident of this City to
be the Executor and Executor of this my last will
and testament. With full power; at my death
to take into possession, all the property whether
real personal or mixed, of which I may die seized
and possessed, and administer conformably my
estate according to the law of the State of Louisiana.

And I do hereby grant unto Mrs. Louisa French
my said dearly beloved wife at my death the enjoyment
of all the property real, personal or mixed belonging
to my estate -

And I do hereby earnestly request my said
dearly beloved wife to fulfill my anxious desire for the
welfare of my respected old Step Mother Mrs. Maria French
now residing in the State of New York by coming for her
to the extent of an necessary Comfort, during her life -
Should it so happen that my said Step Mother should
really need such care and pecuniary assistance -

And the said Notary, having Read aloud, the foregoing
to the said Amos French, in presence of
and within the hearing of the said witnesses, and
having written the foregoing testament, and hav-
ing fulfilled all the formalities at the time, and
without turning aside to other acts, He the said

Amos Johnson French, in presence of and with the hearing of the said witnesses, and having written the foregoing Testament, and having fulfilled all the formalities at me then, and without turning aside to attend acts, He the said Amos J. French did declare to me Notary, in the presence and with the hearing of said witnesses, that the foregoing was his last Will and Testament written according to his said dictation; and he hereunto sign his name, together with the said witnesses and me the said Notary, on the day, month, and year aforesaid.

Signed Signed Amos J. French
H. M. Robinson - S. J. Wasson. Thos. J. Beck do.
Thos. J. Beck Not. Pub.

I do hereby certify the above and foregoing to be a true and faithful copy of the original Last Will & Testament of Amos J. French extant in my office in this City.
Witness my hand and seal of New Orleans aforesaid this 9th June, 1866.

Signed Thomas J. Beck Not. Pub.

Order of Court - in petition of Louisa French and Robert Swain to be confirmed as executor and to probate Will. The Court being satisfied that the last Will and Testament of the deceased executed before S. J. Beck Not. Pub. on the 2nd day of June 1866 is in due form of Law. It is ordered that the said Will of which a copy is hereto annexed and filed be approved registered and executed. Let the petitioners be recognized and confirmed as Testamentary Executor of the said last Will and Testament; and let letters Testamentary issue to them on their taking the oath required by law. And let the Inventory within prayed for be taken by Ascare Noel Notary Public in the presence of all parties interested or them duly called; and let H. P. French and Chas. E. Swain be appointed and sworn as appraisers to value the property to be inventoried.

New Orleans June 3rd 1868

Signed J. W. Thomas Judge -

United States of America
State of Louisiana

Second District Court of New Orleans

J. P. O. Roche clerk of the
Second District Court of New Orleans do hereby
certify that the annexed documents are true and

correct copies of the original order of Court. of the
Will and Last Testamentary delivred to said
Will to Mrs. Louisa French and Robert Swain
all of which documents are on file and of
record in this Court in the succession of Ann
L. French No. 32.205 of the Docket.

In testimony whereof, I have hereunto
set my hand and affixed the Seal of
the said Court, at the City of New Orleans, on
this Fourth day of June in the year of our
Lord one thousand eight hundred and
sixty eight and in the ninety second year
of the Independence of the United States of America
P. P. A'Roche

Clk —
I, John W. Thomas, Clerk & Judge of the Second
District Court of New Orleans, do hereby certify that
P. P. A'Roche is the Clerk of said Court; that the
same is a Court of Record having Common
Law and probate Jurisdiction, and that the
signature P. P. A'Roche, Clerk is the foregoing
certificate is in proper hand writing of him, the
said P. P. A'Roche, Clerk; to his official act, as such
full faith and credit are due and owing;
and do further certify, that this attestation is
in due form of law.

Given under my hand and Seal at the City of
New Orleans, on this Fourth day of June in
the year of our Lord, one thousand eight hundred
and sixty eight.

J. W. Thomas Clerk & Judge —
I, P. P. A'Roche, Clerk of the Second District Court of
New Orleans, do hereby certify that John W. Thomas
is the Clerk & Judge of said Court; and that the
signature "J. W. Thomas, Clerk & Judge" to the foregoing certificate
is in the proper hand writing of him, the said John
W. Thomas, Clerk & Judge; to his official act, as such full
faith and credit are due and owing; and do
further certify, that his attestation is in due form of
law.

In testimony whereof, I have hereunto set my
hand and affixed the Seal of the said Court
at the City of New Orleans, on this Fourth day of June
in the year of our Lord, one thousand eight hundred
and sixty eight and in the ninety second year of the
Independence of the United States of America —
P. P. A'Roche Clerk

J. W. Thomas

1491

Last Will and Testament of Wm. Byars decd.

I William Byars of the county of Madison and State of Mississippi do make and publish this my last will and testament, hereby revoking and making void all former wills by me at any time heretofore made; and first I direct that my body be decently interred and that my funeral be conducted in a manner corresponding with my estate and situation in life; and as to such worldly estate as it hath pleased God to intrust me with I dispose of the same as follows;

First I direct that all my debts and funeral expenses be paid as soon after my decease as possible, out of the first moneys that come into the hands of my executors, also I direct that a fair valuation or appraisement be made by three judicious neighbors and after having been signed by their names that a copy of the same be given to each of my executors.

Also I direct that a plain family monument be erected near my grave with the names of myself and wife and the dates of our births, marriage and deaths engraved on the southern face and the names of our sons with the dates of their births, marriages and the times of place when and where they die on the southern face and also the names of our daughters, with the dates of their marriages and deaths on the northern face;

Second, I direct that my beloved wife (should she survive me) have quiet possession of her home, with my household and kitchen furniture, her horse & buggy together with one year's support and have and receive from time to time a sufficiency of the rent of all my lands to insure her a comfortable support.

Thirdly - I give and bequeath to my beloved daughter Mrs. William Babice the tract known as the Reed place containing fifty three acres more or less.

Fourthly - I give and bequeath to my son Wm. Byars the East half of my remaining tract of land and to the heirs of my son N. F. Byars decd. the West half of said tract.

Fifthly - should any of my heirs die without heirs I direct that the property or estate hereby devised revert to the means of him by consanguinity.

492
Sixthly - I hereby appoint my son Wm. Byars
and grandson J. M. B. Byars executor of this my
last will and testament.

In Witness Whereof I William Byars
the testator, have to this my will written on one
sheet of paper set my hand and seal this thirty
first day of March, in the year of our Lord
one thousand eight hundred and fifty eight
signed, sealed & delivered W. Byars
in the presence of each other

M. J. McKie

W. J. Parker

James Hicks

The State of Mississippi, Probate Court

Madison County, July Term A.D. 1859.

This day was produced in open court a
certain writing purporting to be the last will and
testament of William Byars deceased and there
upon came M. J. McKie, W. J. Parker and James J.
Hicks subscribing witnesses thereto who having
been duly sworn depone and said that they each
signed said writing in the presence and at the
request or by the assent of said William Byars
and in the presence of each other that said William
Byars read in at the same time declared said
writing to be his last will and testament and
that he the said William Byars was then of
sound mind and disposing mind and memory
as aforesaid verily believed. It is therefore or-
dered adjudged and decreed by the court that
said writing be and the same is hereby establish-
ed as the last will and testament of said
William Byars deceased and that the same be
recorded and filed as such.

Ordered, adjudged and decreed this 23^d day
of July A.D. 1859 W. B. Blackburn
Judge of Probate

Last Will & Testament of M. M. Davis

In the name of God Amen, I Mariah
Davis of the County of Madison State of Miss-
issippi being of sound & disposing mind &
memory do make and ordain this my last
will and testament, revoking all former wills
attestamentary instruments of writing
First - I commit myself and all I have, and

am to the abounding love and mercy of God
Second - I desire that all my just debt be paid out
of my estate

Third - I give and bequeath my home plantation,
to my son Richard T. Davis, known as the Hugh
Sanders Plantation, on Big Black, near Beattie's bluff
in Madison County State of Mississippi, containing
Three Hundred and Fifty acres of land, in section
Thirty Five, Township Ten Range One East, also
an undivided interest, in lot six in section Twenty
Six, Township Ten, Range one East

Fourth - I give and bequeath, to my son Richard
T. Davis, half of all my stock - viz Horses, mules
cattle sheep and Hogs, and Poultry of all kind, also
Farming implements of all kinds, one half

Fifth - I give and bequeath to my husband R. M.
Davis half of all my stock, viz Horses, mules, cattle
sheep and Hogs and Poultry of all kinds one half also
Farming Implement, of all kinds, one half.

Sixth - I give to Richard T. Davis, my new Bureau
and new wash stand, and half of all the table ware
and kitchen Furniture one half and half of the
Beds and Matresses

Seventh - I give to my husband R. M. Davis
half of all the kitchen Furniture and half of the
Beds & Matresses -

Eighth - I give to my son Richard, T. Davis one
Counterpane - To Hugh T. Leggett one Counterpane,
To Fannie M. House, one Counterpane, To R. M. Davis
one Counterpane - The balance of my Bed clothes
to be divided equally between my son Richard T.
Davis and my husband R. M. Davis

Ninth - The Household Furniture and other things,
not mentioned, to be divided equally between my
son Richard T. Davis and my husband R. M.
Davis.

Executed signed and sealed this 26th day
of December A.D. 1867

Me M. Davis (Seal)

Signed, sealed, acknowledged by the Testator
Mariab Davis, as for her last will, Testament
in our presence, signed by us in the presence
at the request of Mariab Davis in the presence
of each other this day and date above written

Witness
Alex Leggett
A. E. Leggett

495
State of Mississippi }
Madison County }

Personally appeared before the undersigned, Clerk of the Probate Court of said County, in open Court, Alex Leggett & A. E. Leggett subscribing witnesses to a certain instrument of writing, purporting to be the last will & testament of Mr. W. Davis, late of said County, Dec'd bearing date the 26th day of Dec 1867, who first being duly sworn, deposed and said, that said Mr. W. Davis signed sealed, published and declared said instrument as her last will and testament in the presence of these deponents on the day of the date thereof. That said testator was then of sound, disposing mind & memory and more than twenty one years of age, and that these deponents subscribed said instrument as witnesses thereto, at the instance and request, and in the presence of said testator, and also in the presence of each other, on the day & year aforesaid, also that the testator was Resident of Madison County at time of her death.

Sworn to & subscribed in
open Court the 8th day of
March A.D. 1869

J. McClellan Clerk
By E. A. Ford D.C.

Alex Leggett (Seal)
A. E. Leggett (Seal)

Last Will & Testament of Lewis M. Jiggitts Jr

I Lewis M. Jiggitts of the County of Madison in the State of Mississippi make this my last will and testament revoking all others. I give and devise and bequeath unto my wife Laura. All my real and personal Estate and effects whatsoever or whosoever, of which I am now possessed and to which I may have any right, claim or demand at law or in equity and of which I may be possessed and to which I may have any claim, right or demand as aforesaid at the time of my death and I appoint my said wife Laura My Executor
Lewis M. Jiggitts

Witness
Robt E. Andrews
Wm G. Pinder
Wm E. M. Daniel

State of Mississippi }
Madison County } Probate Court October Term 1869

This day was produced in open Court a certain writing purporting to be the last Will and Testament of Lewis M Jiggitts J^r dec^d and thereupon came Robert Andrews one of the subscribing witnesses to said writing who having been duly sworn deposed and said that he signed the same as witness in the presence and at the request of the said Lewis M Jiggitts, the last will and testament being wholly in the hand writing of the said Jiggitts both as to its body and signature, and that said Jiggitts signed the same in his presence and in the presence of the other subscribing witnesses declaring it at the time to be his last will and testament. And the said Andrews further stated on oath that the subscribing witness (to wit, W G Pridie W E M Daniel and himself) signed it in the presence of said L M Jiggitts dec^d and in the presence of each other and that the name of W G Pridie is his own signature. And afterwards on the same day and at the same time personally appeared in Open Court W E M Daniel who being duly sworn deposed and said that he signed said writing as witness at the request and in the presence of said Lewis M Jiggitts in whose hand writing the said will is wholly written, both the body and signature by the same, that said Jiggitts signed the same in the presence of the subscribing witnesses, and the subscribing witnesses signed the same in the presence of said Jiggitts and in the presence of each other, the said Jiggitts declaring at the time that was his last will and testament. Affiant further states that the signature of W G Pridie as subscribing witness to said last will and testament is in his own hand writing and was affixed thereto in his affiant's presence by the said Pridie himself.

And the said Robt Andrews & W E M Daniel further state on oath that at the time of their signing said writing and at the time the same was signed by said Lewis M Jiggitts, the said Lewis M Jiggitts was of sound and disposing mind.

It is therefore ordered, adjudged and decreed that said writing be and the same is hereby established as the last Will and Testament of Lewis M Jiggitts dec^d and that the same be recorded & filed as such.

Ordered, adjudged and decreed this
(11th) Eleventh day of October 1869
W B C Cunningham
Judge of Probate

In the name of God Amen
I, Mary Wells of the County of Madison and State of Virginia
being of sound mind and memory do make and publish
this my last will and testament. I direct that my debts
be paid that I shall be buried in a plain Coffin in the
City of Jackson.

I give and bequeath to A. K. W. Morris Five thousand
dollars in money to William M. Pitzer Five thousand dollars
in money to Charles A. Kirkaid Jr. two thousand dollars
in money to Eugene Kirkaid two thousand dollars in money
to Robert Kirkaid two thousand dollars in money to S. B. K.
Kirkaid two thousand dollars in money Elizabeth Bush
Two thousand dollars in money and to Rebecca Brown two
thousand dollars in money. I give and bequeath to John
Kirkaid all my land in Raleigh Co. known as the Farrar
tract and the rents of the same for the present year. He
shall be all that appraised heirs are to receive of my estate
at my death. I give and bequeath to Margaret Kirkaid
the remaining lands and money of which I am possessed
at my death One fourth to Mark Kirkaid One fourth
to Mary Noble One fourth to George Montgomery
the other one fourth. I further direct that of the
amount owing to me by James Bastian two hundred dollars
is to go to the repairing of the Battle Springs Church
that he retain that amount in settling with my Executors
so appropriate it. I also direct that he is not to be
sued or pressed for the amount that he may be due me
at my death. I give to Mrs. A. E. Caster all my silver
ware and parlor furniture consisting Carpet Stools Chairs
&c. I give and bequeath to Picket all my books. and
secretary and all my interest in the Battle Springs Church
if ever sold the amount coming to me to go to him or his heirs.
I give and bequeath to the heirs of R. W. Montgomery the notes
which I hold against him and to the heirs of A. K. Montgomery
the notes which I hold against him and these notes are all
that said heirs are to have of my estate. I direct that
my Executors be not required to give bond.

I appoint A. K. Kirkaid Sr. & Spencer Montgomery &
George Montgomery my Executors. Mary Wells

Signed and published in
presence of

J. A. Ferris
Thos. H. Goddard
W. E. Ferguson
Witnesses
This 12th day of
July A. D. 1867

State of Mississippi
Madison County

Probate Court December Term 1867

In the matter of the Petition of Charles A. Kircoid Sr and others praying for the admission to probate of a certain instrument of writing purporting to be the last will and testament of Mary Wells deceased and the grant unto them of letters testamentary thereon.

This cause coming on this day to be heard and considered by the Court on the Petition of Charles A. Kircoid, Spencer, Montgomery and George Montgomery herein filed and a certain instrument of writing purporting to be the last will and testament of Mary Wells deceased in said Petition referred to and said instrument of writing aforesaid being thereupon by said Petitioners produced in open Court and propounded for probate and J. H. Forrest, J. H. Woodley and H. C. Ferguson subscribing witnesses to said instrument of writing purporting to be the last will and testament of said Mary Wells deceased appearing in Court and having been separately sworn in due form of law deposed and said that the said Mary Wells signed, made, executed, published and declared said instrument now before the Court purporting to be the last will and testament of Mary Wells to be her last will and testament in the presence of the said witnesses on the 15th day of July, 1866 and that said Mary Wells was then at the date of the execution of said instrument more than twenty one year of age and of sound and disposing mind and memory and that the said witnesses subscribed their names to said instrument as witnesses thereto at the instance and request of said Mary Wells and in her presence and also in the presence of each other on the day and year last aforesaid. And the said witnesses further deposed and said that since the execution of said instrument of writing by the said Mary that she the said Mary has departed this life and that at the date of her death that she owned and possessed a mansion house and fixed place of residence in said County and State.

It is therefore the premises considered, ordered by the Court and the Court doth order, adjudge and decree that the instrument of writing now before the Court be and the same is hereby decreed, found, declared to be the true, correct, last will and testament of the said Mary Wells deceased and that same be and hereby is admitted to probate and probated as such last will and testament and ordered to be recorded as such last will and testament of the said Mary Wells deceased.

And it further appearing to the satisfaction of the Court that the Petitioners Charles A. Kircoid Sr, Spencer, Montgomery and George Montgomery named in said last will and testament of the said Mary Wells deceased