

No. 3666

CHANGERY CLERK'S OFFICE,
MARSHALL COUNTY, MISS.

D. J. Hamilton

Test

vs.

Lucie L. Allen

Extr.

Filed this 15 day of July 1912

C. H. Wright Clerk

D. C.

J. O. Fetter

Solicitors.

3666

D J Hamilton
Test

vs

Susie L Alois
Exec

Petition for Probate

Filed July 15/1912
C H Wright
Clerk


SMITH & TOTTEN
ATTORNEYS-AT-LAW
HOLLY SPRINGS, MISS

In the Chancery Court of Marshall County, Mississippi:

In Vacation.

D. T. Hamilton, Restr.

Vs

Susie L. Alvis, Extr.

Your petitioner Susie L. Alvis would respectfully
advise unto the Court that ~~W. C. Hamilton~~, departed this life on the 15th day
of July A. D. 1912 at his fixed place of residence in Marshall County, Miss.,
after having made his last will and testament by which said last will and
testament the said decedent bequeathed to your petitioner his entire real
estate; but said decedent died intestate as to his personal estate which
said personal estate your petitioner is informed and believes will not ex-
ceed in value \$400.00; but said decedent owes some debts including his
burial expenses but petitioner is informed these debts are small and few.
By said last will and testament said decedent appointed your petitioner
as executrix of the said last will and testament, exempting her from giving
any bond or security as such and from accounting to any court; Your said
petitioner herewith presents the said last will and testament bearing date
the 15th day of August A. D. 1907; said last will and testament is witnessed
by Jesse E. Brooks and W. C. Brown; Your petitioner now offers said will for
probate and also offers to qualify as executrix thereunder according to
law in such cases and the terms of said will and she prays that said will
be admitted to probate and that she be allowed to qualify as executrix
according to its terms and tenor.

And as in duty bound your petitioner will ever pray &c.

x Susie L. Alvis

Petitioner.

Given to and subscribed before me this 15th day of July A. D. 1912.

W. C. Brown
Notary Public



No.

3666

ESTATE OF

D J Hamilton

Deceased.

LETTERS TESTAMENTARY

Susie L Alvis

Ex'r.

Recorded in Book No.

9

page

441

A Wright

Clerk.

THE STATE OF MISSISSIPPI,
MARSHALL COUNTY.

BY THE CHANCERY COURT OF SAID COUNTY.

THE LAST WILL AND TESTAMENT OF

D J Hamilton

late of this County, deceased, having been duly proven

and admitted to record in the Chancery Court thereof; and letters

Testamentary
having been prayed by Sussie L Alton

THEREFORE, the said

Sussie L Alton hereby

fully empowered and required to administer all and singular the goods, chattels and credits of the Testator in this State, to take the same into *her* hands, to ask, levy, recover and receive the same; to make a true and perfect inventory or inventories of all the said goods, chattels and credits which shall come to *her* hands, possession or knowledge, or into the hands or possession of any other person or persons for *her*, to return into our said Court, within the time limited by law, such inventory or inventories, to make in said Court, when required, a just and true account or accounts of *her* actings and proceedings in the premises, and duly pay and deliver the legacies specified in said Will, so far as said goods, etc., may extend, according to the value thereof, and as the law shall charge *her*; and in all things, according to law, to exert the rights and perform the duties of the trust conferred upon *her*

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Court, in the City of Holly Springs

Issued

15th day of *July* 19*12*

TEST:

C A Wright

Clerk.

By

D. C.



D.T. HAMILTON,

TESTATOR

Vs

SUSIE L. ALVIS,

EXTRÉ

.....
PROOF OF PUBLICATIONNOTICE TO CREDITORS
.....

FILED

NOV 7 1912

W. Wright
Clerk Chancery Court,*W. Alexander*
D.A.

3666

STATE OF MISSISSIPPI

MARSHALL COUNTY

BEFORE ME, *C. H. Wright*

Clerk of the Chancery Court of said County, this day came *C. H. Wright*

C. H. Wright Editor and Publisher of THE HOLLY SPRINGS REPORTER, a public newspaper, published in the City of Holly Springs, County and State aforesaid, and made oath that the advertisement, of which a copy as printed is annexed, was published in said paper consecutive weeks, in its issues numbered and dated as follows:

Vol *47* No *41* dated the *5* day of *September* 19*12*

Vol *47* No *42* dated the *12* day of " " 19*12*

Vol *47* No *43* dated the *19* day of " " 19*12*

Vol *47* No *44* dated the *26* day of " " 19*12*

Vol _____ No _____ dated the _____ day of _____

Style of case *Susie Alvis adms D. T. Hamilton*

C. H. Wright

HOLLY SPRINGS REPORTER.

Sworn to and subscribed before me, this *7*th day of *NOVEMBER* 19*12*

C. H. W R I G H T

Clerk of the Chancery Court, Marshall County, Miss.

By *C. M. Alexander* D.C.

PRINTER'S FEE

<i>100 words</i>	<i>\$ 3.00</i>
<i>Proof</i>	<i>\$.50</i>
<i>Total</i>	<i>\$ 3.50</i>
_____	_____
_____	_____

Notice to Creditors.

Whereas letters testamentary were granted to the undersigned by the Chancery Court of Marshall county Miss., on the 15th day of July 1912 on the estate of D. T. Hamilton, deceased, now therefore notice is hereby given requiring all persons having claims against said decedent to have the same probated and registered by the clerk of the Chancery Court of Marshall county, Miss., within one year from this date, and a failure to probate and register said claims for one year will bar the same.

This 8th day August, 1912.
 SUSIE ALVIS, Exrx.
 J. C. TORRES, Solr. sept. 5, 12

3666

D J Hamilton
Test

R

Jessie L Alvo's
Ester

Oath

Filed July 15/1912
C H Wright
Clerk

3666

D J Hamilton
Test
R

Jessie L Alois
Extr

Will

Filed July 15/1912
O A Wright
Clerk

Recorded in Will Book No. 1

Page 359.

STATE OF MISSISSIPPI,
MARSHALL COUNTY.

I, D. T. Hamilton, of Waterford, Marshall County, Mississippi, being twenty-one years of age, and ~~of~~^{of} sound and disposing mind, make this, my last will and testament. After my just debts are paid, I give, devise and bequeath all my real estate, as follows: The North East (1/4) Quarter and North Part of South East (1/4) Quarter, Section Ten (10), Township Six (6) Range Two (2) West, containing in all 220 Acres, and the East half (1/2) of South ^{East} Quarter (1/4) Section Thirty-three (33) Township Five (5) Range Two (2) West, and the East Part of South West Quarter (1/4), containing 120 Acres in Section Three (3) Township Six (6) Range Two West, and 152 Acres on the North and East part of the North East Quarter (1/4) and Nine (9) Acres off the East End of the North 80 of the North West Quarter (1/4) all on Section Four (4) Township Six (6) Range Two (2) West. and the South East Quarter (1/4) of the South East Quarter (1/4) of Section Thirty-two (32) Township Five (5) Range Two (2) West, containing 40 Acres, also Ten and one Fourth (10 1/4) Acres more or less, situated on the West side of the North West Quarter

(1/4) on Section Eighteen (18) Township Five (5) Range Two (2) West,
for further description of this last piece of land reference is here-
by made to a deed made by Miss Ella Diggs to D. T. Hamilton, recorded
in Book 68 on Page 286 in the chancery clerks office in Holly Springs,
to Miss Susie^L Alvis of Waterford, Miss. Now if the said Susie L. Alvis
should die without Issue then the above described property to go to
Miss Ruth Alvis, both of whom are my neices. Said property to be mine
and to remain in my possession and under my control until my death.

I appoint as executor of this will Miss Susie L. Alvis of waterford
Miss. who shall not be required to make Bond or any accounting to the
Court. In witness whereof I have signed published and declared, this
instrument as my will and testament, in said County this the 16th day of
August 1907.

Witnesses:

Jack Brooks
Mc Brown

D. T. Hamilton

State of Mississippi,
Marshall County.

Personally appeared before me, Charles Clinard, Notary Public, in
and for said County, the within named D. T. Hamilton, who acknowledged
that he signed and delivered the foregoing Will on the day and year
therein mentioned ~~and signed~~. Given under my hand and seal in Waterford
Miss. this the 12th day of August 1907

Charles Clinard

Notary Public.

No. 3666

STATE OF MISSISSIPPI.

County

CHANCERY COURT.

D. T. Hamilton

Test

vs.

Susan L. Davis
Ester

BILL OF COSTS.

Total Costs *Nov 30 1962 \$9.00*

PAYABLE BY

Susan L. Davis Ester

See Minute Book _____, page _____.

Filed this the *4* day of

December, A.D. 19*62*

O. S. Wright
Chancery Clerk.

By _____, D. C.

Receiving of A. H. Wright - Clerk, Three + 50/100 Dollars
in full of account to date, in within cause
This Dec 1912
Leffler Printer

STATE OF MISSISSIPPI, } IN CHANCERY COURT.
 COUNTY, }

No. 3666

D. J. Hamilton Test
 vs.
Susie L. Alvis Estor

FEE OF *Attorney* CLERK
 (See Sec. 2187, Annotated Code of Mississippi, 1906.)

(a) Filing and marking <i>8</i> papers.....	@ 80	00
(b) Copy of words, @ 10c. per 100		
(c) Docketing case.....	25	25
(d) Entering dismission.....	25	
(e) Setting down cause for hearing <i>1</i> time.....	@ 10	10
(f) Enrolling or recording decrees, words, @ 10c. per 100.....		
(g) Approving and taking <i>1</i> bond.....	@ 50	
(h) Administering <i>1</i> oath, and certifying same.....	@ 25	25
(i) Entering Sheriff's returns on writ.....	@ 25	
(j) Taking probate of will or testament, and granting letters testamentary.....	1 00	1 00
(k) Recording will, testament or codicil words @ 10c. per 100		1 00
(l) Administering oath to executor, administrator, collector or guardian, and taking bond and recording same.....	1 25	1 25
(m) Letters of administration, collection, or guardianship, and order granting the same.....	1 00	
(n) order, appointing appraisers, and copy.....	@ 50	
(o) Issuing <i>1</i> warrant, of appraisement.....	@ 50	50
(p) Registering claims, against decedent.....	@ 50	
(q) Recording inventory..... words, @ 10c. per 100		
(r) Recording appraisement..... words, @ 10c. per 100		
(s) Recording account..... words, @ 10c. per 100		
(t) <i>1</i> certificate, with seal.....	@ 50	50
(u) (a) Issuing writ, other than those mentioned elsewhere herein.....	@ 75	
(b) (d) Entering appearance of defendant.....	@ 25	
(c) (f) Entering motion, or rule, on the docket, and order thereon.....	@ 25	
(d) (k) Order and copy of rule of reference.....	@ 50	
(e) (j) Swearing witness.....	@ 50	

FEE OF SHERIFF
 (See Sec. 2178, Annotated Code of Mississippi, 1906.)

(a) Levying attachment, against debtor.....	@ 25	00
(b) Summoning garnishee.....	@ 75	
(c) Serving summons or return process on def't. @ 1 50 (See paragraph (d), Sec. 2178, Code 1906.)		1 50
(e) Levying execution.....	@ 1 50	
(f) Entering writ, in office.....	@ 25	
(g) Returning writ.....	@ 25	
(h) Summoning witness.....	@ 50	
(i) Executing writ of possession and return (see Sec. 222), 3 00		3 00
(k) Making conveyance to purchaser of real estate.....	2 00	2 00
(l) Taking Bond.....	@ 50	
(m) Impanelling jury (see Sec. 223).....	20	
(n) Executing special venire facias on jurors.....	@ 10	
(o) Serving attachment, for contempt and return @ 1 50		1 50
(p) Serving interrogatories and notice, or notice alone.....	50	
(q) Advertising sale, besides printer's charge.....	@ 1 00	

Total.....

OTHER SHERIFFS AND OFFICERS.

Total.....

FEE OF Master & Com'r.
 (See Sec. 2188 of the Annotated Code of Mississippi, 1906.)

(a) Taking affidavit.....	@ 50	50
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(v) (2) Issuing..... <i>solre facias</i> (not against juror when waived).....	@ 1 00
(w) (7) Swearing and impaneling jury.....	25
(x) (m) Receiving and entering verdict.....	25
(x) (n) Issuing..... <i>subpna</i>for one witness.....	@ 25
(x) (p)additional name. Inserted in <i>subpna</i>	@ 10
(x) (q) Issuing..... <i>commission</i> to take deposition.....	@ 50
(x) (r) Copies of interrogatories.....words, @ 15c. per 100.....	25
(x) (s) Recording return on..... <i>execution</i>	@ 25
(x) (t) Issuing..... <i>certificate</i> to witness.....	@ 15
(x) (z) Taking costs.....	25
§ 2174 Filing the instructions of the Court.....	50
§ 2167 <i>g</i> Entering notice on Lis Pendens Docket and indexing the same.....	25
§ 2167 <i>g</i> Entering order of Court on Lis Pendens Docket.....	25
§ 411 and 2174 Final record.....words, @ 10c. per 100.....	25
Tota.....	550

(c) Report on reference to compute amount due.....	@ 2 00
(d)other report, not on taking account.....	@ 3 00
(e) Taking account on reference.....day.....	@ 2 00
(f) Taking examination of witness.....words, @ 10c. per 100.....	@ 20
(g) Certifying..... <i>exhibit</i>	@ 20
(4) Copying.....words, @ 10c. per 100.....	2 00
(f) Executing conveyance pursuant to decree.....	2 00
(f) Making sale under decree:	
(f) \$2176, 3 per cent. on first one hundred dollars.....	
(f) \$2176, 2 per cent. on second one hundred dollars.....	
(f) \$2176, 1 per cent. onamount over \$200.....	
Total.....	

(For witness fees in Chancery Court, fees of printer, fees of appraisers, and references to law authorizing same, see reverse side.)

RECAPITULATION.	
Fees of <i>Ch Wright</i> Clerk.....	550
Fees of Sheriff.....	
Fees of.....	
Fees of.....	
Fees of..... Master & Cam'r.....	
Total witness fees.....	
Fees of <i>Ch Wright</i> Printer.....	350
Total fees of Appraisers.....	
Grand Total.....	900

I certify that the above is a true Bill of Costs in the above styled cause, this the 30th day of Novr A.D. 1962
Ch Wright, Chancery Clerk.
 By _____, D. C.

\$ 3666 Received of *Jessie L. Alvis Estey*
 the sum of Nine & No/100 100 Dollars, in full payment of all costs
 in the above styled cause. This the 4th day of December, A.D. 1962
Ch Wright, Chancery Clerk.
 By _____, D. C.

NO. 3666

D J Hamilton

Testat

Proof of Execution of Will.

Susie L Alois
Propounder.

Filed 15 day of July 1902

A W Wright
CLERK.

The State of Mississippi, }
MARSHALL COUNTY. } Chancery Court at Rules.

In the matter of a certain instrument of writing, purporting to be the Last
Will and Testament of *D. J. Hamilton*, deceased.

This day came before the undersigned, Clerk of our said Court

Jas. W. Brooks

subscribing witness — to a certain instrument of writing, bearing date the *15th* day of *August*
1907 ~~190~~, and purporting to be the Last Will and Testament of *D. J. Hamilton*
, late of *Marshall* County, deceased, who, after being first

duly sworn, according to law, depose and say that he saw the said *D. J. Hamilton*

sign, publish and declare the said instrument of writing on the day of its date, as

and for *his* last will and testament. That he deponent signed the same as subscribing wit-

ness— thereto, in the presence of the said D J Hamilton, and at his

request. That he saw W C Brown

the other subscribing witness sign said instrument in the presence of said

D J Hamilton and at his request. That he and the

other subscribing witness - subscribed the same in the presence of each other. And that at the time of

signing said writing the said D J Hamilton was of sound and disposing

mind and more than twenty-one years of age.

Jack Brooks

Sworn to and Subscribed before me this 15 day of

July 1912

C Wright CLERK.

By _____ D. C.

