

1866

Citation

The State of Mississippi
Marshall County

To the Sheriff of Winston County - Greeting -
You are hereby commanded to cite Martha E. Woodruff
wife of Weston Woodruff - Weston Woodruff and Samuel
Elbert Leastebury - a widow, with a child - if to
be found in your County, to be and officiate before a Judge
of said Probate Court, of said County, to be held at the
County Court House, in the City of Holly Springs, on the
third Monday in August - next 1866 - then and there to
answer the Petition of Eliza A. Leastebury widow of Ben-
jamin Leastebury decd. - praying for dower to be set off
to her, now on file in our said County, and to show
cause if any they can, why the prayer thereof should
not be granted and a decree rendered accordingly;
and further, to do and suffer such other and further
things as may be considered of by our said Court in
the premises; and to have them and there this writ,
Witness, the Hon Thomas A. Falerney Judge of the
Probate Court of said County, the third Monday of
June 1866, and the seal of said County Court aff-
ixed -

Issued the 23 day of June - 1866 -
Tus W. H. Hattaway Clerk -
"Entered in full 14th day July 1866 -"

W. A. Hutto Sheriff Winston County
Deputy of Proceedings in the above case recorded on pages
363 & following -

Probate Court
Marshall County

State of Mississippi
November Term 1866

J. S. Rodgers Juror
Jas W. Rodgers Juror
Geo. A. Myers Juror

Will

In the name of God Amen,
I, James S. Rodgers of the County of Marshall, and State
of Mississippi, being of sound and disposing mind
and full in body and knowing that life is uncertain
and that death may come upon me at any
unperceived moment do make and ordain this my last
will and Testament, hereby revoking all former wills
made by me, In God I trust my only being
the Lord and my spirit to go to the glory of
Heaven I do hereby give and bequeath all my
estate and effects unto the said State of Mississippi
to be disposed of as the Legislature may think proper
for the benefit of the said State.

1686

Probate Court November Term 1866

to those who have already married and received a portion of my property at their marriage not counting the growth or increase of said property, said distributions to be made by my Executors as they shall think or should think of my said such to go to those who are unmarried or who I wish them to have their portion as above mentioned but until my daughters shall marry or my sons marry or have as above mentioned I wish all my property to remain together as though I were living for the joint use and benefit of my unmarried children as above mentioned, and should set out of my unmarried children die before marrying I wish my interest to work back to my estate for final distribution unless they may see proper, after becoming of age, to dispose of their interest to me or, all of their brothers and sisters or their children - Finally in the final distribution of my estate I will that my three sons James H. Daniel C. & Albert S. Rodgers have one thousand dollars each over and above an equal share, and should either one of them die childless for the surviving brother or brothers to inherit their portion of - my estate so bequeathed to my three sons, (I mean the three thousand dollars, given to my three sons over and above their equal share) - I also wish my two daughters Louisa C. & Flora M. Rodgers to have two thousand and fifty dollars each as preterit money over and above their equal share, Finally all notes and accounts which I may hold against any of my children at my death are not to be barred by any statute limitation, but are to be counted in as a portion of their interest in my estate in the final distribution, Finally and lastly I hereby constitute and appoint my son James Harrison Rodgers, and George D. Meyers Executors of the my last will and testament, hereby giving and granting my said Executors full power and authority to manage my estate to sell the contents and apply the proceeds to the use and benefit of my estate to buy & sell give and receive for personal or real estate as they may think best for the benefit of my estate the same as I could be doing, with full power with such assistance as they may see fit to make a final distribution of all my estate real and personal except what is above mentioned equally among my children as above mentioned and that their portion shall be paid to them during their life and if they die before their children of any kind inherit my estate to be disposed of as they shall think fit.

Probate Court November Term 1866

16 S. R.
Stamps
4.50

In witness whereof I have hereunto set my hand and seal this 28th day of July 1866
Signed in presence of
J. A. Cummings
Anderson Arnold
J. A. Moxley

James S. Rodgers

✓
345

S. A. Monroes Debt
A. C. Mainwaring Return

Final aft. Ac-

Estate of S. A. Monroes De Estate In account A. C. Mainwaring

Said administrator pays allowance for the following disbursements by him made on behalf of said Estate
Vouching 1 July 25th 1866 - Rd. Hebbly & Watkins acct 34 13
" 2 Oct 26th 1865 " Patton & Scruggs 15 00
" 3 Aug 14th 1866 " Leah Whittemore rents 247 37
" 4 Dec 1st 1865 " Just Bradley acct 50 00
" Comish. Levy 15 00
Commissions on \$61125⁰⁰ at 6% 361 65

723 15

Said administrator charges himself with the following receipts on behalf of said Estate
Am't due Estate as per last settlement 9239 41
" Recd from Mary Moore (at time sale) 589 20
May 1st 1866 am't recd of S. A. McCombs 1000 00
" Elam Morrison note interest 1298 00
" " " " 67 20
July 31st 1866 " M. McCannin 8 79
" " " J. F. Wilson 2 31
Aug 1st 1866 Robt. H. Leggins 8 10
" am't recd from delay, too McCombs gotten at sale of property 32 58
Aug 1st 1866 Recd of J. G. French 56 25

8721 83

Balance due Estate

723 15

Paid Elam Morrison
deduct one 1 share
Am't due & owing

5125 28
532 51
5657 79

James S. Rodgers agent for the estate
J. A. Cummings
Anderson Arnold
J. A. Moxley