Case 2

File No. 59

THE STATE OF SOUTH CAROLI
COUNTY OF YORK

PROBATE COURT

EX PARTE

Sarah Davis,
Applicant

IN RE

Estate of Mary Smith,
Held

1831

South Carolina
York District } Personally came before me
Gordon Moore Esq.r & Jno. Leech & declared
on oath that they are disinterested witts
the land the property of Mary Smith dec.d
said to contain one & sixty acres or there
abouts & are of opinion said land is
worth about two dollars & fifty cents p.r
acre or four hundred dollars

Sworn to & subscribed before me
this 1st day of 1831.

Gordon Moore
John Leech

Dan.l Chambers J.P.

LAND VALUATION

Sarah Davis one of the
heirs at Law of Mary Smith dec.
Appellant
vs

Dan'l Smith Jno Smith Jno Humphrey in
right of his Wife Polly +
Dr Richards in right of his Wife Catherine +
Dr Saml Alexander in right of his do. Hannah +
Henry Smith dec. Children viz Benj. Morgan in right of his Wife
Rachel Morgan Wm J. Smith Jno Smith, Henry Smith
Nathaniel Smith Sarah Smith Jenny Smith Eleanor
Smith Seymour Smith heirs at Law of Henry Smith

~~Daughter Sarah Davis~~
DAN'L SMITH
JNO. SMITH
POLLY / JNO. HUMPHREY
CATHERINE / DR. RICH
HANNAH / DR SAM
~~HARRY~~ SMITH (DEC)
HENRY BENJ.
RACHEL / MORGAN
~~NATHL~~ JN SMITH
GEO. SMITH
~~Henry~~ SMITH
Nathaniel
Sarah
Jenny
Eleanor
Seymour

Heirs
Henry Smith

Nathaniel Gordon
Moses Gordon & Jno Gordon
concerning the land
of Mary Smith dec.
Aug. 1. 1831

Received Sept 2d 1831

Know all men by these presents that whereas Mary Smith late of pickens County Alabama Decd Died Intestate and that We Samuel D. & Hannah Alexander of the County and State aforesaid are Heirs at Law of said Estate of the aforesaid M. Smith

Now know ye that we the said Samuel D. & Hannah Alexander have made ordained Constituted and appointed James McCluney of York District South Carolina our true and Lawfull Attorney for us and in our name and for our use and benefit to Ask Demand and Receive of Benjamin Chambers & others our part or Divided of s.d Estate in whosoever hands it may be found And upon Receipt thereof by or payment thereof to our s.d Attorney A General Release or Discharge for the same to make execute and Deliver

Hereby Ratifying Confirming and Allowing whatever our s.d Attorney shall Lawfully do in the premises

In Witness whereof we have hereunto set our hands and seals

Sam.l D. Alexander (L.S.)

In presents of

Samuel Leasler

J. M. Alexander

Hannah Alexander (L.S.)

State of Alabama
Pickens County } Personally came J. M. Alexander and made oath that he saw Samuel D. & Hannah Alexander sign seal and acknowledge the above power of attorney to be their act and deed for the purpose therein mentioned and he with Samuel Leasler in the presence of each other witnessed the due execution thereof sworn to and subscribed this 13th Day of September 1837

Before me

Jno. T. Burdine

Justice of the Peace for Pickens County

J. M. Alexander

WRIT IN SUMMONS.

THE STATE OF SOUTH CAROLINA,
York **DISTRICT.**

To Dan.l Smith Jno. Smith Jno. Humphries in right of his wife Polly D W [illegible] in right of his wife Catharine D [illegible] in right of his wife Hannah [illegible] Smith [illegible] Jas. Morgan in right of his wife Rachel [illegible] Smith [illegible] Mary Nathaniel [illegible] legal heirs and representatives of Henry Smith [illegible] and legal representatives of their father who is one of the heirs at law of Mary Smith who died intestate, Greeting:

YOU are hereby required to appear at the Court of Ordinary, to be holden at York Court-House for York District, on the fourteenth day of November A. D. 1831 to shew cause, if any you can, why the Real Estate of Mary Smith Widow of Abraham deceased, situate in said District, on Loves Creek a Branch of Bullocks Creek bounding on the No. by Lands of Jno. Leech E. by Jno. Thompson W. by Jos. Thompson & Gordon Moore and containing by estimation two Hundred & Thirty acres, originally granted to Abraham Smith should not be divided, or sold, allotting to the said Sarah Davis, one seventh part thereof & the remainder in like equal parts to each of the aforesaid heirs ~~one third thereof, and the remaining~~ at Law being six of them the heirs at law of Henry Smith taking among them ~~in equal portions to the said~~ being nine in number the part their father would have been entitled to if living making in all seven dividends

Given under my hand and seal, this fifth day of September 1831.

Benj.n Chambers Ordinary,
York District.

We whose names are hereunto subscribed do hereby acknowledge the service of the within Written Summons for the persons within mentioned Sept. 5th 1831

Wm Smith
Abraham Smith
Abraham J Smith Senr
Danl Smith

The persons who reside without the limits of the State having been notified by advertisement agreeable to the Act of Assembly of this State

Nov 14 1831

Wm Alexander Clerk

Sale the within Land
to Joseph Hemington
for [illegible] dollars
[illegible] 65
[illegible]
John S. Allen
Agt

Sold the within Land to
John Humphreys for three
dollars 65 cts the
highest and best bid
Jany 22 1850 John S. Allen
Agt

Memo

Sale [illegible]
[illegible]
[illegible] 1.10
[illegible]
Mt. Day 49 & 50

Sale & Deed of Sale
[illegible]
[illegible] the land of
Sale of Mary
Smith dec.
Jany 22 1832
Order for
Sale

GUARDIANSHIP BOND.—P. Carey, Printer.

SOUTH CAROLINA,

York DISTRICT.

KNOW ALL MEN BY THESE PRESENTS, that we, Abraham Smith are holden and firmly bound unto Benjamin Chandler ~~Governor and Commander in Chief and~~ Ordinary of this State in the full and just sum of One Thousand Dollars ~~pounds~~ current money of the said State, to be paid to the said ~~Governor and~~ Ordinary, or to his successors, ~~Governors and~~ Ordinaries of the said State. To which payment well and truly to be made and done, we hereby bind ourselves, jointly and severally, our several Heirs, Executors and Administrators, in the whole and for the whole, firmly by these presents. Sealed with our Seals, and dated the Twelfth day of August Anno Domini, Eighteen hundred and Thirty one and in the fifty sixth year of American Independence.

The condition of the Above Obligation is such, that if the above bounden Abraham Smith do and shall carefully and handsomely bring up Sarah Smith Jenny Smith Salamon Smith & Seuntha Smith during their minority and non-age, with necessary meat, drink, washing, lodging, apparel and learning, according to his degree; and shall during the time the said Abraham Smith shall be Guardian and Tutor unto the said Sarah, Jenny Salamon & Seuntha Smith defend them from hurt of body, loss of goods and lands, so far as in his power lieth; and such portions as shall fall due unto the said Sarah Jenny Salamon & Seuntha Smith of the Goods and Chattels of any person whatsoever, according to the inventory thereof, or by any other ways whatsoever, shall deliver and pay unto the said Sarah Jenny Salamon & Seuntha Smith when they shall come to age to receive the same by law. And if it happen that the said Sarah Jenny Salamon & Seuntha Smith or either of them shall die before that time, then if the said Abraham Smith do contract and pay the portion and other rights of the said Sarah Jenny Salamon & Seuntha Smith to whom the law shall appoint the same to be paid, or who, by proximity of blood, ought to have it; and shall also render a true and perfect account upon the tuition to him granted, when thereunto required; and also save and keep harmless the above named ~~Governor and~~ Ordinary, and all other Officers ~~and Ministers~~ under him, for or by reason of granting the said Letters of Guardianship; that then the above obligation to be void and of none effect, or else to remain and be in full force and virtue.

Sealed and delivered in the presence of

Abraham Smith (SS)
John McElwee (SS)
Jno. Smith (SS)

GUARDIANSHIP BOND.—P. Carey, Printer.

SOUTH CAROLINA,
York DISTRICT.

KNOW ALL MEN BY THESE PRESENTS, that we, Abraham Smith are holden and firmly bound unto Benjamin Chamber ~~Governor and Commander-in-Chief and~~ Ordinary of this State in the full and just sum of five Hundred dollars ~~lawful~~ current money of the said State, to be paid to the said ~~Governor and~~ Ordinary, or to his successors, ~~Governors~~ and Ordinaries of the said State. To which payment well and truly to be made and done, we hereby bind ourselves, jointly and severally, our several Heirs, Executors and Administrators, in the whole and for the whole, firmly by these presents. Sealed with our Seals, and dated the Twenty sixth day of August Anno Domini, eighteen hundred and Twenty seven and in the fifty seventh year of American Independence.

The condition of the Above Obligation is such, that if the above bounden Abraham Smith do and shall carefully and handsomely bring up Henry Smith & Nathaniel Smith during their minority and non-age, with necessary meat, drink, washing, lodging, apparel and learning, according to their degree; and shall during the time the said Abraham Smith shall be Guardian and Tutor unto the said Henry Smith & Nathaniel Smith defend them from hurt of body, loss of goods and lands, so far as in his power lieth; and such portions as shall fall due unto the said Henry & Nathaniel Smith of the Goods and Chattels of any person whatsoever, according to the inventory thereof, or by any other ways whatsoever, shall deliver and pay unto the said Henry and Nathaniel when they shall come to age to receive the same by law: And if it happen that the said Henry or Nathaniel or either of them shall die before that time, then if the said Abraham Smith do contract and pay the portion and other rights of the said Henry and Nathaniel to whom the law shall appoint the same to be paid, or who, by proximity of blood, ought to have it; and shall also render a true and perfect account upon the tuition to him granted, when thereunto required; and also save and keep harmless the above named ~~Governor and~~ Ordinary, and all other Officers ~~and Magistrates~~ under him, for or by reason of granting the said Letters of Guardianship; that then the above obligation to be void and of none effect, or else to remain and be in full force and virtue.

Sealed and delivered in the presence of

Abraham Smith (LS)
John McElwee (LS)
Wm Smith (LS)

[illegible] Petitioners
[illegible] Smith, Daniel & [illegible]
[illegible] right of his wife Catherine
[illegible] Smith, Jr. No. 98
[illegible] Hannah his wife by her Petty
[illegible] the heirs of Henry Smith being given
of them defendants

Summons in Petition

On the examination it is ordered & decreed
that the lands described in the summons in
partition and this case be sold by the Sheriff
of York District on the twenty third day of Jan
next instant on the ensuing other days as
will be most for the advantage of the parties
for cash upon a credit of twelve months
the purchaser giving bond with good security
and a Mortgage of the premises if deem
necessary to the ordinary for the payment
of the purchase money

Dan. McCants o.e.

Jan. 2nd 1831

[illegible]

[illegible]

Lot to Daniel Smith Senr. Dany
[illegible]
Sam. Smith in right of his Wife
Jno. Humphrey in right of his Wife Polly
& the heirs of Henry Smith being minor
of them defendants

Summons in Partition

On the examination it is ordered & decreed that the lands described in the summons in partition and the same be sold by the sheriff of York District on the twenty third day of January this instant on Our Court other legal days and will lay most for the advantage of the parties in the right on a credit of twelve months the purchaser giving bond with good security and a Mortgage of the premises of date thereof to the ordinary for the payment of the purchase money

Benj.m Cherry C.E.O.

Jany. 2nd 1831

Abraham Smith Administrator of Mary Smith

1831 To Gordan Allcorn — Dr.

To Making coffin — $3.00

To Hire for the same — 2.00

$5.00

State of No. Carolina
York District } Personally came Gordan Allcorn before me the Subscriber and Saith on oath that the above Bill of Expenses is just and true and that he never received the same or any part thereof.

Sworn & Subscribed to before me this 2nd day of February 1832.

Wm. Hemphill J.P.

Gordan Allcorn

Know all men by these presents that we John J. Humphries and Mary Humphries wife of John J. Humphries upon special trust and confidence in Amos Dunn of York District and State of South Carolina have nominated, constituted and appointed and by these presents do nominate, constitute and appoint the said Amos Dunn our true and lawful attorney in our names and for our use and benefit to sell, alien and dispose of all the right, title and interest which the said Mary Humphries wife of the said John Humphries and the said John J. Humphries in right of his said wife have in and to two certain tracts of land formerly belonging to Abram Smith since deceased of Union District State of South Carolina and which descended to the said Mary Humphries as one of the heirs of the said Abram Smith, both of said tracts lying and being in the said District of Union South Carolina one of them being the tract of land on which the said Abram Smith resided at the time of his death, lying on Gilkeys Creek in said District and the other tract being the one on which the said John J. Humphries

resided prior to and at the time of his removal
from the State of South Carolina to the
State of Mississippi lying also in said
District on Thickety Creek and adjoining
James Carrys place. The said Amos Dains is
by these presents authorised and empowered to
make deeds of conveyance to the purchaser
or purchasers of said land and to receipt
for the purchase money, and to do all
necessary and rightful acts in and about
the sale of said tracts or parcels of land
in as ample and full a manner as we
could do were we personally present.

The do further Empower
and authorise the said Amos Dains as
our attorney to receive and collect all moneys
now in the hands or office of the Ordinary
of York District in the said State of
South Carolina due for any land sold
belonging to the said Mary Hampton
or on any other account whatever
and to give a receipt and acquittance
for the same in our names.

And we do further
Empower and authorise the said

Anos Dunn to do every act and thing
things in and about the premises, and in
about the management and superintend
ance of our rights and interests of whatsoever
kind and nature in as full and ample a
manner as we could or might do we
we personally present,

Hereby ratifying
and confirming whatsoever our said
attorney may lawfully do in the premises.

Witness our hand and
seals the 28th day of May 1832

John J Humphries (LS)

Mary Humphries (LS)

The State of Mississippi
Lowndes County } Personally appeared before
me John H. Morris an acting Justice of the peace
of said County, the above named John J. Hum-
phries who acknowledged that he signed sealed
and delivered the within power of attorney on
the day and year therein mentioned as his act
and deed. Given under my hand and
seal this 29th day of May 1832

John H. Morris (Seal)
Justice of the peace

John L. Humphries
Mary Humphries
E. J. Powers
Amos Clay

The State of Mississippi } I, John A. Morris, an acting Justice
Lowndes County } of the peace of said County, do certify
that Mary Humphries, wife of John L. Humphries, was privately
apart from her husband examined by me, who acknowledged
that she signed, sealed & delivered the foregoing power of
attorney, voluntarily & freely, without any fear, threats or com-
pulsion of her husband. Given under my
hand & seal this 29th day of May 1832.

John A. Morris (Seal)
Justice of the peace

Received of Benj.n Chambers Ordinary of York District
Twenty five dollars & $\frac{25}{100}$ Cents in full of the
amt. due Sarah Davis one of the heirs at Law
of Mary Smith deceased Widow of the
Smith dec.d it being for land sold to make
partition among the heirs at law February
7th 1832

Amos Davis
Agent for Sarah Davis

The State of Mississippi }
Lowndes County } I, Robert D. Hadden Clerk of the County Court in and for said County of Lowndes do hereby certify that John A. Morris whose name is subscribed to the foregoing certificate is and was at the time of making the same an acting Justice of the peace and that his attestation as such ought to have full faith and credit.

Given under my hand and seal of office at office this 29th day of May 1832.

R. D. Hadden
Clerk C.C.

The State of Mississippi }
Lowndes County }

The State of Mississippi

I Thomas Simpson presiding Judge of the Circuit and Probate court for Lowndes County do hereby certify that Robert D. Hadden who has made the foregoing certificate is and was at the time of making the same the Clerk of said court and that faith and credit are due to his official acts as such — Given under my hand and seal this 29th day of May 1832 —

T. Simpson (Seal)
presiding Judge &c

Capt. A. Wilkins Gives notice to the Ordinary of York District not to pay
over to Dawkins & Littlejohn the amount that may be due by partition of
the within tract of land to Daniel Smith, as he has fairly and honestly
paid Daniel Smith for the same and has his assignment or authority
to receive all that he is entitled to from the sale aforesaid dated March
1832 March 7th 1833

A. Wilkins By
James Rogers his Atty

Wm. R. Hall

Dawkins & Littlejohn
vs
John Smith &
Daniel Smith
Notice
for
ordinary

10

The original examined
Oct. 16 1892 F. Clanky Jr.

Benjamin Chamberlain Esqr.

You are hereby notified

not to pay over to John & Daniel Smith their distribution shares of the money arising from the sale of a certain tract of land sold by you as Ordinary of York Co. as the property of Mary Smith for partition amongst the distributees, as we have a judgment against each of the above named persons; the land was purchased by John Hampshire on the intent applying at the next court of equity for an order to obtain their respective shares of the money

Dawkins & Hitchcock
per atty. J. N. Dawkins

Oct. Term 16: 1832

Rec'd $125.00 of Lewis Bond February 9th 1832 one Hundred & twenty five dollars

Rec'd Jan'y 28th 1833 five Hundred & thirty dollars of the within Bond Dny. Chambers Jr.

$530.00

Received of John Hemphill the sum of fifteen dollars & twenty five cents in full of the within Bond this 4 day of March 1833 Dny. Chambers Jr.

Mr. Hemphill's Exr.
James J. Hemphill
Paid office the 28th
Jan'y 1833 for

Know all men by these presents that we John Humphreys and James S. Humphreys are held & firmly bound unto Benjamin Chambly Ordinary for the District of Orangeburg in the penal & just sum of fifteen hundred & forty one dollars & fifty cents to be paid to the said Benjamin Chambly or his successors in office or his certain Attorney Executors Administrators or assigns to which payment well & truly to be made & done we bind ourselves and each & every of our heirs Executors & administrators jointly & severally firmly by these presents sealed with our seals & dated this Seventh day of February in the year of our Lord one thousand eight hundred & thirty two & the fifty seventh year of American Independence

The condition of the above obligation is such that if the above bound John Humphreys and James S. Humphreys or their heirs Executors or administrators shall & do well & truly pay or cause to be paid unto the above named Benjamin Chambly Ordinary as aforesaid or his successors in office or his certain Attorney Executors or assigns the full & just sum of seven hundred & twenty dollars & twenty cents & cost on or before the first Thursday in January which will be in the year of our Lord one thousand eight hundred & thirty three without fraud or further delay then this bond to be void & of no effect otherwise to be & remain in full force & virtue in law

Signed sealed & delivered in the presence of

E. Avery

Jno S Humphreys (Seal)

Received March 26th 1854 of Benjamin Chambers Ordinary of York Dist one hundred and one 20/100 dollars it being Daniel Smith's distributive share of a tract of land sold by the ordinary of York District as the property of Mary Smith for partition among the distributees of said Mary Smith. The suit is now pending in the court of Equity between us the undersigned and it is understood that this receipt is not to affect the decision of said suit but to release the ordinary from any liability to either of us.

Thos M. Dauphins
Aaron Wilkins

The Statement of the
Land sold of Mrs
Mary Smith
dec'd Feb 12th 1833

Recorded
M Dapp 123
124 125 & 126

Sarah Davis one of the heirs at Law of Mary Smith dec.d Applicant
vs
the other Heirs at Law of said dec.d estate defendants

Summons in Partition

Dr. To the Adm.r of the purchaser Bond John Hemphill
Due 23.rd January 1833 — — $770.77½

Contra Credit

By Ordinary fees — — — $10.00
Sheriffs fees on Sale — — — 1.60
N. M. Folker Adv.t advertising 8 Weeks — — — — — 3.37½
R.t Davidson Tax rec.d for 3 years 1829 1830 & 1831 — — — — — 2.86¾
Abm Smith Carrying Chain 1.00
James Moore do — do — 1.00
Gordon Moore for surveying said Land one day supposed to be 4.00
Commissions receiving & paying out 38.53 — 62.37½
$708.40¼

Divided among seven heirs at Law
each one entitled to $101.20

Rec.d of Benjamin Chamley Ordinary of York District being appointed Guardian for Sir of the Minor heirs at Law of Henry Smith dec.d one of the heirs at Law of said dec.d (viz) Henry, Nathaniel, Sarah, James, Eleanor & Cintha each Eleven dollars & 24½/100 Cents in all Sixty seven dollars & forty seven Cents in full of what is due them & in my hands in the above stated case February 12th 1833

Abraham J. Smith

Rec.d of Benj.n Chamley ordinary of York District Eleven dollars & 24½/100 Cents in full of the distributive share I am entitled to one of the heirs at Law of Henry Smith dec.d in the above stated case July 12th 1833

Abraham J. Smith

Rec.d of Benj.n Chamley ordinary of the district of York Eleven dollars $\frac{24}{100}$ Cents in full of the distributive share I am entitled to of the foregoing stated case as one of the heirs at law of Henry Smith dec.d Feby 12th 1833

John A. Smith Junior

Rec.d of Benj.n Chamley ordinary of the district of York one dollar for carrying chain surveying land & two dollars ~~87½ Cents~~ land tax for three years in all three dollars ~~& 87/100~~ Cents Feby 12 - 1833 the written stated case

Abraham J. Smith

Received of Benjamin Chamlee ordinary of the District of York one hundred & one dollars & twenty Cents in full of the distributive share that John Humphreys in right of his Wife Mary is entitled to of the State of Mississippi Lowndes County they having authorized me by power of Attorney to receive the same arising from the sale of the real estate of Mary Smith dec.d as written stated March 4th 1833

Amos Davis Atty

Rec.d of Benj.n Chamley ordinary of the district of York Eleven dollars & $\frac{24}{100}$ Cents in full of the distributive share which I am entitled to as Attorney of Benj.n Morgan of the State of Tennessee Rutherford County May 6th 1833

Abraham J. Smith

South Carolina
York District } October 29th 1833

Recd of Benjamin Chambers Ordinary of the
District aforesaid One hundred & one dollars 20/100
cents in full of the distributive share of the real
estate of Mary Smith late deceased of the State of
Alabama sold to make partition among
the heirs at law as a power of Attorney to me
more fully shew at Horseshoe & to collect
& receipt for the share which said J. Allison
is entitled to in right of his Wife Hannah
one of the heirs of said deceased J. McClung
Atty

S. Carolina
York District } Recd 11th Dec 1833 of Benjamin Chambers
Ordinary of the District of York One hundred & One Dollars 20/100
in full of the distributive share of John Smith to a tract of
land sold by the ordinary as the Estate of Mary Smith deed
of the State of Alabama, to make partition amongst the
Heirs at Law of said Mary Smith deed. This amt received
by me as the share of John Smith one of the Heirs & by John
Smith by order directed to be paid to J. N. Dawkins
& by J. N. Dawkins as per order directed to be paid
to me —

J. M. Cooper

Abraham Smith Guardian of Henry & Nathaniel Smith two of the heirs at law of Henry Smith dec.d estate for money arising from the Sale of Mary Smith the Mother of the aforesaid Henry Smith dec.d real estate Setlm.t -

The Am.t drawn & rec.d of Benj. Chaney O.P.B 12 Feby. 1833 for each of them $11.24½ —	$22.49
Contra Credit	
By ordinary fees Guardianship Bond 3.00 this Setmt. — 1.00	4.00
	$18.49

Rec.d of Ab.m Smith my Guardian Nine dollars & twenty five Cents in part of the distributive share of the above estate in his hands Feby. 12th 1833. Henry Smith — 9.25

$9.25

Sworn to before me
Feby. 12th 1833
Benj.n Chaney O.P.B

Know all men by these presents that I Benjamin Morgan of the County of Rutherford, State of Tennessee, hereby constitute and appoint Abram Smith Jun. of York District, South Carolina, my true and lawful attorney for me and in my name, and for my own proper use and benefit, to demand and receive from such person or persons, either in South Carolina or Alabama, as may have in their hands, the estate of Mary Smith dec.d formerly of South Carolina, who died in the State of Alabama, all such sum or sums of money as are now due, and owing me as a legatee or distributee of said Estate, and in my name to use all lawful ways and means for the recovery of the same, as fully in every respect as I might or could do were I personally present. And I hereby ratify whatever my said attorney may lawfully do in the premises — In Witness whereof I have hereunto set my hand and seal this 5th day of April 1833.

Benjn. Morgan (Seal)

State of Tennessee } Personally appeared before me,
Rutherford County } William Lackeller, Clerk of the Circuit Court of said County, Benjamin Morgan Esquire, to me known and am personally acquainted, and acknowledged that he executed the above Power of Attorney to Abram Smith Jun. for the purposes therein mentioned.

In Testimony whereof I have hereunto set my hand, and affixed my seal of office at office in Murfreesboro this the 6th day of April 1833.

Wm. Lackeller
Clerk

State of Tennessee } I Lazarus W. Mitchell, one of the Judges
Rutherford County } of the Circuit Court of Law and Equity in and for
the State aforesaid, and presiding Judge of the Circuit Court
of said County, do certify that William Lea Sutton is the
acting Clerk of said County, that his attestation is in due
form, and that he is the officer appointed by law to take
the acknowledgements of Powers of Attorney, and other
instruments — Given under my hand 6th day of April
1833.

L. W. Mitchell

Pickensville Alabama
18th June 1833

Dear Uncle

I some time since rec.d your favour by mail and this day yours by Mr Byars I have herewith annexed the power of Atty which you mentioned would be requisite and hope will have the desired effect. When you draw the money I wish you to send it as soon as possible either by mail or private conveyance, and send if possible United States or Alabama money as your money & Georgia is under par here but if you cannot procure either you may send South Carolina, I am much obliged to you for your former attention & wish you to retain what you think right for your trouble. Aunt Hannah Hall is on a visit at our Town and now at my house, and wishes to be remembered to you and family and informs you they family & family connexion are generally well. My own family is well with the exception of our son Elnathan who has an attack of Liver complaint but is some what on the mend. This season is somewhat sickly mostly bowel complaints with some deaths among children. Money very scarce and provisions high on account of the emigration. My wife joins her love to you and family with all enquiring friends.

I am dear Uncle yours with regard and esteem

Wm. H. Richards

Mr. Joseph Guyton.

Received July 8th 1833 One hundred & one dollars
full of the distributive share of the real estate of
Mary Smith dec'd by virtue of this power of Attorney
Witness my hand & seal rec'd of Rev. Chambly
orphans Court of York District
Joseph Leck Jos. Leck

Received July
Jun 19

Mr. Joseph Leck
Milledgeville
Union District
S.C.

Paid

Mr. Michael and
Catherine his wife
Power of Atto to
Jos. Leck

Mary Land
Mary Smith dec'd estate
$101.00

In witness whereof we have hereunto set our hands and seals this 15th day of May in the year of our Lord one thousand eight hundred and thirty three

Signed and sealed in presence of
James Y. Shaw Justice of the peace

Wm. Richards (SEAL)
his
Catharine X Richards (SEAL)
mark

The State of Alabama
Pickens County

J. Francis M. Bostick Clerk of the County Court of Pickens County do hereby Certify that James Y. Shaw is an acting justice of the peace for said County and that all due faith and Credit should be given to his official acts as such.

Given under my hand and the seal of the said County this 1st day of May 1833.

J. F. M. Bostick Clerk

State of Alabama
Pickens County

J. George H. Flournoy Judge of the County Court of Pickens County do hereby Certify that Francis M. Bostick is Clerk of the County Court for Pickens County and that all due faith and Credit should be given to all his official acts as such and that the Certificate above is in due form of law.

Given under my hand and seal of office this 11th day of June 1833.

G. W. Flournoy

Pickensville Alabama
18th June 1833

Dear Uncle

I some time since rec.d your favour by mail and this day yours by Mr Byars I have hitherto answered the power of Atty which you mentioned would be requisite and hope will have the desired effect. When you draw the money I wish you to send it as soon as possible either by mail or private conveyance, and send if possible United States or Alabama money as your money & Georgia is under par here but if you cannot procure either you may send South Carolina, I am much obliged to you for your former attention & wish you to retain what you think right for your trouble. Aunt Hannah is on a visit at our Town and now at my house, and wishes to be remembered to you and family and informs you they family & family connexion are generally well. My own family is well with the exception of our son Elnathan who has an attack of Liver complaint but is some what on the mend. This season is somewhat sickly mostly bowel complaints with some deaths among children. Money very scarce and provisions high on account of the emigration. My wife joins her love to you and family with all enquiring friends

I am dear Uncle yours with regard and esteem

Wm. Richards

Mr Joseph Guyton.

The State of Alabama,
Pickens County } I Francis M Bostick Clerk
of the County Court for said County do hereby
certify that the within named James B Bandy
is an acting Justice of the Peace in and for
said County and all full faith and
credit ought to be given to all his official
acts as such

Given under my hand and
official seal at office this 13th
day of September AD 1833
and in the fifty eight year
of American Independence
Test Francis M Bostick Clerk

The State of Alabama,
Pickens county } I George H Flournoy
County Court of said county, do hereby certify that Francis
M. Bostick, whose signature is subscribed to the fore-
going certificate, is the acting clerk of the coun-
ty Court of said county, and that his attestation
is in due form. Given under my hand
at Carrollton in said county this 13th day of
September, A.D. 1833.

G H Flournoy, Judge
as aforesaid

Rec'd 11th Dec 1823 of B. Chambers ordinary of the District of York One hundred & one Dollars $\frac{20}{100}$ in full of the Share of John Smith, being out of the sale of a tract of Land, sold by the ordinary, to appropriate Devised amongst the Heirs at Law of Mary Smith dec'd

this amt Rec'd in pursuance of the within order, & I have also signed a Receipt for the above sum of the date, in the ordinary's Office —

S. M. Cooper

Mr. Smith one of the heirs at Law of Mary Smith dec'd vs. Wm. Chambers

order & compliance with the order to sell & divide of John Smith

To S. M. Cooper

Decemb'r 11 1823

Union Court House Nov. 16 1833

Benjamin Chambers Esqr. Dear Sir, I herewith send an order from John Smith one of the distributees of Mary Smith requesting you to pay to me or my order the money which is in your hands arising from the sale of a tract of land as the property of said Mary Smith & Smith & myself have settled the dispute between us as to the money & I hereby request you to pay to J. M. Cooper the amount to which John Smith is entitled which according to my recollection is one hundred & seven dollars & take Mr Coopers receipt for the same which will be good against me & will be so received

Respectfully
Yours &c
Thomas R. Dawkins
Atty for Dawkins & Little, Pltfs

Mr. Benjamin Chambliss Ordinary of York district. I hereby authorize and request you to pay to Thomas M. Dawkins or his order the amount of money which I am entitled to receive from the sale of a certain tract of land sold by your order as Ordinary of York dist, as the property of Mary Smith, to the amount of the part of which I am entitled as a distributee of said Mary Smith. And this my order shall be your acquittance for the same

Given under my hand & seal
Nov. 4: 1833

Jno. Smith (Seal)

A. W. Hanson

J. N. Dawkins letter
to B. Chambers and
Concerning the
Smith demand
of the real estate of
Mary Smith &c.

Mr. J. M. Cooper
Dr. A. Allen
J. C.

Union Court House Nov. 30th 1833

Benjamin Chambers Esqr.

Dear Sir, A few days since I sent an order on you signed by John Smith requesting you to pay to me on my order the amt of money which he was entitled to receive from the sale of a tract of land at the property of Mary Smith dec'd, sold for partition among the distributees, of whom he was one; accompanied with an order from me to pay the same to James McCoopen. I received today a letter from Mr Coopen informing me that you refused to pay it on the ground that the matter was now pending in the court of equity to determine who was entitled to the money which lies on myself: I certainly should not have given an order on you to pay money, the right to which was controverted if I had known it; & by reference to your papers you will discover that I have not done so, & that you are entirely mistaken as to the facts

Mr. Wilkins has a claim on Daniel Smith's part of the estate which we are now contesting, but Mr Cooper's letter gave me the first information that Wilkins ever pretended to have the shadow of a claim on John Smith's part. he has never to my knowledge set up any claim to it, nor do I believe he has any. John Smith alone was contesting my right to his part of the money on the day that he gave me the order on you I paid him some part of the money in order to close the business so far as he is or was concerned, & the order which Cooper now has combines the interest of all conflicting parties. And I therefore request that you rectify the mistake under which you came to be labouring as to Wilkins' claim & pay John Smith's part which is all I ask, to J. M. Cooper agreeably to the orders of John Smith & myself. If you are not satisfied Grant Rogers who is of counsel for Wilkins & John Smith can inform you that Wilkins has no claim to John Smith's part; but by reference to your own papers as also the proceedings in the court of equity, you can not but be satisfied that Wilkins' claim extends only to Daniel Smith's part & not Johns. Respectfully yours &c

J. M. Cooper

Union St. House Nov. 20th 1833

Mr. J. M. Cooper Dear Sir, I rec'd yours of yesterday by to days mail and was disappointed in hearing that Mr. Chambers refused to pay you the money agreeably to my order Mr. Chambers is certainly under a mistake about the money, which I have attempted to explain to him on the other half of this sheet which you can see & then hand it to Mr. Chambers, which perhaps may remove the difficulty he feels in paying the money

If Mr. Chambers still refuses to pay you the money the only alternative for me is to pay you myself

If he does not pay he so good as to inform me & keep the order until I call or send for it

Respectfully
yours &c
J. M. Dawkins

RECEIVED of Mary Smith

0 Dollars and

10½ Cents on account of his General, Poor

and Public Building Tax for the year 1829.

H Davison T. C.

RECEIVED of Abraham Smith Jr

for Mary Smith Dollars and

56 Cents on account of his

General and District Tax, for the year 1831,

H Davison T. C.

21

RECEIVED of Mary Smith

Dollars and

7¼ Cents on account of his

General and District Tax for the year 1830.

H Davison T C.

20