

## WILL OF ARTHUR AVERY, SENIOR – 1883 BIBB

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Source: Transcribed From The Avery - Hunt Family Connections Compiled By Doris Avery In 1984.)  
Written: March 30, 1883

In the name of God Amen. I Arthur Avery, Sr. of the county of Bibb and State of Alabama being of sound mind and memory, and considering the certainty of this frail and transitory life do therefore make, 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 I give bequeath and dispose of as follows Towit

My brother Avery (apparently Alex) children by his second wife. J. Thomas Avery, Alix Avery each the sum of two hundred and fifty dollars, and Josephine Avery the sum of three hundred and fifty dollars, and to my nephew Henry Avery a son of my brother Samuel Avery the sum of one hundred and fifty dollars and to James Avery a son of my Bro Samuel Avery the sum of one hundred and fifty dollars and to the heirs of my nephew Samuel Avery who is a son of my Brother Samuel Avery the sum of two hundred dollars and to my nephew Thomas Avery also son of Bro Samuel Avery the sum of one hundred dollars, and to John Avery son of Bro Samuel Avery the sum one hundred and fifty dollars. To the children of my nease Mary Hill, daughter of my Bro Samuel Avery the sum of Thirty dollars, to my nease Caroline Murf and daughter of Bro Samuel Avery the sum of one hundred dollars, to my nease Catherine Lidell and daughter of Samuel Avery the sum of one hundred dollars. To my nease Adaline Chopel also daughter of Samuel Avery, the sum of one hundred dollars, to my nease Catherine Avery, the widow of Nathaniel Avery the sum of one hundred and fifty dollars. To the heirs of my nease Sarah White Head daughter of Bro Samuel Avery the sum of thirty dollars. To the heirs of my sister Catherine Cutts the sum of four hundred dollars to be equally divided between them, to my nephew Henry Cutts the sum of one hundred and fifty dollars. To the heirs of my nease Mary Morris the sum of one hundred and eighty dollars to the heirs of my nephew John Cutts the sum of one hundred and eighty dollars. to the heirs of Bro William Avery Towit Mary Doolittle and Elizabeth Pegg the sum of Two hundred dollars each and to the heirs of Henry Avery son of William Avery the sum of one hundred and fifty dollars to be equally divided between them, and to my nephews William Avery and Alix Avery sons of Bro Thomas Avery all of my real Estate being near \_\_\_\_\_ (looks like Bluecut) Creek known as the Fair place to each an equal interest. Also to each the sum of seventy five dollars. to my nephews Arthur W. Avery and Henry W. Avery, sons of Bro Alexander Avery the sum of two dollars each.

To Henry Avery the son of Bro Thomas Avery the sum of two dollars. To Jane Meggs daughter of my nease Mary James the sum of thirty dollars, and Jasper James son of my daughter (should be niece as above) Mary James the sum of thirty dollars. To J.T. Avery son of Bro Thomas Avery the sum of two hundred dollars also 80 acres of land more or less situated NE of and joining he land now owned by \_\_\_\_\_ Avery. To the daughter of my nease Emeline Spencer, Lula, now Mrs. Murphy, the sum of forty dollars, to my nephew Francis M. Avery the sum of three hundred dollars also to Francis M. Avery two hundred acres of land known as the Averetts bottom and sixty acres known as the hill bottom. To my nephew E.L. Avery one mule name "Pete" and all of old tract of land except 60 acres known as the hill bottom.

\_\_\_\_\_ dollars more or less to pay expences of my burial including a metallic casket, and marble Tome stone, not less than five feet in height length, to Charles M. Avery Bro Alex Avery son the sum of one hundred dollars, and if there is a residue after

distribution and all expenses are paid the same shall be divided among the above legatess in proportion to the amount each one has received excepting the the following, Sarah Whitehead and heirs Mary Hill and heirs C M Avery, Jane Meggs, Jasper James, Lula Murpha, E L Avery, Henry Avery, A W Avery, H.W. Avery likewise I make constitute and appoint Francis M. Avery and Alix Avery Jr. son of Alix Avery Sr are to be Executors of this my last WILL and testament revoking all former WILLSherebefore made. In witness whereof I have subscribed my name and affixed my seal this the thirtieth day of March Eighteen hundred and Eighty three

Arthur Averea    Seal

The above written Instrument was subscribed to be the said Arthur Averea in our presence and us sign our names as witness of his request.

J P Harris

J D Coker

W A Scholar

**Additional Comments:**

Note:Spelling and punctuation as written in Bibb Co. Alabama record. Tombstone mentioned above was seen by Doris Avery in 1983 in Avery Graveyard and was indeed five feet tall when placed on pedestal. (da Doris Ambrose Avery)