

JONATHAN BURNES, SR. (1857)
Blount County, Alabama

Transcribed by Julie Risener Morgan

Probate states he departed this life 14 April 1857; Will probated 27 April 1857.

I Jonathan Burnes Senr make this my last will and testament...

First I will my body to its mother dust, and my soul to Almighty God who gave it...

Second, of my worldly estate, as I am now blessed with the possession of I direct that out of my estate all my Just debts be paid... Third, I direct that my Daughter Susannah Smith have the tract of land that her and her husband formerly lived on which is the North West quarter of the North East quarter of Section 13, to be counted at one hundred and fifty dollars....

Fourth, I direct that the heirs of my Son John R. Burnes decd have Eighty Acres of land that their father had a farm on, towit the East half of the South East quarter of Section twenty three provided that they or their legal representative relinquish all claim to two forty Acre tract of land that was entered in the name of the said John R. Burnes during his minority which tract of land is to be rated at three hundred dollars.

Fifth, I direct that my Son Alfred Burnes have the tract of land at the price therein named....

Sixth, I direct that my Son Calvin A. Burnes have the Tract of land that his creek field is on and has a title for according to Boundaries and price therein named....

Seventh, I direct that William R. Bowers and his Wife Mary Ann have the tract of land that he now includes his farm bounded and described as follows All that part of the East quarter of the South West quarter of section 13, which lies West of the left bank of the Thackers Creek at low water mark of its present channel also another fraction bounded and described as follows viz commencing at the South west corner of the last described land thence due south Twenty one Rod thence in a South East direction on a strait line to the Butment of my Water Rack on the west Bank of Thatckers Creek thence up said creek to the first section line thence West to the begining, this fraction being a part of the North East quarter of the North west qr. of Section Twenty four To them praised at Two hundred dollars....

Eighth, I direct that my Son Jonathan Burnes xer the person to whome he may have Transferred his claim have that tract of land, which her formerly lived on and from me received a title deed the price and Nos. therein named and described...

Ninth, I direct that my Son Samuel Burnes have all that part of the North East 1/4 of the North West quarter of Section Twenty four, which lies East of Thackers Creek, also a certion fraction of the North West quarter of the North West quarter of section Twenty four which land is praised to him at two hundred dollars....All of the above described lands lying and being in Township Twelve of Range three West...

Tenth, I further direct that the remaining tracts of parcel of land which consists of the South East quarter of the North West quarter of Section Twenty four, and all tha part of the South West quarter of the North West quarter of the same section, which lies east of thackers creek be divided among my above named heirs having due regard to the amount given each one in my will and on former

occasions. Each of said Tracts lying in the same Township and Range as above named....

Also that all my personal property be sold at a time and in a manner that will be most advantageous to my several heirs herein named by my executors and that the said Executor take charge of my outstanding debts and money and that the proceeds of said sale collection of debts &c be by him directed in the same manner, as provided in the tenth direction of this my will To effecutate this I hereby appoint my Son Alfred Burns my executor giving him full powers to manage and wind up my whole estate according to the directions of this my will and that it be done as near as may be without expenses that is without the intervention of Probate Court or other legal officers as fare as is allowable by law and that in the collection of debts the selling of property of any description and all other business connected with the winding up of my estate by said executor that he have a compromising to power to make the best of all matters tacking my estate the same as if I was living to wind up and distribute the same myself....

In witness I, Jonathan Burens Senr hereunto set my name with my seal acknowledging this to be my last Will and Testament written on one sheet of paper this the 10th day of April 1857.

Jonathan (X-his mark) Burnes (seal)

Test: John L. Ward, C.A. Burnes, Alfred Burnes