

COPY

IN THE MATTER OF THE ESTATE OF

JOHN POE

DECEASED

IN THE COURT OF PROBATE FOR THE COUNTY OF

SALINE

STATE OF ARKANSAS

William T. Poe)
Thomas Poe) Executors
John W. Poe)

FILE: 1847-1891
Probate Court Papers
N.O. & P.

In addition to the attached papers signed
vouchers for receipt of all monies spent
are on file.

August 15, 1957

W. P. WALTON
Benton, Ark.

In the name of God Amen: I, John Poe, of the county of Saline and State of Arkansas being weak and afflicted in Body but being of sound and disposing mind and memory and calling to mind the frailty and uncertainty of human life, and being desirous of settling my worldly affairs and directing how the Estate with which it has been please God to Bless me with shall be disposed of after my Decease while I have strength and capacity so to do..make and publish this my Last Will and Testament..hereby revoking and making null and void all other wills and testaments by me heretofore made..

and first of all I Commend my Emortal Being to Him who gave it and my Body to the Earth to be buried by my Executors hereinafter named. and as to my worldly Estate and all the property Real or Personal of which I shall die seized and possessed or to which I shall be entitled at the time of my decease I Devise Bequeath and Dispose thereof in the manner following to wit..I will that all my just debts be paid out of my Estate by my executors and my funeral expenses. I then will that my beloved wife Sarah Poe have the use and benefit of all the Lands that I am seized or possessed with at my death..for her own benefit with all the Rents and productions with all the buildings, thereon and all the household and kitchen furniture for her own use and benefit for and during her natural Life..and also leave with her for her use my servants namely Bob and hiswife Martha and Lucendo and Furaney and Gilbert and Harriet to remain with her my beloved wife during her life and for her own proper use and benefit and should any of them become contrary and not obey what she required of them she may with the assistance of my Executors hire them or any such out and make use of the money towards her support..and if I die at any time after the crop is begun then all the hands remain on the place until the crop is housed and I will that there be a sufficiency of the crops left for the support of her and the family left with her for the present year until more is made and I also will that my wife have one hundred dollars to make use of as she pleases..I also leave with her two horses, one wagon and yoke of oxen and as many cattle as she wishes to keep with all the hogs and sheep and anything not here numbrated that may be found by my Executors that would be of benefit to her I want it left with her for her use

and I will that my son Alfred Poe have two hundred dollars out of my Estate and that is to be his portion of my Estate both him and his heirs forever.

And I will that my daughter Elizabeth Nall have two hundred dollars out of my Estate and that is to be her portion of my Estate both her and her heirs forever.

I will then that the rest of my children to wit: William T. Poe, Thomas Poe and John W. Poe and Oliver P. Poe and Sarah Reynolds and Mary Jane Watson and Serepta E. Gray and Metilda E. Sudduth Eight in number have eleven servants namely Vilet, Elizer and Chile Dilsy and Isham Hicks and Lewesin Henry and Elizabeth and Winney and Catherine and Melessan and divide them equally by sale or otherwise so that they keep them and also the rest of the horses and cattle if any more than is needed by my beloved wife or the overplus of the crop or any surplus property that may be found or sold and all the notes that may be found over and ave that which is given away in the will be all equally divided amoungst the last mentioned eight heirs and at the death of my beloved wife that all the property both real or personal that was left to my beloved wife with all the increase if any fall to my last mentioned eight heirs and if any of them be dead to their heirs and lastly of all I will that my sons William T. Poe and Thomas Poe and John W. Poe be my Executors to execute this my last will and testament. in testamony where of I the said John Poe have to this my last will and testament subscribes my name and affixed my seal this 26 day of April in the year of our Lord one thousand eitht hundred and fifty eight. Signed Sealed Published and declared by the said John Poe as and for his last will and testament in presence of us who at his request and in his presence and in the presence of each other have subscribed our names as witnesses thereto.

JOHN POE (SEAL)

Test.

David G. Barnett
Joshua Holiman

I John Poe of Arkansas, Saline County-is desirous to make some alterations to the within written will in consequence of the death of my son, Olliver Perry Poe, and my daughter, Sarah Reynolds, having married again, I therefore will that Oliver Perrys heirs draw the same portion of my estate as he would have drawn if he had lived, but that the negroes that they may draw be sold here on the premises to the highest bidder by my Executors and when collected paid over to the widow and the children in equal proportion. As soon as the children becomes of full age to receive it with the interest- and that Sarach Holbert draw the same as was said for her to draw in the within will, but that it only to remain hers during her life and then that it fall to her four children, namely, John Thomas and Nancy Elizabeth and Bales Earl and Benjamin Elkin, as soon as they become of full age. In testamony whereof I the said John Poe have here unto set my hand and affixed my seal this fifth day of February in the year of our Lord one thousand eight hundred and fifty nine- Interlined before assigned

JOHN POE (SEAL)

Test.

D. G. Barnett
Joshua Holiman

State of Arkansas)
County of Saline)

We William T. Poe, Thomas Poe, and John W. Poe here applying for letters testamentary on the Estate of John Poe deceased, late of said County, being first duly sworn, depose and say, that the said John Poe died in said County of Saline on or about the 10th day of September 1859 having made and signed his last Will and Testament; that they will make a true and perfect Inventory of the Estate, and faithfully execute the last Will of the testator, pay the debts and legacies, as far as the assets will extend, and the law direct, render just accounts of their administration and faithfully perform all things required by law touching such administration or executorship.

So help us God!

Sworn to and subscribed before)
me this 4th day of October)
A.D. 1859)

William T. Poe
Thomas Poe
John W. Poe

John W. Shoppach
Clerk.

Wm. T. Poe
Thomas Poe &
John W. Poe
as Executors
of
John Poe deceased

Affidavit

Filed Oct. 4th 1859
John W. Shoppach
Clerk

State of Arkansas)
County of Saline)

Be it remembered, that on this 4th day of October A.D. 1859 before me John W. Shoppach, Clerk of the Circuit Court, and Ex-Officio Clerk of the Probate Court in and for the County and State aforesaid, personally appeared David G. Barnett and Joshua Holiman, both personally well known to me, who being duly sworn according to law, depose and say, that John Poe in his life time declared the foregoing instrument of writing to be his last Will and Testament in the presence of these affiants, that he was then a resident of the County of Saline and State of Arkansas, and from thence until at the time of his death resided in said County of Saline, and that on the 5th day of February A.D. 1859 the said John Poe was of sound and disposing mind and memory; and on said last mentioned day the said John Poe so being of sound mind, at said County of Saline acknowledged that he had subscribed signed and sealed said Will within and annexed, at the end thereof, and that such signature was so made by him and is in his own proper handwriting, and that said John Poe, at the time of such acknowledgment declared and published the said instrument within and annexed hereto, and so subscribed, to be his last Will and Testament, and that each of these affiants then and there in the presence of said John Poe and in the presence of each other signed his name as a Witness at the end of said Will, at the special instance and request of said John Poe, the testator herein named, and that the respective signatures of these affiants to said instrument hereto annexed are genuine and their own handwriting respectively. And further said Deponents say not. Sworn to and subscribed before) D.G.
me this 4th of October AD 1859) Barnett
Joshua
Holiman

John W. Shoppach
Clerk

State of Arkansas
County of Saline

Know all men by these presents, that we, Wm. T. Poe, Thomas Poe, and John W. Poe, as principals are held and firmly bound unto the State of Arkansas, in the just and penal sum of Sixteen Thousand Dollars, for the payment whereof, well and truly to be made, we bind ourselves, our heirs, executors, and administrators, firmly by these presents. Witness our hands and seals, at Benton, this 4th day of October, A.D. 1859.

The Condition of the above obligation is such, That, if the above bounden Wm. T. Thomas & John W. Poe, Executors of the last Will and Testament, of John Poe deceased, shall make, or cause to be made a true and perfect inventory of all and singular the goods and chattels rights, and credits, of the said deceased, which have or may come to the hands, possession, or knowledge, of them, the said Executors or into the hands or possession of any other person for them; and the same, so made, shall return and exhibit in the office of the Clerk of the Court of Probate for the county of Saline, within sixty days from the date of the above obligation; and all and singular the goods and chattels, rights and credits of the deceased, which shall come to the hands, possession, or knowledge of the said Executors and if they, shall well and truly administer, according to law, and pay the debts of the deceased, as far as their assets will extend, and the law direct; and further, make, or cause to be made, just and true accounts of their administration, and make due and proper settlements thereof from time to time, according to law, or the lawful order, sentence, or decree of any Court having competent jurisdiction; and shall, moreover, well and truly do and perform all other matters and things touching such administration, that are or may be prescribed by law, or enjoin on such Executors by the lawful order, sentence, or decree of any Court having competent jurisdiction, then the above obligation to be void and of no effect-otherwise, to remain in full force and virtue.

In Testimony Whereof, We have hereunto set our hands, and affixed our seals, the day and year first above written.

SIGNED, SEALED AND DELIVERED, IN THE)
PRESENCE OF)

William T. Poe, Seal.
Thomas Poe, Seal.
John W. Poe, Seal.

Warren Holiman, Seal.
Joshua Holiman, Seal.

William T. Poe
Thomas Poe
John W. Poe
as Executors of John Poe deceased
Bond
Approved October the 10th A.D. 1859
Joseph Scott
Judge P.C.

Filed, Oct. 4th 1859

Adm'n. Bond, John W. Shoppach, Clerk.

Wm. T. Poe, Thomas Poe and John W. Poe as Executors of John Poe deceased.

Inventory of Notes and appraisement of slaves and personal property.

Filed Oct. 11th 1859. John W. Shoppach, Clerk.

SALINE COUNTY, ARK.:

We, Warren Holiman, Joshua Holiman, and Franklin Rucker, being each householders in the county of Saline, having been called on by William T. Poe, Thomas Poe, and John W. Poe, executors of the last will and testament of John Poe deceased, to appraise the personal Estate of John Poe deceased, do each solemnly swear that we are not interested nor of kin to any person interested in said Estate as heir or legatee, and that we will according to the best of our abilities view and appraise the slaves and other personal property of said Estate to us produced. So help us God Sworn to and Subscribed before me this 7th day of October 1859:

Warren Holiman
Joshua Holiman
Franklin Rucker

William T. Poe

and after being duly sworn we do view and appraise said Slaves and personal property as follows:

One negro woman named Vilot aged about forty eight years	\$ 400.00
One negro woman named Eizer aged about nineteen years to	1200.00
One negro boy named I Sham aged about fifteen years to	1200.00
One negro Boy named Henry aged about thirteen years to	800.00
One negro Girl named Elizabeth aged about eleven years to	800.00
One negro girl named Winney aged about nine years to	550.00
	<u>4950.00</u>

Continued from first page:

One negro Boy named Hicks aged about nine years to	700.00
One negro girl named Katherine aged nine years to	650.00
One negro boy named Lewis aged about six years to	600.00
One negro girl named Melysa aged about five years to	550.00
One negro girl named Diley aged two years to	300.00
	<u>TOTAL SLAVES \$7750.00</u>

1 Sorrel Hourse aged 16 years -----to	70.00
1 Brown Mule aged 3 years -----	100.00
1 Waggon to -----	70.00
24 Head of Cattle to -----	191.00
1 Ox -----	15.00
17 Head of Sheep -----	30.00
14 Pork Hogs -----	64.00
50 Head Stock Hogs to -----	75.00
10 Pork Hogs to -----	30.00
1 Sow and Shotes to -----	8.00
1 hundred bushels of corn to -----	50.00
two thousand bundles fodder to -----	30.00
and we do find in gold and silver to the amount of	460.15
on Note on J. H. Sudduth for \$69.86	69.86
due the 2 day of January 1858, 6 percent int.	
One Note on James L. Grey for 200 dollars due the	200.00
first day of January 1859, ten percent interest.	

JohnPoe deceased.

One not on James L. Gray for one hundred dollars due the 25th December 1858	80.00
On a credit of twenty December 1858	100.00
One Note on John W. Poe for Ninety-nine dollars 80 cts due the first day of February 1858 6 percent int	99.80
One Note on S.B. Poe for fifteen dollars due the 5th Sept. 1859 -----	15.00
One Note on John W. Poe for Six dollars due the 12th day of May 1859 -----	6.00
One Note on Nelson Mearby for five dollars 25 cts due the 17th June 1859 -----	5.25
One Note on D. L. Glover for four dollars due the 26th Sept. 1859 -----	4.00
One note on W. T. Poe for seven dollars 60 cts due July 1859-----	7.60
One account on W. Ray for six dollars -----	6.00
TOTAL IN NOTES	<u>492.91</u>

and we do value the whole to be worth Nine Thousand Four Hundred
Dollars Sixty Six cents ----- \$9,411.66

Signed

Warren Holiman
Joshua Holiman
Franklin Rucker

Appraisers

State of Arkansas)
County of Saline)

We William T. Poe, Thomas Poe, and John W. Poe, do solemnly swear,
that the above and foregoing is a full Inventory and description of
all the moneys goods, chattels, books papers and wideness of debt,
and of all debts due or becoming due, to said deceased as far as we
have been able to ascertain them, except the property reserved as
the absolute property of the widow, and that we are not indebted or
bound in any contract to the deceased at the time of his death.

Sworn to and subscribed before)
me this 11th day of October)
A.D. 1859.)

John W. Shoppach
Clerk.

William T. Poe
Thomas Poe
John W. Poe

ESTATE OF JOHN POE deceased.

Sale Bill

Filed Dec. 3rd 1859

John W. Shoppach, Clerk.

Account of Sailes of the Estate of John Poe Dec. made November 4th 1859

1	Waggon	T. W. Quinn			41.00
1	Lot 5 Sheep	Wm. R. Brewer	2.00	per head	10.50
2	Lot 5 Sheep	T.W.Quinn	1.90	" "	9.50
3	Lot 4 "	S.B. Poe	2.00	" "	8.00
4	" "	S.B. Poe	2.00	" "	8.00
1	Stear	A. P. Mayfield			26.00
1	odd "	F. Mayfield			9.00
1	" "	John Poe			8.00
1	Read Cow & Ca.	G. W. McCool			15.00
1	White " " "	H. H. White			18.00
1	Read " & "	W. D. Adams			14.50
1	Black " & "	J. A. Fewell			13.00
1	Read Cow & "	C. G. Rosangrame			16.50
1	" " & "	G. W. McCool			16.00
1	Black " & "	A. Nall			18.50
1	Spotted" & "	E. A. Tull			17.25
1	" Heifer	B. F. Wilson			9.00
1	Bull	D. G. Barnett			7.25
1	Pair Small Stears	G. W. McCool			12.25
2	Small Stears	G. W. McCool			6.50
2	Heifers	J. M. Sheppard			12.00
3	First Choice Hogs	A. Tull	8.50		25.50
3	Second Choice Hogs	Thomas Lester	8.40		25.20
8	Shotes	J. T. Poe	1.30		10.40
10	"	J. T. Poe	1.96		19.60
10	2 Choice Shotes	J. T. Poe	1.55		15.50
10	Shotes more or less	J. T. Poe	.75		7.50
3	Head Hogs	Mrs. Sucus	7.35		22.05
3	Sows & Shotes	A. Ashley J.T. Poe	2.15		23.80
3	Large Hogs	Mrs. Sucus	8.45		25.35
1	Sow & 6 Shoats	1 Choce "	2.20		15.40
1	" & 7 "	2 " "	2.00		16.00
1	" & 6 "	in the woods W. S. Poe			10.30
				537.55	
1	Hog in woods	G.W. Noles			2.50
1	Mule	James Walton			126.00
1	Horse	J. H. Suddarth			81.00
1	Lot 25 Bushels	Corn John Poe	Per bu	.80	20.00
2	" 25 "	" John Poe		.80	20.00
3	" 25 "	" J. H. Suddarth		.81	20.25
4	" 25 "	" " "		.81	20.25
1	Lot 500 Bunches	Fodder G. W. Kile	1.75	Per hundred Bun	8.75
2	" 500 "	" J.H. Suddarth	1.80	" "	9.00
3	" " "	" J. W. Quinn	1.99	" "	9.95
1	Sow & Pigs	I. W. Drinnon			6.55
2	Pair Breechin	Thomas Lester			2.00
1	Spinning Wheel	G. W. McCool			5.00
					<u>\$868.80</u>

State of Ark.)
County of Saline)

I A.W. Willson Clerk at the Sales and accounts of John Poe Deceased, whereof is above stated do solemnly swear that I am in no way interested nor of kin to any heir or legatee of said Estate and that the within is a true account of the Sales made by W. T. Poe Thomas Poe and John W. Poe Executors of said Estate on the 4th day of November 1859.

Wm. A. Wilson

Sworn to and Subscribed
before me this November
4th 1859.

William T. Poe

William T. Poe, Thomas Poe, and John W. Poe
as Executors of John Poe deceased.

In account current with said Estate

Dr	to 11 slaves appraised at	7750.00
	to amount of each on hand	460.15
	to amount of Inventory of Notes	492.91
	to " of interest collected on same	116.17
	to amount of Sale Bill	868.80
	to amount of sale of cotton	666.88
		<u>\$10354.91</u>

Cr	by Voucher	No. 1. Widow receipt	\$100.00
	"	No. 2 Elizabeth Nall	200.00
	"	No. 3 Wm. T. Poe dist. share	1090.47
	"	No. 4 Thomas Poe	1090.47
	"	No. 5 Sarah Halbert	1090.47
	"	No. 6 John W. Poe	1090.47
	"	No. 7 Mary Jane Watson	1090.47
	"	No. 8 James L. Gray	1090.47
	"	No. 9 Jarrett H. Sudduth	1090.47
	"	No.10 Franklin Rucker	1.00
	"	No.11 Warren Holiman	3.50
	"	No.12 Joshua Holiman	4.00
	"	No.13 Wm. A. Wilson	1.00
	"	No.14 tax receipt for 1859	63.66
	"	No.15 Francis M. Walters	6.00
	"	No.16 Isaacs & Stockton	22.50
	"	No.17 Griffin & Adams	20.37
		to balance--	<u>2299.59</u>

\$10354.91

William T. Poe
Thomas Poe
John W. Poe
as Executors of
John Poe deceased

Settlement

Filed Oct. 10th 1860
John W. Shoppach, Clerk
A Page 58

William T. Poe, John W. Poe & Thomas Poe as
Executors of John Poe deceased

In account current with said Estate

Said account and charge themselves with this amount being the balance due on last settlement filed Oct. 10, 1860	\$2,299.59
No. 1 To Interest Collected -----	<u>15.52</u>
	\$2,315.11

Said accountant cr and allowances as follows to wit:

No. 1 By this amount paid James M. Wilson as a dis- tributive share of the minor heirs of Oliver P. Poe deceased -----	908.74
No. 2 By this amount paid Mariah Poe, distributive share -----	175.00
No. 3 " " " " " "	6.00
No. 4 " " " Alfred Poe "	200.00
No. 5 " " " John W. Shoppach, Clerk	<u>10.20</u>
	1,304.94
To balance due said Estate	<u>\$1,010.17</u>

All of which said accounts presents to the Honorable Joseph Scott
Judge of the Probate Court of Saline County, praying that the same
may be received and adopted-

January 22nd 1862
William T. Poe, Ex.

William T. Poe, Executor of
John Poe, deceased
Account Current

Filed January 22nd 1862
Larkin Collins, Clerk

William T. Poe, as Executor of the
Last Will and Testament of John Poe
decd.

In Account Current with Said Estate.

Said Accountant charges himself with this amount
balance on last settlement to wit:

\$1,010.17

Said Accountant cr and allowance for this amount

paid James L. Gray as per voucher No. 1	70.08
" John W. Poe " " " 2	70.08
" Matilda & I.E. Suddeth " " 3	70.08
" Sarah Halbert " " 4	<u>70.00</u>

280.24
\$ 729.93

Said Accountant cr and allowance for this amount,
being his commissions on said Estate

460.62
\$ 269.31

Said Accountant cr and allowance for this amt.
being his Distributive share of said Estate

70.08
\$ 199.23

Said Accountant cr and allowance for this amount
being the distributive share of Thos. Poe decd
with which sum he charges himself as Adminis-
trator of the Estate of said deceased -----

70.08
\$ 129.15

John Poe, deceased
Settlement
William T. Poe, Ex.

Filed July 22nd 1862
Larkin Collins Clerk

W. T. Poe as Executor of the Estate of John Poe, deceased in
account current with said Estate-

Dr.

To Ballance as pr last settlement-----\$129.15

Cr.

By Note on W. D. Adams (Insolvent) -----	14.50
Balance	<u>114.65</u>
	\$129.15

To Balance Brot down \$114.65
which sum consists in one note on I. W. Drennon in the sum of
\$6.00 and the remainder in Confederate money all of which is
respectfully submitted-

William T. Poe, Ex.

Estate of John Poe Decd
W. T. Poe Executor

Acct Current

Filed April 11th 1866
A. R. Jockersmith Clerk
By A.C. Hockersmith D.C.