Will of Hardy Horton

The State of Alabama }
Shelby County }

I Hardy Horton of the County and State aforesaid being weak of body but of sound and disposing mind and memory in the name of God amen make declare and publish this for my last will and Testament Towit:

1st I resign my soul to God my creator a Redeemer

2nd I give my body to the Earth to be buried after the manner of Christians next I desire and direct the following disposition of my property Towit: I direct my executor hereinafter named to pay my debts and funeral expenses out of my personal estate next I give and devise to my son Henry W. Horton the E½ NE¼ & Twenty acres off of the East side of the W½ NE¼ of Section 12 Township 22 Range 1 West which I value at Two Hundred Dollars next I give to my son Ira Horton the balance of the W½ of the NE¼ Section 12 Township 22 Range 1 W & the NE¼ NW¼ Section 12 Township 22 Range 1 West which I value at Two hundred and fifty Dollars next I give and devise to my son Jonathan H. Horton the E½ SW¼ Section 12 Township 22 R 1 W which I value at Two hundred and forty Dollars next I give and devise to my son in Law

Ransom Horton the E½ SE¼ Section 1 Township 2 Range 1 W which I value at Two hundred & fifty Dollars next I give bequeath and devise to my beloved wife Moley for and during her natural life the rest of my land being my homestead consisting of one hundred and sixty acres, also my wagon & yoke Oxen & also such other personal property as is exempt under the statute of the state for the benefit of families & whereas I have heretofore given & deeded off to my son M. J. Horton land which I valued at five hundred Dollars and to my son M. I. Horton land valued at one hundred & sixty dollars and to my son Daniel A. Horton land valued at three hundred and seventy dollars which I desire and direct to be brought into hotchpot with the rest of my heirs next I direct that the rest of my property be sold and that after the payment of my debts & funeral expenses that the same be disposed of among the following heirs to wit: Ransom Horton M. I. Horton, M. J. Horton H. B. Horton Ira Horton D. A. Horton Moley Horton & my Grand-daughter Minerva E. Elliott daughter of Allen Elliott, directing that all they have rec'd be brought into hotchpot and out of the above I hereby reserve for my daughter Elizabeth Seale her bed and furniture which she has not yet rec'd or ~~seventy~~ Twenty five Dollars at the discretion of herself and her husband Elizabeth Seale and then at the death of my wife I direct that the land and personal property given to her she sold and enough of the proceeds of said sale be paid over to said Elijah & Elizabeth Seale to make them equal heirs with the rest of my children in a word I desire that my children and my said Grand child be made equal and after my estate is brought into hotchpot according to the foregoing valuations if any of my said heirs have received more than an equal distributive share then I direct them to refund to bring the rest up and that after the death of my said wife that all be made equal I hereby appoint my son M. J. Horton executor Guardian for my said Grand daughter M. E. Elliott I also hereby nominate constitute and appoint my son Milo I Horton executor of this my last will and Testament & hereby and hereby revoke all former wills and Testaments Witness my hand and seal this the 5th day of February A.D. 1889

Signed sealed declared and published for the last will and Testament of the Testator in our presence as witnesses who have attested the same at his request and in his presence and

Hardy Horton (Seal)

in the presence of each other.

Thos P. Lawrence
Henry Harlow
John M. McClanahan

The State of Alabama } Probate Court special Term
Shelby County } June 20th 1870.

Estate of Hardy Horton dec'd.

On the application to Probate the will of Hardy Horton deceased at the above stated term of the Probate Court of said County Myrick J Horton and Daniel A Horton as witnesses for proponents testified as follows that Thomas P Lawrence and Henry Harlow subscribing witnesses to said will are and reside out of the state of Alabama and that John M. McClanahan is dead and that the name signed to said will "Hardy Horton" is in the handwriting of said Hardy Horton the testator and that the name of John M. McClanahan one of the subscribing witnesses to said will is in the hand writing of said John M. McClanahan.

Sworn to & subscribed before me this 20th day of June 1870
J J Luper
Judge of Probate

M J Horton
D. A. Horton

Filed for record May 3rd 1889 and recorded.
R W Cobb Judge of Probate.