

2227

BOOK 200 PAGE 163

FILED 25 MARCH 1957

IN THE MATTER OF THE PROBATE  
OF THE LAST WILL AND TESTAMENT  
OF MARGARET WALKER MORGAN, DEC'D.

Q  
:  
Q  
:  
Q

IN THE PROBATE COURT OF MARENGO COUNTY,  
ALABAMA.

Comes Mary Gray Morgan, hereinafter known as your petitioner and respectfully represents and shows unto the Court as follows:

1. Your petitioner is over 21 years of age and is a resident of Marengo County, Alabama.

2. That on the 26th day of March, A. D., 1957, Margaret Walker Morgan departed this life in Marengo County, Alabama, and at the time of her death she was a resident and inhabitant of Marengo County, Alabama; that said decedent left a last will and testament wherein and whereby your petitioner was bequeathed the entire estate of said decedent, which said last will and testament is dated January 23, 1951, and was attested by Margaret S. Dugger, Selma, Alabama, John Randolph Smith, Selma, Alabama, and A. M. Pitts, who is dead, and your petitioner was named as Executrix in said last will and testament; your petitioner herewith produces to the Court and propounds for probate and record the said last will and testament of said decedent.

3. That said decedent was a widow at the time of her death and her next of kin and heirs at law are as follows:

1. Mary Gray Morgan, a daughter, Faunsdale, Marengo County, Alabama, who is over 21 years of age;

that there is attached hereto, marked Exhibit "A", and made a part hereof as if herein set forth in detail is an acceptance of service, waiver and consent and request that said last will and testament be immediately admitted to probate and record, properly signed by the only heir at law and next of kin of said decedent.

THE PREMISES CONSIDERED, your petitioner prays that said last will and testament be immediately admitted to probate and record and that such proceedings and orders and decrees may be had and made as may be requisite and proper to effect the due probate and recording of said will according to law; that letters testamentary be issued to your petitioner.

Mary Gray Morgan  
Mary Gray Morgan

- 2 -

SWORN TO AND SUBSCRIBED before me on this 12 day of April, A. D., 1957.

Frederic G. Lowell  
Notary Public, Dallas County, Alabama.

My Commission Expires: 2-24-57

E X H I B I T "A"

IN THE MATTER OF THE PROBATE OF THE	Ø	
LAST WILL AND TESTAMENT OF MARGARET	Ø	IN THE PROBATE COURT OF MARENGO COUNTY,
WALKER MORGAN, DECEASED.	Ø	ALABAMA.

I, Mary Gray Morgan, the only heir at law and next of kin of Margaret Walker Morgan, do hereby waive notice of the filing of the petition to probate the last will and testament of said decedent, the day set for the hearing of the same and does hereby request the Probate Court of Marengo County, Alabama, to immediately admit to probate and record the last will and testament of Margaret Walker Morgan, deceased, without further notice to her.

SIGNED at Selma, Alabama.

ATTEST:

M. Morgan

Mary Gray Morgan  
Mary Gray Morgan

Frederic G. Lowell

Filed for record the 20th day of April, 1957.

R. J. Vetter, Judge of Probate.



PROOF OF WILL

(Box 3242)

MARSHALL & CO. PRINTERS

The State of Alabama, MARENGO County

PROBATE COURT

20  
April 15, 1957

In the Matter of the Estate of MARGARET WALKER MORGAN, Deceased.

Present, Hon. R. J. WESTBROOK, Judge of Probate.

Before me, R. J. WESTBROOK, Judge of Probate, in and for said

County, personally appeared in open Court John Randolph Smith

who, having been by me first duly sworn and examined, did depose and say on oath, that he is a subscribing witness to the instrument of writing now shown to him and which purports to be the last will and testament of Margaret Walker Morgan, deceased, late an inhabitant of this County;

that said Margaret Walker Morgan signed and executed said instrument on the day the same bears date, and declared the same to be her last will and testament, and that affiant set his signature thereto on the day the same bears date as a subscribing witness to the same in the presence of said Margaret Walker Morgan

and that such other witness subscribed his name as a witness in his presence and in the presence of said Margaret Walker Morgan

That said Margaret Walker Morgan was of sound mind and disposing memory, and in the opinion of the deponent fully capable of making her will at the time the same was so made as aforesaid. Affiant further states that said Margaret Walker Morgan was on the day of the said date of said will of the full age of twenty-one years and upwards.

John Randolph Smith (L. S.)  
(L. S.)  
(L. S.)

Sworn to and subscribed before me this 20th day of April, 1957

R. J. Westbrook  
Judge of Probate.

Code 1940, Sec. 22.

Filed for record the 20th day of April, 1957

R. J. Westbrook  
Judge of Probate.

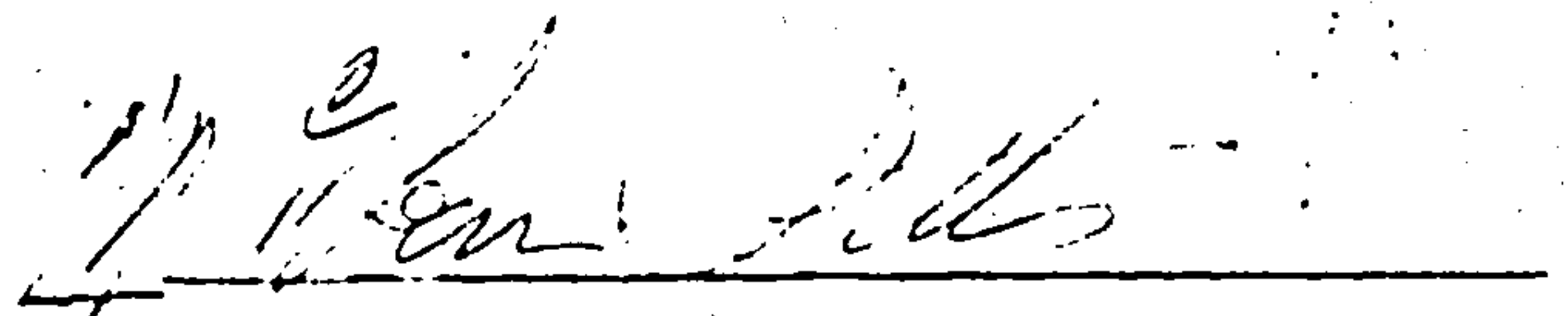
STATE OF ALABAMA

COUNTY OF MARENGO

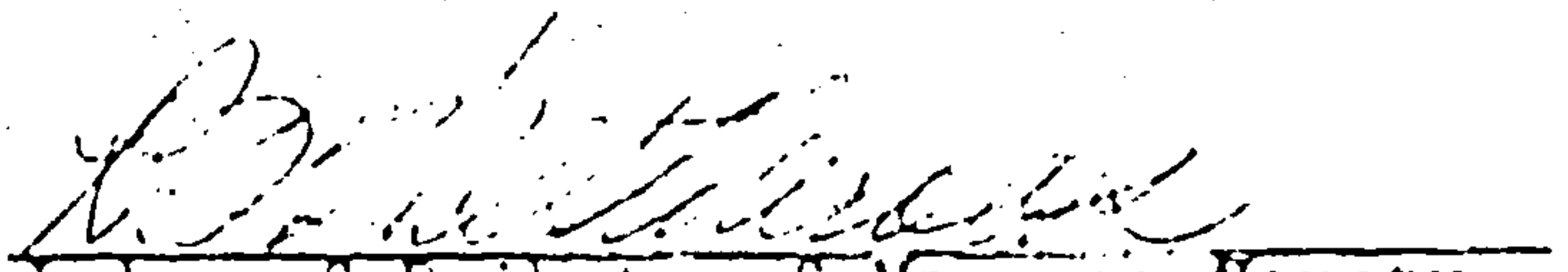
IN THE MATTER OF THE ESTATE OF MARGARET WALKER MORGAN

Before me R. J. Westbrook, Judge of Probate, in and for said County, personally appeared Mc Lean Pitts, in open Court, who, having by me first duly sworn and examined, did depose and on oath says:

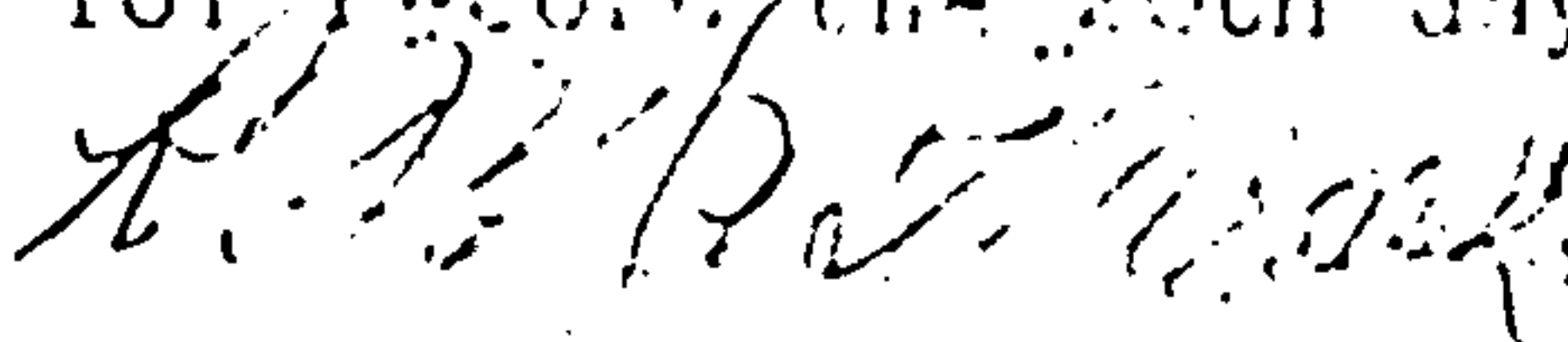
That his name is Mc Lean Pitts. He knew MARGARET WALKER MORGAN during her lifetime. She was a resident and inhabitant of MARENGO COUNTY, ALABAMA at the time of her death residing at Faunsdale, Alabama. She died on March 26th., 1957 and her only heir at law and next of kin was her daughter, MARY GRAY MORGAN. That the affiant was the son of A. M. Pitts, one of the witnesses to the last will and testament of said decedent, and the affiant knows the signature of A. M. Pitts, and the signature appearing as a witness in the name of A. M. Pitts on said will, is the genuine signature of A. M. Pitts. That Mary Gray Morgan is over 21 years of age and a resident of Marengo County, Alabama.



Sworn to and subscribed before me on this the 20th. day of April, A. D., 1957

  
Judge of Probate of Marengo County,  
Alabama.

Filed for record the 20th day of April, 1957.

 Judge of Probate.



STATE OF ALABAMA (

COUNTY OF MARENGO )

I, MARGARET WALKER MORGAN, a resident of Marengo County, Alabama, being over twenty-one years of age, and of sound mind and disposing memory, do hereby revoke all wills and codicils heretofore made by me, and do hereby make, publish, and declare this to be my last will and testament in the manner and form following:

ITEM ONE:-

I direct that all of my just debts, as well as my funeral and testamentary expenses shall be paid as soon after my death as shall be practicable.

ITEM TWO:-

I give, devise, and bequeath to my daughter, MARY GRAY MORGAN, all of my property, real, personal, and mixed, of whatsoever kind, nature, and description, and wheresoever situate or being, and whether acquired before or after the making of this will, of which I may die seized or possessed, or that shall be capable of testamentary disposition by me, in fee simple.

ITEM THREE:-

I nominate, constitute, and appoint my daughter, Mary Gray Morgan, as Executrix of this my last will and testament, and I do exempt her from making any bond as such Executrix. I do also exempt her from making and filing an inventory of the personal property of my estate and from making any report to any court of her proceedings hereunder. I do authorize and empower my said Executrix to sell and convey any or all personal property or real estate belonging to my estate, at private sale, without any order of court, and to execute title to the purchaser or purchasers, thereof. I do also authorize and empower my said Executrix to keep in good repair all real estate belonging to my estate, during the administration thereof, and to lease any real estate owned by my estate.

IN WITNESS WHEREOF, I have on this the 23 day of January, A. D. 1951, signed, sealed, published, and declared the foregoing instrument as and for my last will and testament, in the presence of each and all of the subscribing witnesses, each of whom I have requested, in the presence of each of the

168  
 others, to subscribe his name as an attesting witness, in my presence, and in the presence of each of the others.

Margaret Walker Morgan (SEA.)

Signed and declared to be her last will and testament by MARGARET WALKER MORGAN, in our presence; and we, in her presence, in the presence of each other, and at her request, have hereunto set our names as witnesses on the day the same bears date.

Margaret S. Suggs

A. M. Brum

John Randolph Smith

Filed April 20th, 1957.

H. J. Westbrook Judge of Probate.

"CERTIFICATE OF PROBATE"

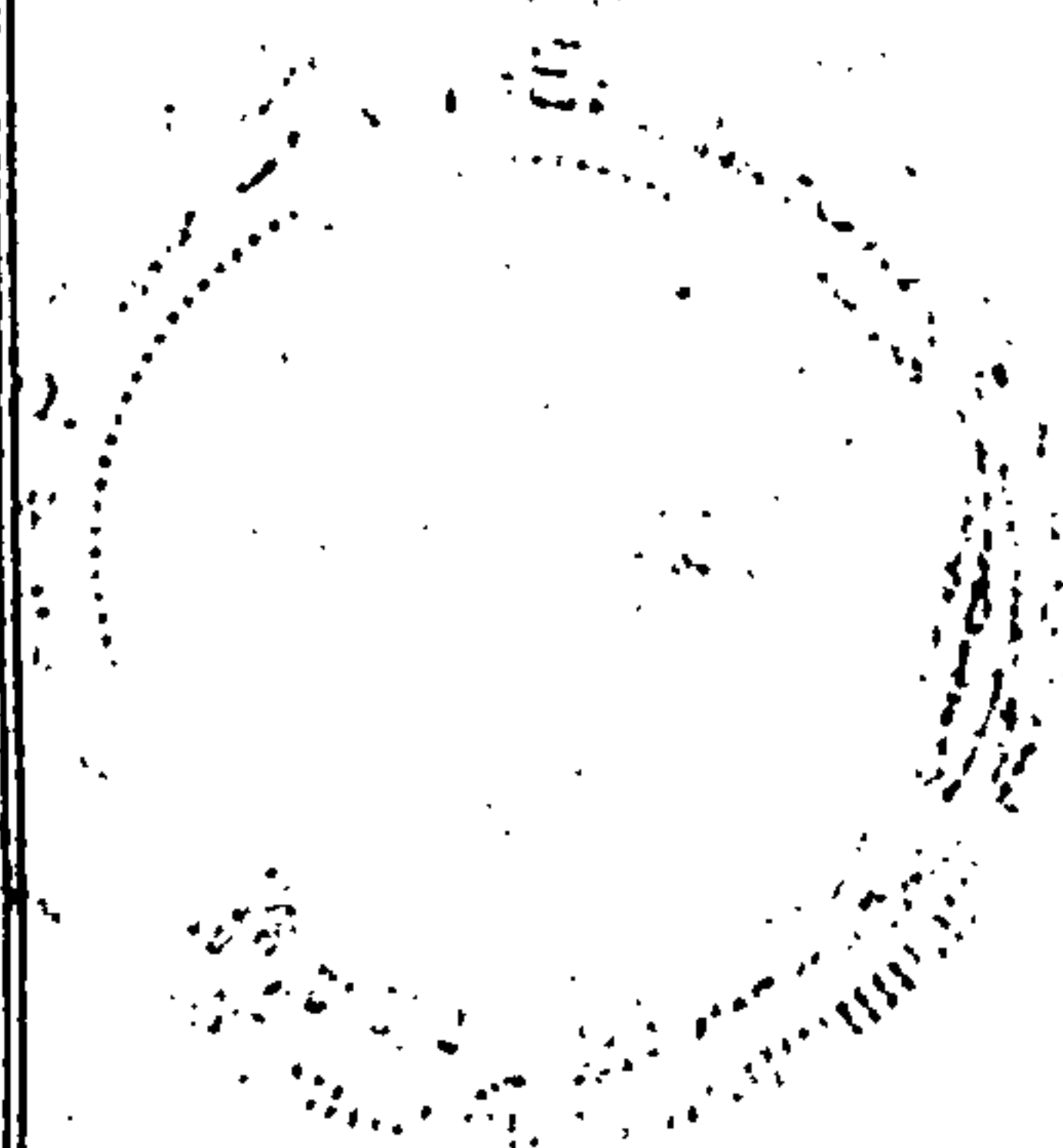
THE STATE OF ALABAMA,     ↓

MARENGO COUNTY.     ↓

I, H. J. Westbrook, Judge of Probate in and for said County and State, hereby certify that the within instrument of writing has this day been duly proven to be the genuine last will and testament of Margaret Walker Morgan, deceased, and that the will with the petition and proof thereof have been duly recorded in the Probate Office of Marengo County, Alabama in Book of Wills "H", and on pages \_\_\_\_\_.

Given under my hand and seal of office this the 20th day of April, 1957.

H. J. Westbrook  
 Judge of Probate.



## PROBATE COURT

IN THE MATTER OF THE APPLICATION OF MARY GRAY MORGAN TO ADMIT TO PROBATE AN INSTRUMENT PURPORTING TO BE THE LAST WILL AND TESTAMENT OF MARGARET WALKER MORGAN, DECEASED.

Mary Gray Morgan having this day filed in this Court her petition for the probate and record of an instrument of writing purporting to be the last will and testament of Margaret Walker Morgan, deceased, and said petitioner being present in open Court, together with her attorney;

And it appearing to the satisfaction of the Court that Mary Gray Morgan is the only heir and next of kin of said decedent, she being the petitioner and also having in writing filed waiver of service and requesting to Probate Court to immediately probate said instrument, the Court does proceed to hear said petition.

And it appearing to the satisfaction of the Court, from the testimony of John Randolph Smith, that he is one of the subscribing witnesses to said instrument of writing now shown to him, that Margaret Walker Morgan, late an inhabitant of this County, signed said instrument on the day the same bears date, in the presence of said witness and in the presence of the other subscribing witnesses, and declared the same to be her last will and testament and that he, the said John Randolph Smith, and Margaret D. Dugger and A. M. Pitts signed said instrument on the day of the date thereof, being the 23rd day of January, 1951, in the presence of the testatrix and at her request and in the presence of each other, that said testatrix was of sound mind and fully capable of making her will at the time said instrument was signed, and that she was on the date thereof over twenty-one years of age and a resident of this County at the time of her death.



It is therefore ORDERED, ADJUDGED and DECREED by the Court that said instrument of writing bearing date of January 23rd, 1951, and witnessed by Margaret D. Dugger, A. M. Pitts and John Randolph Smith, and purporting to be the last will and testament of said Margaret Walker Morgan, deceased, is hereby declared to be duly proved as the last will and testament of the said decedent, and as such admitted to probate and ordered recorded, together with the testimony of the witness reduced to writing and duly signed and all other papers on file relating to this proceeding.

And it further appearing to the satisfaction of the Court that Mary Gray Morgan is a fit person to serve as executrix and is named in his last will and testament as the executrix thereof and that said executrix, by an express provision in her said will to that effect, has exempted her from giving bond as such executrix.

It is therefore ORDERED that letters testamentary be issued forthwith to the said Mary Gray Morgan, without bond.

Done this the 20th day of April, 1957.

*R. Q. Yutbank*  
Judge of Probate.

Filed for record the 20th day of April, 1957.

*R. Q. Yutbank*, Judge of Probate.

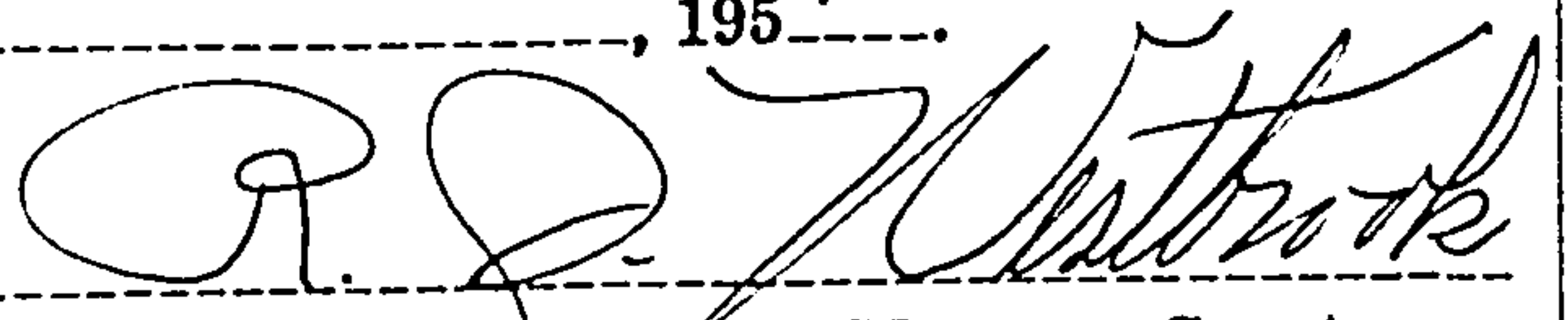


EXECUTOR'S LETTERS  
The State of Alabama, Marengo County  
PROBATE COURT

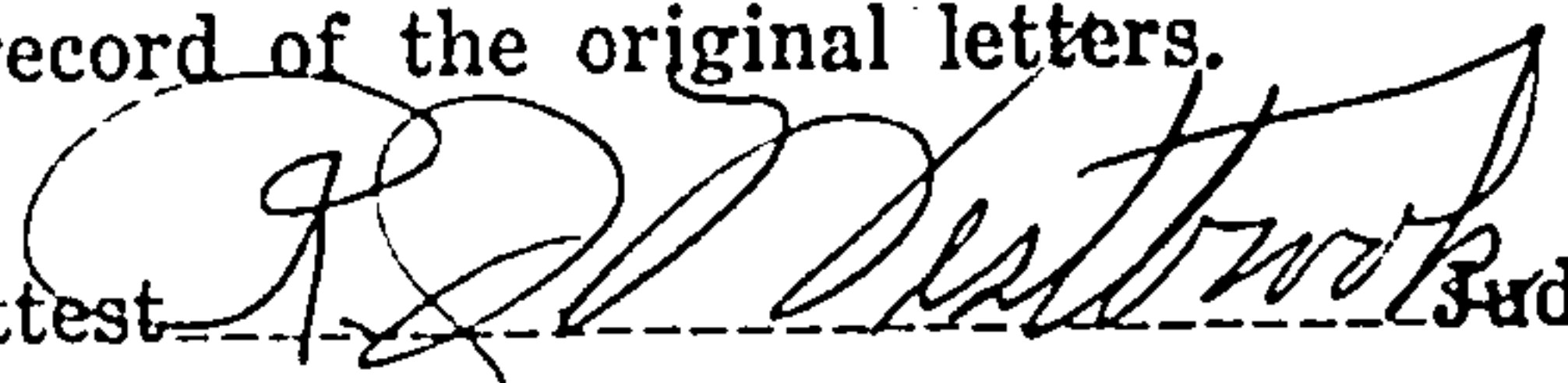
BOOK 200 PAGE 171

THE WILL OF Margaret Walker Morgan of said County  
having been duly admitted to record in said County, Letters Testamentary are hereby granted to  
Mary Gray Morgan, the Executrix named in said will,  
who has complied with the requisitions of the law, and is authorized to take upon herself  
the execution of said will.

Dated this 20th day of April, 1957.

  
Judge of Probate, Marengo County.

A true record of the original letters.

Attest  Judge.

Filed March 23, 1959 8 AM  
Recorded in said Book 200  
Page 163

BOOK 200 PAGE 172

THE STATE OF ALABAMA,

MARENGO COUNTY.

I, R. J. Westbrook, Judge of Probate in and for said County and State, hereby certify that no claims were filed in the office of the Judge of Probate of Marengo County, Alabama against the estate of Margaret Walker Morgan, deceased, and that the six months period for filing same has expired.

Given under my hand and seal of office this the 26th day of February, 1959.

*R. J. Westbrook*  
Judge of Probate.

THE STATE OF ALABAMA,

MARENGO COUNTY.

I, R. J. Westbrook, Judge of Probate in and for said County and State, hereby certify the foregoing are true and correct copies of papers, to-wit:

Petition to Probate Will, recorded Will Record "H", page 171.

Proof of will by John Randolph Smith, recorded Will Record "H", page 173.

Proof of will by McLean Pitts, recorded Will Record "H", page 173.

Last Will and Testament, recorded Will Record "H", page 174.

Order Admitting Will to Probate, recorded in Minutes "A", page 97.

Letters Testamentary, recorded in Executors Letters Record "A", page 124.

Statement with reference to claims.

Given under my hand and seal of office this the 26th day of February, 1959.

*R. J. Westbrook*  
Judge of Probate.

STATE OF ALABAMA, SHELBY-COUNTY

I, Conrad M. Fowler, Judge of Probate, hereby certify that the within was filed for record the 25 day of March 1959 at 8 o'clock A.M. and recorded in Deed Record 200, at page 145. The Mortgage Tax        Deed Tax        has been paid.

*Conrad M. Fowler*  
Judge of Probate