

# Gilson Foose Will &c

Petition

The State of Mississippi } To The Honl R. Ruff  
 Northern County } Judge of Probate in & for Said County

The Petition of George D & Abner S. Foose Shows that on the 14<sup>th</sup> of February A.D. 1857. Gilson Foose late of Said County departed this life at his Residence in Said County leaving a last Will and Testament that Said last Will & Testament bears date the 11<sup>th</sup> day of March A.D. 1849 and is signed by A. A. Ford W. A. Ford of Said County & Wm W. Wood now a Citizen of the State of California as Petitioners are informed & believes but his place of Residence they do not know, as Subscribing Witnesses and Executed under the hand & Seal of Said testator which Said Will is herewith presented to your Court for Probate & Record & prayed to be Made a part of this Petition - that Testator left at his decease about forty Six Slaves upon his plantation between three & four thousand bushels of Corn fodder oats &c &c about thirty nine Bales Cotton in Mobile & Some few Notes & accounts & Some Money all supposed to be worth about thirty thousand Dollars that by Said Will all of Testators property personal Real & Mixed is bequeathed & divided to your Petitioners & Mary C. Foose a daughter of the dec'd (Who is of legal age at this time) Some ten Dollars which is willed & directed to be paid to Laura F. Grant a minor under the age of 14 years daughter of John M. Grant & Sarah E. Grant dec'd and the grand daughter of Dec'd that all of the heirs aforesaid & Said Laura F. Grant Resides in this County - that your Petitioners are named and appointed Executors of Said testator in & by Said last Will & Testament - your Petitioners prays that Said Will may be admitted to Probate & Record & that to establish the Same that Subpoenas may issue to A. A. Ford & W. A. Ford of Said County to appear Tuesday the 4<sup>th</sup> day of March it being the 2<sup>d</sup> day of the March Term.

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of your Honourable Court as Subscribing  
 witnesses of Said Will to give evidence  
 & further that your Petitioners May have  
 granted to them (by your Honourable  
 Court letters Testamentary with the Will  
 annexed as Executors of Said Estate  
 upon their giving bond & Security & taking  
 the oath as Required by Law and that  
 your Honourable Court Will grant Such  
 other or further Relief as May seem  
 meet & proper in the premises & your  
 Petitioners Will ever pray &c.

Sworn to & Subscribed before me by  
 G. H. Foote this 26<sup>th</sup> day of February A.D. 1857.  
 C. W. Bowen Clerk *Geo. H. Foote*  
*Robt L. Foote* by  
 G. H. Foote his Atty

For Commissioners to appraise the  
 property of Said Estate Wooten Hill  
 Charles W. Allen & Matthias Mahorn  
 are Respectfully Recommended to  
 the Probate Court as Suitable persons  
 April 7. A.D. 1857. *Geo. H. Foote*

R. L. Foote's  
 Renunciation

The State of Mississippi  
 Noxubee County  
 I Robert L. Foote one of the  
 Petitioners on the foregoing Petition and  
 one of the Executors named in the last  
 Will and Testament of Gilson Foote Dec'd  
 do hereby Renounce my Right to letters  
 Testamentary under Said Will and con-  
 sent that George H. Foote shall take out  
 letters as the Sole Executor of Said Estate  
 done in open Court this 7<sup>th</sup> day of April  
 A.D. 1857.

Signed & acknowledged in open Court this  
 7<sup>th</sup> day of April A.D. 1857.  
 R. Ruff. Judge of Probates *Robert L. Foote*

# Gilson Foote's Will &c.

The State of Mississippi  
Hancock County

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Be it known to all whom it may concern that I Gilson Foote of Said County and State being of sound and disposing mind and memory and being willing and desirous of disposing of my Estate and property Real personal and Mixed do make and ordain this my last Will and Testament as follows. In the first place it is my Will and desire that all my just debts be paid.

Second - I will bequeath and devise that all my Estate and property both Real personal and Mixed go to and belong to my Sons George H. Foote Robert L. Foote and Mary C. Foote my only daughter Non living their respective heirs and assigns forever Subject to be credited with all Sums of money charged against them in my Book of accounts.

Third - as I gave my deceased daughter Sarah E. Grant in her lifetime a Negro Woman named Harriet which by the terms of the deed of Gift has descended to and is now the property of my grand daughter Laura J. Grant and as I have sold to my Son George H. Foote in trust for my said grand daughter Laura J. Grant a Negro Man named Britton and two boys named Robbin and Henderson and a Girl named Jane which said Negroes together with their natural increase will be sufficient for the respectable support and maintenance of my said grand daughter. I therefore exclude her from any share or interest in my Estate. Except the sum of ten Dollars which it is my Will that my Executors herein after named shall pay her.

And I do hereby constitute and appoint my said Sons George H. Foote and Robert L. Foote Executors of this my last Will and testament.

In testimony whereof I

# Gilson Foote's Will & Testament

have hereunto set my hand and seal. Signed Sealed published and declared in the presence of us this the 11<sup>th</sup> day of March A.D. 1851.

Gilson Foote (Seal)

H. H. Ford  
W. A. Ford  
Wm. W. Woods

The State of Mississippi In the Probate Court  
Noxubee County of Said County

In the matter of a certain instrument of writing purporting to be the last will & Testament of Gilson Foote deceased. At the Regular March Term thereof A.D. 1851.

Be it Remembered that at a Regular Term of the Probate Court of the County of Noxubee in the State of Mississippi aforesaid begun & held at the Court House in & for said County on the first Monday of March A.D. one thousand eight hundred & fifty one personally appeared in open Court on the second day of said Term of said Court Henry A. Ford & Wilkins A. Ford two of the subscribers to a certain instrument of writing purporting to be the last will & Testament of Gilson Foote deceased late of said County who having each been first duly sworn respectively deposed & said as follows that is to say the said Henry A. Ford deposed and said that said Gilson Foote acknowledged to & in the presence of both these deponents the signature to said instrument of writing to be his genuine signature, and the said instrument to be his last will and Testament on the eleventh day of March A.D. one thousand eight hundred & forty nine and that the said testator there & there & in the presence of both these deponents together published & declared the same said instrument of writing to be his last will and Testament that said

# Gilson Fote's Will &c

Testator was then of sound & disposing mind & memory and were then twenty one years of age; and that he the said deponent Henry A Ford subscribed & attested said instrument as a witness thereto & to the signature & publication thereof at the special instance & request & in the presence of the said Testator & in the presence of the said other deponent Wilkins A. Ford and the said Wilkins A. Ford deposed & said that the said Gilson Fote acknowledged the signature to said instrument of writing to be his genuine signature on the same day & year aforesaid and published & then & there declared said instrument of writing to be his last will & Testament in the presence of both these deponents together; that said Testator was then of sound & disposing mind & memory & was then twenty one years of age; and that this deponent Wilkins A. Ford subscribed and attested said instrument of writing as a witness thereto & to the signature & publication thereof at the special instance and request and in the presence of the said Testator and in the presence of the said other deponent Henry A Ford; all on the same day & year aforesaid; and these deponents respectively say further that they are acquainted with William W. Woods (whose name signed Wm W. Wood) appears to the said instrument as the other subscribing witness thereto and with the hand writing of the said William W. Woods and from their acquaintance with & knowledge of his hand writing they believe that the name & signature of Wm W. Woods subscribed as witness to said instrument of writing is his own proper signature & signed & subscribed with his own proper hand and these deponents further say that they are informed & believe the same to be true that the said William W. Woods some time since left this County for California & has not since returned to the best of their knowledge & information &

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believe nor do they know where particular he now is. Sworn to & Subscribed before me in Open Court this the 4<sup>th</sup> day of March A.D. 1851.

R. Ruff  
Judge of Probate  
Henry D. Ford  
Wilkins A. Ford

The foregoing Will &c. was filed the 26<sup>th</sup> day of February A.D. 1851 for March Term A.D. 1851 and was duly Recored the 16<sup>th</sup> day of August A.D. 1851.  
Chs. Borreri Clerk

Petition

The State of Mississippi } In the Probate Court of  
Noxubee County } Said County at the August  
Term thereof A.D. 1851.

In the Matter of a certain instrument of writing purporting to be the last will & testament of Joel Barnett deceased. Be it remembered that at a term of the Probate Court of the County of Noxubee in the State aforesaid begun & held at the Court House in & for Said County on the first Monday in August A.D. One thousand eight hundred & fifty or personally appeared in Open Court William R. Poindexter one of the Subscribing witnesses to a certain instrument in writing purporting to be the last will & testament of Joel Barnett late of Said County deceased who having first been duly sworn deposed & said that the said Joel Barnett signed published & declared said instrument as his last will and testament on the 27<sup>th</sup> day of May A.D. 1848 the day of the date of said will or instrument in the presence of this deponent & Edwin Powell one of the other Subscribing witnesses to said instrument that said testator was then of sound and disposing mind & memory and twenty one years & upwards of age; and that he the deponent and the said Edwin Powell subscribed and attested said instrument as witnesses thereto and to the signature & publication thereof at the special instance Request and in the presence of the said testator and in the presence of each other on the day and year of the date thereof; Sworn to