

Sworn to and subscribed before me this 19th day of
August A.D.1852.

John Hynes

293.80

293.80

Chief Justice Refugio Co.

Audited, examined and approved this 27th day of September A.D.1852

John Hynes

Chf J.R.C.

Estate of James Power decd.

Tomas Power wife of decedent having filed her petition praying for the Probate of the will of the deceased and for letters testamentary thereon and public notice having been given that the will of the deceased would be presented for probate at this term of the Court and that the application of the petitioner for Letters Testamentary would be heard and for all persons interested therein to come forward and show cause why the said will should not be probated and letters testamentary granted.

It is therefore ordered by the Court that the said will of James Power deceased be admitted to probate and that Letters Testamentary be granted to Tomas Power as sole Executrix (Patrick Shelly refusing to act as Executor and James Power Junior being incapacitated from acting on account of his minority) upon the said Tomas Power giving bond and security as by law required, and the clerk is hereby ordered to record the will of the

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SEPTEMBER TERM A.D.1852

said James Power deceased on the minutes of the Court.

Last Will and Testament of James Power deceased

I James Power of Refugio County and State of Texas, farmer, do make and publish this my last will and testament, hereby revoking and making void all former wills by me, at any time, heretofore made; and first I direct that my body be decently interred; and as to such wordly Estate as it has pleased God to entrust me with; I dispose of the same as follows: First I direct that all my debts and funeral expenses be paid as soon after my decease as possible out of the first monies that shall come unto the hands of my Executors from any portion of my estate, real and personal; also, I direct that as soon as a division of property is made between myself or my heirs and Thomas M. League, that a valuation or appraisement be made of the same, by three judicious neighbors, of all my said estate, including my household furniture and other personal property, and after being signed with their names, that a copy of the same shall be given by them to each of my executors. To effectuate the settlement of my debts if at my decease I am not possessed of sufficient money for the purpose, I hereby direct that my executors, sell in such manner as they may think most advantageous to my estate enough of my property to pay all of my said debts as also to give each and every one of my children, now living with me a liberal education in some good Catholic Institution; also I direct that the whole of my household furniture shall be and remain the absolute property of my beloved wife Tomas Power.

Also I direct that after the payment of my debts, that my cattle remain in the hands of my wife and son James until all my children are of age, in order to defray and pay all the family expenses, such as board, clothing, tuition and other family charges, and I hereby authorize them for that purpose to sell with the consent of each, when ever an opportunity offers all the steers that will be from time to time fit for beef; and after all my children have attained their majority, then that the remainder of my cattle be fairly and equally divided among these of my children now living with me. And

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I further direct that all of the rest of my property be divided equally, as soon as it can be done, share and share alike amongst my wife Tomasa Power and my several children who shall survive me; also I direct that my said wife shall enjoy during the term of her natural life the said child's share of my estate and at her decease the same shall revert to my children. And I do hereby make and ordain my beloved wife Tomasa Power Executrix and my son James Power Junr. and Patrick Shelly all of Refugio County Texas Executors of this my last will and testament.

In witness whereof I James Power the testator, have to this my will, written on one sheet of paper, set my hand and seal this third day of December in the year of our Lord, one thousand eight hundred and fifty one

James Power (seal)

Signed sealed and delivered in the presence of us who have subscribed in the presence of each other and of said testator.

M.P.Norton

H.D.Norton

Edwd. R. Norton

The State of Texas, |

County of Refugio. | I, M.P.Norton do solemnly swear that James Power deceased, signed, sealed, published and declared in my presence the annexed and foregoing to be his last will and testament, and that I signed, at his request, the same, together with Henry D. Norton and Edward R. Norton as witnesses, and that we signed the same in presence of each other and in presence of the testator, and that the said Henry D. Norton and Edward R. Norton are now absent from the State-so help me God.

M.P.Norton

Sworn to and subscribed before me this twenty seventh day of September A.D.1852.

John Hynes

C.J.R.Co.

I, Tomasa Power do solemnly swear that the writing which has been presented for probate, is the last will of James Power deceased, so far as I know or believe, and that I will well and truly perform all the duties of executrix of the said will of James Power Deceased so help me God.

Tomasa Power