

The State of Alabama,

Clay County } In the name of Almighty God, Amen.

I, Menck Strick, a resident of said State and County being of sound mind and disposing memory, and reasonably good health, realizing the uncertainty of life and the certainty of death, and being desirous of making disposition of my worldly effects with which I have been blessed, do make, constitute and declare this to be my last will and testament.

Item 1st.

I will and bequeath my soul to God who gave it, and that my body be interred in the old family grave yard near where I now live, and that a neat, substantial enclosure and tomb be placed over the same, not an extravagant, costly one, the expenses of which is to be paid by my executor hereinafter named.

Item 2nd.

I will and desire, that as soon as practicable after my death, my executor shall pay off and discharge all my just debts, and if necessary he will use of either collections or sale of personal property to raise money to pay the same with, and will exercise his judgment as to what property or goods he will sell for that purpose.

Item 3rd.

I will and bequeath to my beloved wife Martha Strick three hundred and twenty acres of land, to be selected by her, to include and adjacent to the lands on which my store house, mill, Factory and ginney are situated - the title to the same to rest in her during her life, at her death to be the property of my son Jabez C. Strick, it being my desire to keep and perpetuate this place in my family. I also will and bequeath unto my said wife four horses or mules to be selected by her out of any belonging to my estate, also as many head of cattle of my estate, as she may desire to be also selected by her. I will and bequeath to her all my household goods and kitchen furniture of every kind, also all or so much of the corn, fodder, wheat and oats that I may be possessed of as she may select for her use for a year. I also direct that my executor shall buy and pay for out of my estate a good enough saddle buggy for my wife, all of which personal property shall be her absolute disposal as well as the rents and profits growing out of said lands. I also will and bequeath to my wife Martha the sum of Three Thousand Dollars, to be paid to

has as soon as the same is realized by my executor after the payment of my debts.

Item 4th

It is my will and desire to do something beneficial for the children of the community in which I live, and to accomplish this purpose, I will and bequeath unto Dr. J. H. M. Curry of Richmond Va. Hon. H. M. Evans of Clay County and Jubey C. Street and their successors in trust and for the uses hereinafter designated Four hundred acres of land to be selected by them out of my lands in Clay County (ala) to include and be adjacent to the land on which the church house is situated and of my store in Clay County, said lands to be conveyed, designated and selected by said trustees, and when so selected, my executor to convey the same to said trustees or any two of them, also I will and bequeath unto said trustees the sum of Fifteen Thousand Dollars, to be paid to them by my executor as soon as my debts and the bequest to my wife are paid, said land and money to be by said trustees used in building and operating an Industrial School for Girls and Boys. I direct that Three thousand Dollars of said money be used and appropriated to the building of a school house on said land for the use of said school, I further direct that in the construction of said house there shall be built a hall or chapel of good size and the same to be comfortably seated, to be used in the conduct of said school, and further that all Christian denominations shall be allowed to use the said hall for worship under the direction and control however of said trustees, as I don't want any complicity of authority in the control of said hall. I direct and direct that out of the remaining Twelve Thousand Dollars (\$12000) said trustees may use not exceeding one thousand Dollars in furnishing said house with all needed apparatus and furniture, and the remaining Eleven Thousand Dollars, (\$11000) is to be put at interest with good security, and the interest applied annually to the payment of teachers in said school. I direct that all the children who may attend said school who live close enough to come from home shall be charged no tuition, and those who come from abroad shall be charged such tuition as said trustees may fix. The number of teachers and pupils to be entirely within the control of said trustees. I further direct that male scholars attending said school shall be required to work and labor on the industrial school farm, to be operated on the said land under the management of the said trustees, a certain number of hours each day, and the female pupils in attendance on said school shall be taught and required to do a certain number of hours of work at such things as will be

beneficial to them in after life, and all the produce of all the work done in said school and of said lands shall go into the fund to pay teachers of said school, as well as any other revenues as may be derived from the aforementioned lands. In case of the failure of any one or more of said trustees to accept said trust, I direct that the one or more who do accept said trust shall select one or more trustees to fill their places and in case of any vacancy at any time occurring in said board of trustees I desire and direct that the remaining trustee or trustees as the case may be, to fill such vacancy. I further direct that no trustee shall at any time charge any compensation for their services.

Item 5.

I will and bequeath of the remainders of my estate, after the payment of my debts and the legacies as provided for in items 3 and 4, one half thereof of every kind, character and description, whether of lands, personalty, notes, mortgages, debts or choses in action to my son Joby C. Street.

Item 6.

I will and bequeath the remaining half of my estate of every kind, character and description, after paying my debts, providing for the legacies in item 3 and 4, and Joby C. Street gets his half as provided in section (item) 5; to William D. Bulger, in trust the following uses, to convert all the personal property into money and collect any and all debts that may be due, and take charge of any lands that may be, and rent the same out, and secure the best rents that may be had thereon, and out of said money to pay to my son Robt. Y. Street the sum of one hundred and fifty dollars per year after my death for three years, and at the end of said three years, if my son Robt. Y. Street shall remain sober and abstain from the drink of alcoholic liquors, from the date of my death to the end of said three years, in addition to the one hundred and fifty dollars yearly payments, provided, said William D. Bulger trustee shall pay to said Robt. Y. the sum of Five Thousand Dollars if so much be in his hands of said trust estate arising out of the personalty and if not so much in his hands, then so much thereof as is in his hands, the sum to go to said Robt. Y. absolutely, and if said Robt. Y. Street, shall from that time on for five years remain sober and abstain from drink of liquor for said five years, then said Trustee shall pay over to said Robt. Y.

all that may be in the hands of said trustee of said trust estate of every kind and character including lands, money and personal property.

In case said Robt. Y. Street should die without leaving a widow or issue before said trust estate has passed out of the hands of said trustee as afore provided, then in that case, all of said trust estate shall go to my son Jacob C. Street absolutely. But if said Robt. Y. Street marry during the time of the existence of said trust estate and shall have issue, then at his death, all of said trust estate shall go to his said widow and children, share and share alike, and said trustee in case said Robt. Y. shall marry and shall not so remain and live sober, then in addition to the \$100 yearly payments well out of said trust estate provide for the support of said Robt. Y. family to such amount as said trustee in his judgment thinks sufficient. Said trustee shall allow said Robt. Y. the use of any lands that may belong to said trust estate at any time he may desire to cultivate the same and in case my son Robt. Y. shall from my death continue to drink liquor and dissipate, then the yearly allowance of \$100 shall be paid to him during his lifetime.

Item 7

It is my will that my executor as hereafter named shall as soon as he qualifies take full and complete charge of my estate of every kind including real estate and that he will continue the sale of goods in the store until he can close the same out without great loss, and to effect this is authorized to purchase other and additional goods and supplies without any order of Court and he shall continue to complete and and all crops that may be on hand and growing at my death, and procure the hands and tenants supplies when necessary to obtain in his judgment profitable results from crops, and he is authorized to carry out and complete my and all contracts made by me, and he shall have full power to manage my said estate in all things he saw and might do, and shall have full power to buy, sell, lease and exchange lands and personal property and make deeds of conveyance without any order of Court and to compromise and settle all matters between my estate and any person the same as I could do, I having full confidence in his capacity and integrity, and I desire my executor to wind up my estate as soon as he can reasonably do so, looking to the interest of my estate.

Item 8

Having full confidence in my son Jacob C. Street and his ability to manage my estate to the best interest for all concerned, I now do constitute and appoint him Jacob C. Street sole executor

of this my last will and testament, and desire and will that he
be not required but exempt from making any bond as such
executed.

Item 9.

It is my will that my executor shall secure the service of my attorney
and friend William D. Bulger Esq to assist him in any and all
matters that may so require the service of an attorney in the manage-
ment of my said estate. Signed Sealed and declared to be my last
will and testament in the presence of the subscribing witnesses hereinafter
assigned, on the 5th day of April 1857.

Witnesses

(Signed) Merit Strick

L. F. Box

J. T. Martin

W. D. Bulger

The State of Alabama, I H. H. Stockdale Special Judge of Probate in and
Clay County } for said County, appointed in the matter of the
probate of the will of Merit Strick deceased, do hereby certify that in
the proceedings this day had, to probate said will, it was proven
to the satisfaction of the court, that on or about the 5th day of April
1857, the said Merit Strick made, signed, sealed and declared his last
will and testament, the same being witnessed by L. F. Box, J. T. Martin
and W. D. Bulger, that said will was never revoked by said Merit
Strick, that said will is lost, mislaid or destroyed, and that the said
Merit Strick died in said county on the 24th day of May 1857, it was
further proven to the satisfaction of the court that the instrument
from pages one to nine inclusive is a substantial copy of said
last will, the same is therefore established as the last will and tes-
tament of Merit Strick deceased, is probated, and is admitted
to record as such and duly recorded, together with the proof thereof,
in the Probate office of said County in Book of Wills A page 90
In witness whereof I have hereunto set my hand and affixed
the seal of said County, this the 13th day of June 1857

H. H. Stockdale

Special Judge of Probate.

The State of Alabama, I H. H. Stockdale Special Judge of the Court of Probate
Clay County } in and for said State and County, do hereby
certify that the will and testament of Merit Strick deceased
has been this day duly proven before me in said County, and duly
recorded together with the proof thereof in my office in Book of
Wills A page 90. In witness whereof I have hereunto set my

hand and signed the seal of said Court this 13 day of June 1891
A. S. Stockdale
Special Judge of Probate.

The State of Alabama, I hereby certify that the foregoing conveyance was filed
Clerk County in my office for record on the 13 day of June 1891 and duly
recorded on the 29 day of June 1891
Hiram M. Evans
Judge of Probate.

In the matter of the
Last Will and Testament
of Mount Street deceased

In Probate Court
Cloy Co., Alabama
June 15th 1891.
Hon A. S. Stockdale

Special Probate Judge

Present Martha J. Strick, Robert J. Strick, George C. Strick.
Mrs Martha J. Strick having been duly sworn deposed as follows:
I have seen a will of my late husband. I had it in my hand and
read it it was in a small drawer of the sofa I had it on Wednesday
evening week before he died. I kept the key of the sofa drawer con-
taining the will and no one else had access to that drawer except
when it was pointed open. and the contents removed by some person
unknown to me. On the Friday before he died he asked me if I knew
where the will was. He was in sound mind He never had it after
Friday before he died. Because he didn't - couldn't leave his room.
Went to Montgomery got back took to bed Sunday even after his death
I looked for it, Tuesday after his death. I found the drawer had been
pried open and the will and part of the money was gone. A Book
was also with him containing sofa account. I examined all papers
in each pockets in all places in sofa, through clothing. Examined all his
papers in sofa and every where that he kept his valuable papers. I never
found it. Having heard read an original memorandum of the will
as made by W. D. Budgeon read in open court I recollect and state
it to be substantially the will as I recollect it. My husband never
destroyed the will. The sofa was kept in the store Robert J. Strick was in
the store every day. His custom to be around there. Friday forenoon about 10
o'clock Mr Strick spoke about the will no one was present, he asked
them all to go out. He asked me if I knew where the will was and
I told him that I did. He then asked if anyone else knew where the will
was and I told him I did not know whether they did or not. I don't recall
I remember of his speaking about the will. The will that I saw and read