

Duke, James and Henry Perry Co. Est.

53-010-0466

The State of Alabama

Perry County

I, Henry J. Duke Son &
Heir of James Duke, ^{deceased} being
over the age of fourteen years and having
no Guardian do hereby desire that John St.
Shaffer Jr be appointed my Guardian
I having chosen him as such this 5th
day of April 1844.

Henry J. Duke

Test Geo. Cunningham Clerk

Duke, James and Henry Perry Co. Est.

53-010-0466

Received Perry County, Ala March
 10th 1866 of Probate Court Judge of
 the Probate Court for said County, the sum
 of Fifty Five Dollars and six Cents, being
 the amount decreed to me as Guardian of
 Henry W. Duke and family Duke my
 children out of the proceeds of the
 Duke Land for Partition and Division
 sold under the Decree of the Probate Court
 of said County - Elizabeth Duke

Received Marion Ala March 10th
1866 of Bush Jones Judge of Probate
Court of Perry County Alabama
Fifty Five Dollars in full of my
Wife Eliza A. Edwards share of
the Proceeds of the Sale of the
Waste Land sold under a Decree
of said Court Richard Edmonson
Witness
John H. Chapman

Part of Distribution of Waste Land

Part of Perry Waste's Share J. Young	\$55.00
" " James Waste's " " "	55.00
" " Jasper Waste's " " "	55.00
" " Mary A. Sanders " " "	55.00

\$220.00

Received Marion Ala February 25th 1866 of
Bush Jones Judge of Probate Court Two
Hundred and Twenty Four Dollars in
full of my share of the Proceeds of the
Sale of said Land

J. Young
John H. Chapman
his Attorney

[Faint, illegible handwriting in cursive script, likely bleed-through from the reverse side of the page.]

Recit 17
3 Mary
Jan 4 Mrs. M. Larkin
Shore's Bank (Land)
P 2226.24.

[Faint, illegible handwriting in cursive script, likely bleed-through from the reverse side of the page.]

Henry Duke Dr
To Rayston & M. Albritton

To Operating upon Leg 50 00

Two visits and duping
Leg by M. Albritton 10 00

60 00

Received Payment in full
Sept 21st 1890
Oct 8th 1890
Wm M. Albritton

Oct 14th

Perry County Ala
Mrs Duke To J. M. Henderson Dr
For tuition for 1867
92 days 124.00 per day 811.48
Received payment Oct 26

Perry County Ala
Township 20 Range 5
Oct 14th 1867
I hereby certify that Mrs Duke sent to
School in the above named Township 4
92 days within the Educational limits
J. M. Henderson

James H. Duke
1870 To Howard College Dr.
April 4 To Tuition to July 1, 1870 \$14.00
Incidental Expenses 2.50

Amount 16.50

Received Payment in full of above C. of Saml. Whitman

John H. Jones
Treasurer of Faculty.

James H. Duke
 No 42
 Howard College

[Faint, mostly illegible handwriting on lined paper]

Mrs Duke

$$\begin{array}{r}
 92 \\
 12\frac{1}{2} \\
 \hline
 46 \\
 118\frac{1}{2} \\
 \hline
 175\frac{1}{2}
 \end{array}$$

[Faint, mostly illegible handwriting on lined paper]

[Faint, mostly illegible handwriting on lined paper]

State of Alabama } This indenture made and
Perry County } entered into on this the
2nd day of June AD 1887 by and between
Olive Duke and James W Duke, her hus-
band of the said state and county Parties
of the first part and W R Rhinehart
and John M Rhinehart - also of said State
and County Parties of the second part -
Witnesseth

That whereas the Par-
ties of the second part - have purchased
of the said Olive Duke the land her-
inafter described for the sum of three
Hundred Dollars as evidenced by
three several promissory notes for the sum of
three hundred dollars each
payable to the said Olive Duke or
order all bearing even date herewith
- one payable on the first day of
November AD 1888 - one payable
on the first day of November 1889
and the third and last - one pay-
able on the first day of November
AD 1890 and each and every note
signed by the said W R Rhinehart
and John M Rhinehart -

and whereas said
notes have been executed and deliv-
ered to the said Olive Duke & secured
by mortgage on said land; it is now therefore in con-
sideration of the said premises and
of the receipt and delivery of said notes

The said Olive Duke and James W Duke her husband have given granted bargained sold and conveyed and by these presents do here by give grant bargain sell and convey unto the said W R Rhinehart and John M Rhinehart the following described Tract of land lying and being situated in Perry County Ala to wit the $N\frac{1}{2}$ of $E\frac{1}{4}$ of Section 14 and fractional $NW\frac{1}{4}$ of Section 14 East of Cahaba River containing 9 acres - also fraction in S E Corner of $N\frac{1}{2}$ of Section 15 East of Cahaba River containing 10 acres more or less all in T21 R8 containing in all 181 acres

unto the said W R Rhinehart and John M Rhinehart unto them and their heirs in fee simple forever

And the said Olive Duke covenants to and with the said W R Rhinehart and John M Rhinehart that she is seized and possessed of an indefeasible estate in fee simple in the above described premises: that she has good right to convey the same: that the same is free from all liens and incumbrances and the title thereto she will forever warrant and defend against the lawful claims of any and all persons

whatsoever.

And the said James W

Whatsoever.

And the said James W Duke the husband of the said Olive Duke signs this deed in attestation of the fact that he consents to his said wife making the contract of sale of said land and to her execution of this deed as well as for the purpose of conveying any title or interest which he may now have or may hereafter have in said land.

In witness whereof the said Olive Duke and James W Duke have hereunto set their hands and seals the day and date first above written

Olive Duke (S.O.)
 J. W. Duke (S.O.)
 Teste

State of Alabama

Perry County } J. B. Shivers Judge
 of Probate in and for said State and
 County do hereby certify that Olive
 Duke and James W Duke her hus-
 band whose names are signed to the
 foregoing conveyance and who are
 known to me acknowledged before
 me on this day that being informed
 of the contents of the said conveyance
 they executed the same voluntarily
 on the day the same bears date. Given un-
 der my hand this the 25th day of June, 1887

J. B. Shivers
 Probate Judge, Perry County, Ala.

State of Arkansas }
Ferry County }
This indenture made and entered into on this the

11/17
1858

Oliver Parker
vs } Deed
W P P Whitcomb
Geo W Whitcomb

State of Arkansas } ss.
Ferry County }
I hereby certify that the foregoing instrument was
and for record on the 7 day of May
1858 and recorded on the 9 day of May
1858 in Book 65 of Deed Records page 217
J W Spencer
Judge of Probate

Rec'd by Geo H 988

257

261

270

Commissioners Sale of the James Duke tract
of land by order of the Hon. Bush Jones Judge
of Probate of Perry Co. Ga. " " " "
Lot A West of the Cahaba River in fractional Section
(15) Township (21) Range (8) east containing 79^{1/2} and
the S E quarter of Section (9) Township (21) and Range (8)
east bought by Jack Young for \$2.37 per acre in
all 240 acres \$568.80

The S E quarter of the S E of Section (12) Township (21)
Range (7) east containing 40 acres bought by Mrs
Mary Netherford at \$2.51 per acre making \$100.40

The (N W) quarter of the (S E) quarter of Section (13)
Township (21) Range (7) east. Containing 40 acres
bought by Sam Whitman at \$2.10 per acre in
all making \$84.00

James Lockhart
Charles Belcher
Ben Lin Ditch

257
40
10040

Land Sales of
The Estate of
James Duke Dec'd

257
240
7480
474
56880

56880
20647
36233

11) 568.80
51.6171
4
206.77

THE STATE OF ALABAMA, ---PERRY COUNTY.

& Know all men by these presents, That we Elizabeth Duke and Samuel Whittem and John H. Chapman are held and firmly bound unto ~~James P. Perry~~ ^{Amos Davis} Judge of the Probate Court of said County, and his successors in office, in the penal sum of One Hundred and Ten + 1/100 Dollars, for the payment of which, well and truly to be made, we bind ourselves, our Heirs, Executors and Administrators, jointly and severally, firmly by these presents Sealed with our seals and dated this the Tenth day of March A. D. 1864.

The condition of the above obligation is such, That whereas the above bound Elizabeth Duke has been duly appointed Guardian of the person and estates of Henry W. Duke and James Duke

Now if the said Elizabeth Duke shall well and truly perform all the duties which are, or may be by law required of her as such Guardian, then this obligation to be void, otherwise to remain in full force and effect...day and date above written.

Signed, sealed and acknowledged before me, this the 10th day of March A. D. 1864.
I order to be recorded & filed,
Amos Davis
Judge of Probate

Elizabeth Duke (L.S.)
Samuel Whittem (L.S.)
John H. Chapman (L.S.)
..... (L.S.)

Elizabeth Beck, grand

of
the municipality

March 10th 1866,

Proctor #110¹² with

James Williams and

John H. G. Latham

as trustees taken with them

sums to be received

and also, are left

in care of Proctor

James #110¹² at

to 127

Recorded

Elizabeth Duke Guardian of Henry Duke
and James W Duke ~~and account~~ on Final
settlements of her Guardianship This the 14th
day of October 1872

1866

Nov	10	To amount received from the Est. of <u>Judith</u> Duke dec'd on settlement thereof being wards distributive shares Int to Oct 15 th 1872	155 05	
		Total Debits =	29 00	
		" Credits =	184 05	
		Balance for of Guardian	217 95	
			<u>153 93</u>	

1867		Dr	Cr		
Oct	10	By amt pd pro Henderson for Henry Duke	81	11 45	
1871	Apr	" " " Normal College " J.W. "	52	16 50	
Oct	3	" " " " " " " " "	53	22 50	
"	7	" " " Ruyton's W. Allison Henry "	54	60 00	
1871	July	27	" " " Normal College " J.W. "	55	18 35
Oct		" " " " " " " " "	56	30 00	
1872	July	19	" " " " " " " " "	57	35 00
Oct	14	" " " Court Cost of Settlement	58	16 80	
"	"	" " Commission allowed	59	7 35	
				<u>219 98</u>	

State of Alabama
Perry County } Before me A. C. Hoyle Judge
of Probate in & for said County
personally appeared Elizabeth Duke who
being first duly sworn makes oath and
says that the foregoing account of her said
Guardianship is true accurate and just
sworn to & subscribed before
me this 14th day of Oct. 1872
A. C. Hoyle
Judge of Probate

Elizabeth Duke

Oct. 14th 1892 Samuel Whitman is hereby appointed Guardian ad litem to represent & protect the interest of the minor interested in this settlement

A. C. Hoyle
Judge of Probate

I hereby accept my appointment as Guardian ad litem to represent and protect the interest of J. W. Duke the minor interested in this settlement & having examined the within account & finding it correct consent that the same be passed & allowed Oct. 14th 1892

Samuel Whitman

Elizabeth Nutter
Guardian of
Henry J. Nutter

Account found

Settlement

Time Oct 14th 1892

Set for hearing on the

2nd Monday of April 1892

By 3 months past due

Balance in Common

Assets

A. C. Hoyle

Judge

April 11th 1892

Account as stated

& ordered to be born

due & paid

A. C. Hoyle

Judge

Received in full

of the above account

of \$330.00

of the above account

of \$330.00

A. C. Hoyle

Judge

Received of John F. Shaffer Guardian of the Undersigned
an heir of James D. Duke deceased One Thousand and
Seventy Three dollars and Eleven Cents in full
payment of my part of My Father's Estate,
January 9th 1846. Henry S. Duke

no 1.

[Faint, illegible handwritten text follows]

John F. Shaffer Guardian of Henry J.
Duke in account current with said Ward

	Dr.
To this amount due said Ward	\$1500.49.
" " " of interest to settlement	22.62
	\$1073.11

Voucher No. 1. paid said Ward as per receipt. \$1073.11.

The State of Alabama } Personally appeared before me
Perry County } John F. Shaffer Guardian of
Henry J. Duke who solemnly swears that the
 foregoing accounts of debits and Credits as stated
 is just and true as far as he knows or believes
 sworn to and subscribed } John F. Shaffer
 before me January 9th 1846.
 Jno. Cunningham Clerk

I Henry J. Duke the ward of John F. Shaffer
 now being of the full age of twenty one years
 do hereby waive all necessity of the notice required
 by law, and Consent that the above account
 be allowed as stated as a final settlement
 between me and My Guardian, Given under my hand
 and seal this 9th January 1846. Henry J. Duke
 attest Jno. Cunningham Clerk.

49.

John F. Whipple
Guardian of

Henry D. Duke

ask for final settle-
ment

Filed May 9 6/1846.

Recorded May 23 1846

In Book of Perry

38 43

Pro Comm. of Ham

W. G. Miller

Special Com. May 23 1846





In Minute Book 574.

Guardian's Bond.

**The State of Alabama, }
PERRY COUNTY. }**

Know all men by these presents, that we, *John F. Shaffer jun.*
Jesse Holifield & Elias C. Trammell
are held and firmly bound unto *John P. Graham*
Judge of the County Court of the County aforesaid, in the sum of *Two*
thousand dollars, to be paid to the said *John P. Graham*
or his successor in office, to which payment well and truly to be made, we bind ourselves,
our heirs, executors, and administrators, jointly, severally and firmly by these presents.
Sealed with our seals, and dated this *Seventh* day of *April*
A. D. 184 *4*.

The condition of the above obligation is such, that, whereas the above bound
John F. Shaffer has been duly appointed Guardian of
the person & property of Harry J. Duke
Now, if the said *John F. Shaffer jun.*
shall well and truly perform all the duties which are, or may be by law, required of
as such Guardian, then the above obligation to be void, otherwise to remain in full
force—day and date above written.

John F. Shaffer jun. 
Jesse Holifield 
Elias C. Trammell 


Signed, sealed, and acknowledged in open Court, before me,
Jno. Cunningham Clerk.

34.

John H. Whittington

Guardian of
Henry S. Duke

Beaver 1844

6. 6. 1844

Approved
W. H. Duke

Remain in Books.

5. Page 344.

pro Copying them

August

[Handwritten signature]