

Duke, Newton, M. Perry Co. Est.  
53-010-0471

1 2 3 4 5 6 7 8 9 10 11 12  
Master J. Denmark - address + residence  
John J. Denmark  
John J. Denmark  
David E. Denmark  
Master J. Denmark - address

sworn to speak the truth the whole truth, and nothing but the truth

Received Marion Ala Feb'y 21<sup>st</sup> 1866  
of Jas. Jones Judge of the Probate Court  
Seventy Five Dollars the amount of  
the Fee allowed us by the Court in the  
Case of N. M. Duke and others vs Thomas  
Duke others for Partition in the Probate Court  
Barley Herme  
Atty

Rec<sup>d</sup> of G. Young Fifty Dollars  
money due me from the sale  
of my father's land recently sold  
by order of Probate Court.  
Feb 17<sup>th</sup> 1866 Newton M. Duke

**H**

Oxford

STOCK No. 1152 1/2

MADE IN U.S.A.



The State of Alabama & In the Probate Court of Perry County  
County of Perry 9 January Term A.D. 1866.

Newton M. DeKrother

vs  
James M. DeKrother & John Tucker witnesses introduced and examined on behalf of the  
petitioners in this cause.

The witnesses Obadiak Belcher & John Tucker make the following answers  
to the Interrogatories propounded

Ans. to Int. 1. We are severally acquainted with the lands mentioned  
and described in interrogatory first in this case. We now live & have done  
in its immediate vicinity for twenty five or thirty years past & know it well  
by its numbers & descriptions the lands claimed by the petitioners are  
correctly described in said interrogatory.

Ans. to Int. 2<sup>nd</sup>. The lands mentioned in the petition in the first interrogatory  
in this case can not be divided fairly, beneficially or equitably between  
the petitioners & the other owners thereof mentioned in the petition without  
making a sale of the lands to effect that object.

Ans. to Int. 3<sup>rd</sup>. We know nothing further that would be of benefit  
to those making this application.

Cross Examination

Ans. to Cross Int. 1. We state that it will be manifestly to the interest  
of the infant defendants that the lands mentioned and described in the  
1<sup>st</sup> direct Interrogatory should be sold for the purpose of making partitions  
and distribution among those interested therein.

Ans. to Cross Int. 2<sup>nd</sup>. We know of nothing that will benefit the infant  
defendants in this matter. And further the deponents sayeth not.

Obadiak Belcher  
John Tucker

State of Alabama &  
Perry County & J. A. Kelly one of commissioners named in the  
annexed commission do hereby certify that by virtue and in pursuance  
thereof I caused the witnesses Obadiak Belcher & John Tucker to come before  
me in my office in the town of Marion on the 8<sup>th</sup> day of January 1866 at said  
time and place took their testimony in this cause as above stated: I further  
certify that each of said witnesses was by me as such commissioner duly  
sworn to speak the truth the whole truth, and nothing but the truth

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STOCK No

MADE IN

in the case in said Commission mentioned and that each witness answered and deposed as shown by the foregoing answers which are signed by each witness respectively: And I do hereby further certify that the foregoing answers and depositions of each witness were reduced to writing by me as nearly as may be in the language of the witness & by him signed in my presence and that each of said witnesses is personally known to me  
Witness my hand and seal. This 8<sup>th</sup> day of January AD 1866

A. R. Kelly Seal  
Commissioner

**4**  
**Oxford**

STOCK No. 11E

MADE IN U.S.A.



In the Probate Court } In the matter of the petition  
of Perry County, Ala } of Newton M Duke, Richard  
Edmunds his wife Eliza Ann Edmunds & Zasha-  
riah Young for the sale of certain lands in  
said County jointly belonging to them (Petitioners)  
and to Jas M Duke John Duke & Mary J Duke  
as children of Tho Duke dead. - Mary Ann Hor-  
ton wife of W Horton, John M Duke, Littleton  
Duke - the children of Henry Duke, to wit James &  
Henry M Duke &c &c more particularly described  
in said petition.

Interrogatories to be propounded  
to Obadiah Belcher, Wilson Rance -  
Robert Woolley, Jurors of said County, the an-  
swers to which when taken are to be read & used  
in evidence before the said Court on the hearing  
of & in behalf of an application made by  
Petitioners for the sale of lands belonging to  
them & to the other named parties in said petition.

Interrogatory 1<sup>st</sup>

Are you or either of you ac-  
quainted with the following described  
lands, belonging to Petitioners & to the other per-  
sons above mentioned - viz the South East  
Quarter of the South East Quarter of Section 12 -  
the South West Quarter of the North East Quarter  
of Sec 13 in Township 21 & Range Seven East  
- also Lot "A" West of Cahaba River in fractional  
Section Fifteen in Township 21 & Range 8 East  
containing Seven & nine  $\frac{1}{16}$  Acres - also the South  
East Quarter of Section Nine Township 21, Range

**H**  
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STOCK No. 115

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eight East containing in all three hundred  
Acres more or less?

Mr. Lord

Can a fair, beneficial & equitable  
division of said lands among the owners  
hereinbefore mentioned, be made without a  
sale thereof

Mr. Lord,

State anything else in behalf of this  
application that you or either of you may know,  
Bailey Kerne

Attys for Petitioners

We suggest Mr. Kelly, P. B. Conner & Geo. W. L. ...  
witnesses to take the depositions of these witnesses

Bailey Kerne

Interrogatories in  
Petition of Duke &  
Others to sell land

Geo. W. L. ...  
Bailey Kerne  
Attys for Petitioners  
Jan 10th 1866  
Wm. H. Chapman

Ex. of List 1.

Please state whether or not it is manifestly  
to the interest of the Defendant Defendants that the  
said lands should be sold for the purpose of  
making partition and distribution among the parties  
and that you know anything else that will  
benefit the Defendants in this matter that is fully

Wm. H. Chapman  
Attorney at Law for Defendant

**H**  
**Oxford**

STOCK No. 115

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The State of Alabama, }  
Perry County. } PROBATE COURT.

To *A. B. Kelly, P. B. Lawson & D.*  
*G. P. Mussey*

Know Ye, That we, reposing especial trust and confidence in your ability, integrity and prudent circumspection, do, by these presents, constitute and appoint you Commissioner to take the deposition of *Charles*  
*Becher, Wilson Vance and Robert Hooley,*  
*John Tucker* to be read as evidence in a suit now pending and undetermined in the Probate Court of Perry County, State of Alabama, in which *A. M. Duke & others*

plaintiffs and *Heirs of James Duke* are

defendants You will therefore call and cause to come before you, or either one of you, the said witness who, after being by you first sworn to speak the truth, the whole truth and nothing but the truth, you will diligently examine ~~them~~ touching and concerning ~~their~~ knowledge in relation to the matter in controversy in said suit, and reduce the answers of the witness to the interrogatories hereunto annexed, to writing, as near as may be in the language of said witness, and deposition when completed you will send certified as required by the statute, enveloped, together with the commission and said interrogatories, and any document which may have been deposed to, sealed, and directed to the Judge of the Probate Court of Perry County, Alabama, with all practicable speed, with the title of the cause endorsed on the envelope.

*James F. Bailey*  
Witness, JAMES F. BAILEY, Judge of said Court.

this *8* day of *January* 18*65*

*James F. Bailey*

Judge of Probate.

**H**  
**Oxford**  
STOCK No. 115

MADE IN U.S.A.

37-010-0472

2987

The State of Alabama }  
Probate Court }  
Bibb County

Subscribed  
by order of  
Court Jan 20th  
1866,  
J. M. H. King  
Judge of Probate

*[Faint, illegible text, likely bleed-through from the reverse side of the page]*

JAMES F. BAILEY, Judge of said Court

for  
Oxy

STOCK No

MADE IN



State of Ala. } To the Honorable Bush Jones  
 Perry County } Judge of Probate for said County.  
 The undersigned, Commissioners heretofore appointed  
 by your Honor to sell certain lands, particularly  
 set forth & described hereafter, respectfully report  
 that in pursuance of, & in strict accordance of the  
 directions of the Commission hereto attached they did  
 on Saturday the 10<sup>th</sup> day of February 1864 at  
 12 M. o'clock ~~at~~ at public auction at Jericho  
 in said County sell the following described lands  
 for cash to the following described persons at the  
 following described prices; the persons being the  
 highest & best bidders thereof, to wit

Lot a piece of the Cahaba River in fractional section  
 15; Township 21, Range 8 East, containing 79<sup>1/2</sup> acres  
 & the S E quarter of Sec 7 Township 21 Range 8 East,  
 in all 240 acres to Zack Young at \$2.50 per acre  
 amounting to \$568.<sup>00</sup>/<sub>100</sub>;

the S E 1/4 of the S E 1/4 of section  
 12 - Township 21 Range 7 East containing 40 acres to Mrs  
 Mary Rutledge at \$257 per acre amounting to \$100.<sup>40</sup>/<sub>100</sub>  
 —; the S W 1/4 of the N E 1/4 of section 13, Township  
 21 Range 7 East containing 40 acres to Sam Whick-  
 man at \$2.10 per acre amounting to \$84.<sup>00</sup>/<sub>100</sub>

They would further show that said sale was in all  
 respects fairly made, conducted & concluded; that  
 said lands sold for an amount about equal to their  
 value & that said purchasers have complied with the  
 terms of said sale by payments of the purchase money  
 therefor, which money is now held in the hands of the under-  
 signed subject to the orders of your Honor for distri-  
 bution according to law among those entitled to it.

And said Commissioners having fully complied  
 with the directions of said Commission, they leave

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**Oxford**

STOCK No. 115

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to submit the foregoing as the report of their action in  
the premises

They ask that a reasonable allowance be  
made them for their services in the premises, & that they may  
be discharged from further action & responsibility and  
de said Commission  
Subscribed & sworn to  
by each of said Commis-  
sioners this 17<sup>th</sup> day of  
February 1866

James Lockhart

**H**  
Oxford

STOCK No.

MADE IN U



Duke, Newton, M. Perry Co. Est.

53-010-0471

Repaired by Emma -  
Alvarez -

Dr. Mr. Duke's car,  
Sales of Service

February 10<sup>th</sup> 1916

**4** Oxford

STOCK No.

MADE IN U.S.A.

# Distributors of the Wulke Land

1	Children of Thomas Wulke James M. Wulke, John H. Wulke & Mary J. Wulke	55.06
2.	Mary Ann Horton wife of W. Horton	55.06
3.	John W. Wulke	55.06
4	Littleton Duke son of L. Duke decd.	55.06
5.	Children of Henry Duke decd viz. James Duke & Henry M. Duke Paid	55.06
6	Eliza A. Emund wife of Richard Emund Paid	55.06
7.	Newton W. Duke J. Young	55.06
8.	Perry Wulke Pd. " " Pd	55.06
9	James Wulke Pd " " Pd	55.06
10	Isabel Wulke Pd " " Pd	55.06
11.	Mary A. Sanders Paid " " Pd	55.06
		<u>645.90</u>

84.00	
100.40	72.50
<u>226.00</u>	55.06
\$409.40	<u>55.06</u>
182.62	182.62
<u>226.78</u>	

60  
40  
20  
10  
5  
3  
2  
1



*[The table contains several columns of handwritten entries, likely representing a ledger or account book. The handwriting is cursive and somewhat faded, making individual entries difficult to decipher. The columns appear to be organized into a grid structure typical of a ledger.]*

*Return in  
 case of  
 same order  
 out of hand*



Oxyfos

STOCK No.

MADE IN U.S.

State of Alabama,  
Perry County, Probate Court of said  
County.

To the Hon. Bush Jones Judge of said Court.

The Petition of Richard Edmond and his wife Eliza Ann Edmond, Newton M. Duke and Zachariah Yancey respectfully sheweth that the following described lands lying and being in the said County, to wit: The South east quarter of the South east quarter of Section twelve; and the South west quarter of the North east quarter of section thirteen in Township twenty one and Range seven East. Also, lot A west of Cahaba River in fractional section fifteen in Township twenty one and Range eight East containing seventy nine  $\frac{1}{2}$  acres, and the South east quarter of Section nine Township twenty one and Range eight East containing in all Three Hundred and Sixteen acres more or less are held and jointly owned by your petitioners and the children of Thomas Duke deceased to wit: James M. Duke and D. Duke and Mary J. Duke who reside in Chesterville Pontotoc County Mississippi, and Mary Ann Norton wife of Wm Norton who reside in the State of Texas, and M. Duke who resides in the State of Arkansas.

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STOCK No. 1152

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Littleton Duke Son of Littleton Duke dec<sup>d</sup>  
 who resides in the State of Arkansas  
 and the Children of Henry Duke  
 dec<sup>d</sup> to wit James Duke & Henry  
 M. Duke who reside in Perry County  
 Alabama. All of the said joint owners  
 are of full age except James  
 Duke & Henry M. Duke and  
 Mary J. Duke who are minors  
 under the age of twenty one years.  
 Richard Edwards & wife Elizabeth  
 Adams one share; Zachariah Hyms  
 owns four shares; James M. Duke  
 Jno D. Duke & Mary J. Duke own  
 one share; Wm Horton & Mary Ann  
 Horton his wife own one share;  
 Littleton Duke Son of Lit. Duke dec<sup>d</sup>  
 owns one share; and James Duke  
 & Henry M. Duke Children of Henry  
 Duke dec<sup>d</sup> own one share; Newton M.  
 Duke owns one share; and Jno. M. Duke  
 owns one share. Your Petitioners further  
 show that the said described lands  
 cannot be equitably partitioned and divided  
 between such joint owners & tenants in  
 common without a sale thereof - In con-  
 sideration of which, your Petitioners  
 pray your Honor to decree a sale  
 of said lands for the purpose of dividing  
 the money arising therefrom among the  
 joint owners thereof; and for all such  
 other orders and decrees, as may be  
 necessary to effect the object of this  
 petition and under the provisions

of law in such  
 And you petition  
 will you pray  
 Subscribed & sworn  
 before me on this 11<sup>th</sup>  
 of Nov 1865  
 + Eliza Ann Ed  
 Prob Secy,  
 Judg. of Prob

I hereby accept  
 of Liton for the W  
 and following Pet  
 as Guardian ad L  
 in case he be ev  
 of said Petition  
 of said Allegation  
 by said Liton

Newton Duke died  
 of Arkansas  
 Henry Duke  
 Duke & Henry  
 Perry County  
 and joint owners  
 of James  
 Duke and  
 are minors  
 only one year.  
 Elizabeth  
 Hannah Grimes  
 James M. Duke  
 Duke own  
 & Mary Ann  
 one share.  
 Lit. Duke die?  
 James Duke  
 son of Henry  
 Newton M.  
 and Geo. M. Duke  
 Petitioners further  
 described lands  
 tioned and divided  
 & tenants in  
 thereof. In con  
 petitioners  
 were a sale  
 pose of dividing  
 among the  
 for all such  
 as may be  
 spect of this  
 the provision.

of law in such cases made and provided  
 And you petitioners as in duty bound  
 will you pray &c.

Subscribed & Sworn to }  
 before me on this day }  
 of Nov<sup>r</sup> 1865 }  
 Richard Edmunds  
 & Etiza Ann Edmunds his wife  
 Park News, Zachariah Young  
 Judge of Probate, By Saile Kerme  
 Atty

I hereby accept the Reappointment of Guardian  
 ad Litem for the Minor Heirs named in the within  
 and foregoing Petition and consent to act  
 as Guardian ad Litem for them. And for  
 answer do hereby deny all the allegations  
 of said Petition and require that proof  
 of said allegations be made as required  
 by Law. Dated 8<sup>th</sup> 1864  
 John H. Chapman  
 Guardian ad Litem



Patrons of

~~N. M. Perry~~

of

sale of land for

division

Filed Nov. 29 1865

lost for 2 months

in January, 1866

10 days notice to

parties in interest in

this state, & 3 days

publication in the

Commonwealth,

see 25 of Statute

We cordial ly

Regd 132 + 133

Brush price

Judge of probate

Jan 8th 1866

Each take orders at fair

as after 30 days notice

by publication in the

Commonwealth

The following are

Commissioners appointed

James Lockhart,

Richard Tully,

Michael Relehan

& Alvanham

A. M. Nelson

Trustees

Trustees

Trustees

Trustees

Trustees

Trustees

Oxford

STOCK No. 1152

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THE STATE OF ALABAMA,  
PERRY COUNTY

PROBATE COURT, REGULAR TERM,  
December 12<sup>th</sup>, 1865.

To James Duke Creditor of the Estate of  
Henry Duke, deceased. Take notice:

That N. M. Duke the ~~Administrator of said Estate~~  
~~petition for the sale of lands for division,~~  
has this day filed his ~~account for allowance and settlement of said Estate,~~ and the  
matter is set for hearing at a Term of this Court, to be held at the usual place of  
holding the same, on the Second Monday in January next;  
when and where you can attend and contest the same if you see cause.

Witness my hand of office in Marion, Alabama, this, 12<sup>th</sup> day  
of December, 1865. -  
Bush Jones, Judge of Probate.

THE STATE OF ALABAMA,  
PERRY COUNTY

PROBATE COURT, REGULAR TERM,  
December 12<sup>th</sup>, 1865.

To Henry M. Duke Creditor of the Estate of  
Henry Duke, deceased. Take notice:

That N. M. Duke the ~~Administrator of said Estate~~  
~~petition for the sale of lands for division~~  
has this day filed his ~~account for allowance and settlement of said Estate,~~ and the  
matter is set for hearing at a Term of this Court, to be held at the usual place of  
holding the same, on the Second Monday in January next;  
when and where you can attend and contest the same if you see cause.

Witness my hand of office in Marion, Alabama, this, 12<sup>th</sup> day  
of December, 1865. -  
Bush Jones, Judge of Probate.

**H**  
**Oxford**  
STOCK No. 1152 1/2  
MADE IN U.S.A.



**EM**

**Oxford**

STOCK No. 1152 1/2

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Picture of Newton  
 Duke & others to me  
 Lane St -  
 Photos to  
 Henry, Duke &  
 James Duke.  
 Excludes on  
 Army M. Duke  
 James Duke  
 Dec 18<sup>th</sup> 1865  
 H.A. Macey  
 M.H.  
~~James Duke~~

Duke, Newton, H. Ferry Co., Inc.  
 53-010-0471