

**Amanuensis Monday: Will and  
Probate of John S. Roberts of  
Indiana**



## Will of John S. Roberts.

The last will and Testament of John S. Roberts of Jefferson County Indiana  
 & John S. Roberts considering the uncertainty of this mortal life, and being of  
 sound and memory thanking God for his mercies. Do make and publish  
 this my last will and testament in manner and form as follows (that is to  
 say) first I give and bequeath unto my beloved wife Jane Roberts the use  
 of all of my Real Estate both in Jefferson and Ripley Counties and also my  
 personal Estate with the exceptions which may follow. I also give and  
 bequeath to my son David Roberts his support and living off of the Real  
 and personal property that I may own at my decease and to be well cared  
 for out of the proceeds of the same during his life. And I give and bequeath  
 unto my son Edward Roberts Jeremial Roberts Henry Roberts and Quinstilla  
 Roberts One Cow and one feather bed each in order to make them Equal  
 with my other children that has had these things given them.  
 And further it is my will, that after my decease my Executor sell and  
 dispose of my estate sufficient pay all of my just debts and Funeral  
 expenses together with the debts of my last sickness. And my further  
 will is that my Executor take charge of all of my Real and personal  
 Estate after my decease, for the use and support of my beloved wife  
 Jane Roberts and David Roberts their natural lives off the rents and  
 profits of the farm but in case the rents and profits should not be  
 sufficient for their support, then my Executor to sell in parts or parcels  
 of Estate as he may deem most advantageous for the purposes hereby  
 intended. And my wife Jane Roberts and my son David Roberts is  
 to have their home on the farm on which we now reside and also  
 Quinstilla Roberts my daughter to have her home and support on the  
 farm while she remains single. And I hereby appoint my son Edward  
 Roberts to be Guardian for my son David Roberts and to see that he is  
 well cared for during his natural life and to provide for him out of my  
 Estate. And I hereby appoint my son Edward Roberts my Executor after  
 my decease and desire him to take charge of all my Estate both Real  
 and personal at my decease, and collect and pay debts and make  
 all necessary repairs that may be necessary for the saving of crops or property  
 from loss, for which he is to be allowed reasonable compensation. And after  
 my decease and the decease of my beloved wife Jane Roberts and my son  
 David Roberts my son Edward Roberts my Executor to dispose of the remainder  
 of my estate and after paying expenses to make equal division of the pro-  
 ceeds between my several children to wit William Roberts, Charles Roberts,  
 Sallie Ann Rayburn, John Roberts, Maranda Demaree, Jeremial Roberts,  
 Edward Roberts, Henry Roberts, David Roberts, Jane Kennedy, Quinstilla  
 Roberts. And lastly I do nominate & appoint my son Edward Roberts to  
 be Executor of this my last will and testament. And hereby revoking all  
 former wills by me at any made. And lastly my express will and  
 meaning is. And I do hereby order and appoint, that if any difference  
 dispute, question or controversy shall be moved, arise or happen, concerning  
 my gift, bequest, matter or thing in this my will given and bequeathed,  
 expressed or contained. that no suit or suits in law or equity or otherwise shall  
 be brought or commenced, or prosecuted for and concerning the same but the  
 same shall be referred wholly to the award, order and determination of my

John S. ROBERTS- Will, page 1. From Indiana Wills and Probate Records, 1798-1999, Ancestry.com and previously from Ripley County, Indiana. (Click to enlarge.)

[Roberts Family](#) *(Click for Family Tree)*

Transcription by cousin Jon Roberts (thank you!). We have divided up the will transcription into paragraphs for easier reading.

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### Will of John S. Roberts

The last will and Testament of John S Roberts of Jefferson County Indiana

I John S Roberts considering the uncertainty of this mortal life, and being of sound and memory thanking God for his mercies. Do make and publish this my last will and testament in manner and form as follows (that is to say) first I give and bequeath unto my beloved wife Jane Roberts the use of all my Real Estate both in Jefferson and Ripley Counties and also my personal Estate with the exceptions which may follow.

I also give and bequeath to my son David Roberts his support and living off of the Real and personal property that I may own at my decease and to be well cared for out of the proceeds of the same During his life.

And I give and bequeath unto my son Edward Roberts Jeremiah Roberts Henry Roberts and Quintilla Roberts One Cow and one feather bed each in order to make them Equal with my other children that has had these things given them.

And further it is my will, that after my decease my Executor sell and dispose of my estate sufficient pay all of my just debts and Funeral expenses together with the debts of my last sickness. And my further will is that my Executor take charge

of all of my Real and personal Estate after my decease, for the use and support of my beloved wife Jane Roberts and David Roberts their natural lives off the rents and profits of the farm but in case the rents and profits should not be sufficient for their support, then my Executor to sell in parts or parcels of Estate as he may deem most advantageous for the purposes hereby intended. And my wife Jane Roberts and my son David Roberts is to have their home on the farm on which we now reside and also Quintilla Roberts my daughter to have her home and support on the farm while she remains single.

And I hereby appoint my son Edward Roberts to be Guardian for my son David Roberts and to see that he is well cared for during his natural life and to provide for him out of my Estate. And I hereby appoint my son Edward Roberts my Executor after my decease and desire him to take charge of all my Estate both Real and personal at my decease, and collect and pay debts and make all necessary repairs That may be necessary for the saving of crops or property from loss, for which he is to be allowed reasonable compensation.

And after my decease and the decease of my beloved wife Jane Roberts and my son David Roberts my son Edward Roberts my Executor to dispose of the remainder of my estate and after paying expenses to make equal division of the proceeds between my several children to wit William Roberts, Charles Roberts, Sallie Ann Rayburn, John Roberts, Maranda Demaree, Jeremiah Roberts, Edward Roberts, Henry Roberts, David Roberts, Jane Kennedy, Quintilla Roberts.


And lastly I do nominate and appoint my son Edward Roberts to be Executor of this my last will and testament. And hereby revoking all former wills by me at any made.

And lastly my express will and meaning is And I do hereby order and appoint, that if any difference dispute, questions or controversy shall be moved, arise or happen, concerning any

Gift, bequest, matter or thing in this my will given and bequeathed, expressed or contained, that no suit or suits in law or equity or otherwise shall be brought or commenced, or prosecuted for and concerning the same but the same shall be referred wholly to the award, order and determination of my  
[continued below]

## Will of John S Roberts "Continued"

friends Thomas S Mitchell and Jeremiah Roberts both the State of Indiana one of Jefferson & one of Ripley County and what they shall order or direct or determine therein, shall be binding and conclusive to all and every person and persons therein concerned. In Witness whereof I have hereunto set my hand and seal the 7<sup>th</sup> day of December 1875

John S Roberts 

The above instrument, consisting of one sheet was now here subscribed by John S Roberts the testator, in the presence of each of us; and was at the same time declared by him to be his last will and testament and we at his request sign our names hereunto as attesting witnesses.

Stovall Wilkins Res Ripley County  
Thomas S Mitchell Res Jefferson County

State of Indiana }  
Jefferson County }

On this day appeared in my office Stovall Wilkins one of the Subscribing Witnesses to the Will and Testament of John S Roberts late of said County deceased, who being duly sworn on his oath, saith he saw the said John S Roberts sign and seal the foregoing paper as his Will, and that he with Thomas S Mitchell subscribed the same as Witnesses, in the presence of each other, and in the presence and at the request of said John S Roberts this deponent further saith said John S Roberts was at the time of making and executing said paper as his Will, of full age to dispose his property, and of sound mind and memory, and not under coercion and restraint, and that he did publish and declare the same to be his Will and further saith not.

Stovall Wilkins.

Subscribed and sworn to before me, this 3 day of January 1876.

James J Spring Clerk  
By J S Roberts S.O.B.

State of Indiana }  
Jefferson County }

I James J Spring Clerk of the Circuit Court in and for said County do hereby certify that the above and foregoing is a true full and complete copy of the last Will and Testament of John S Roberts late of said County deceased, as also of the certificate of probate thereto attached as the same appears from the original on file in my office.

In Witness my hand and seal this 3<sup>rd</sup> day of January 1876

James J Spring Clerk

John S. ROBERTS- Will, page 2. From Indiana Wills and Probate Records, 1798-1999, Ancestry.com and previously from Ripley County, Indiana. (Click to enlarge.)

friends Thomas S Mitchell and Jeremiah Roberts both the State

of Indiana one of Jefferson & one of Ripley County and what they shall order or direct or determine therein, shall be binding and conclusive to all and every person and persons therein concerned. In Witness whereof I have hereunto set my hand and seal the 7th day of December 1875.

his

John        x        S Roberts

mark

The above instrument, consisting of one sheet was now here subscribed by John S Roberts the testator, in the presence of each of us; and was at the same time declared by him to be his last will and testament and we at his request sign our names hereunto as attesting witnesses.

Stovall Wilkins    Res Ripley County

Thos S Mitchell  
Res Jefferson County

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State of Indiana

Jefferson County

On this day appeared in my office Stovall Wilkins one of the Subscribing Witnesses to the Will and Testament of John S Roberts late of said County deceased, who being duly sworn on his oath, saith he saw the said John S Roberts sign and seal



the foregoing paper as his Will, and that he with Thomas S Mitchell subscribed the same as Witnesses, in the presence of each other, and in the presence and at the request of said John S Roberts this deponent further saith said John S Roberts was at the time of making and executing said paper as his Will, of full age to devise his property, and of sound mind and memory, and not under coercion and restraint, and that he did publish and declare the same to be his Will and further saith not.

Stovall Wilkins

Subscribed and sworn to before me, this 3 day of January 1876.

James J Sering, Clerk

By J. C. Roberts D. C.

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State of Indiana

Jefferson County

I James J Sering Clerk of the Circuit Court in and for said County do hereby certify that the above and foregoing is a true full and complete copy of the last Will and Testament of John S Roberts late of said County deceased, As also of the certificate of probate thereto attached as the same appears from the available file in my office.

Witness my hand and seal this 3rd day of January 1876.

James J Sering, Clerk

**Notes, Sources, and References:**

1. *Wills*; Author: *Indiana. Probate Court (Jefferson County)*; Probate Place: *Jefferson,*

*Indiana***Description**Notes : *Will Records, Vol B, 1872-1884***Source Information:** Ancestry.com. *Indiana, Wills and Probate Records, 1798-1999* [database on-line]. Provo, UT, USA: Ancestry.com Operations, Inc., 2015. Original data: Indiana County, District and Probate Courts.

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