

Case recorded in Montgomery Alabama Archives. Page 1; Daniel L Jonston Complainant;  
James Johnston Defendant; Daniel Johnston of the county of Mobile..... Daniel Johnston  
heretofore of the .....life and the time of his death.....  
..... settled a large personal estate consisting of ..... security .....Excerpt  
from Lawsuit of Daniel L Johnston

Copies of these pages from a suit filed against James Johnston of Mobile Co. AL. It is so faded that it is only partially legible. It is the only proof I have of the parentage of John L Johnston. They were sent to me by Audrey Henson of Chatum, Washington Co, AL. It was copied by Barbara Waddel of Chatum for another client.

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Daniel L Johnston Complainant  
James Johnston Defendant

Daniel Johnston of the county of Mobile.....  
Daniel Johnston heretofore of the .....

.....  
.....life and the time of his death.....

.....  
settled a large personal estate consisting of ..... security ..... negroes, livestock  
consisting of cattle hogs and sheep many hundred barrels of corn, blacksmith tools, large b....  
wagons, carts and many implements and utensils of floating and devices other goods clothes and  
personal effects much more than sufficient to pay all his just debts and funeral expenses also  
being.....

.....  
the said Daniel Johnston came on or about ..... day of..... depart this life intestate leaving a  
widow and John Johnston, David Johnston Joyce Johnston and Isabella Johnston and your orator  
{Daniel L.}.....

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.....complainant {Daniel L Johnston} and John L Johnston, David Johnston, Joice Johnston  
and Isabella Johnston died intestate about the year 1816 and that this defendant became  
administrator of his estate in due form of law which estate consisted of .....

An exhibit of which was in due form of the law ..... and ..... to the orphans court of  
Baldwin County in the state aforesaid and that the defendant went forward to collect ..... share  
the personal property belonging to the said estate & did so far as he was capable correctly  
administer the said estate ..... saying that the said David Johnston died at about the age of  
18 years without receiving any portion of his fathers estate save and except the amount which  
was expended by the defendant in & about the maintenance ..... education of the heirs of  
said Daniel Johnston and he was disabled for a long space of time before his death & required  
extraordinary ..... care and attention all of which was bestowed upon him by this defendant  
his uncle who had intermarried with his said David's mother. from the time of the death of said

Daniel Johnston this defendant, Brother ... he was indebted to sundry persons in an amount between nine and ten thousand dollars which debts were satisfied & liquidated by this defendant. That after deducting the expenses for supporting and maintaining the said David dec'd as aforesaid that there was no property belonging to him after Estate of his father ..... dec'd. And this defendant further answering ..... that the said estate of the said Daniel dec'd his brother being much involved it was with

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much difficulty that he could keep the estate together for the purpose of maintain the children of the deceased and was compelled to ..... but at one time he was compelled to make application to the County Court for a sale of part of the negroes of the estate for the purpose of providing.....

..... and the defendant further answering says that about the time of the death of the said David Johnston, the said complainant was but about thirteen years of age & that from that time to the age of {1}7 his ..... this defendant supported maintained clothed; school & otherwise provided for him the complainant & that the expense of such supporting maintenance was great ..... twenty four hundred dollars.

The defendant further answering says that it is not truest it states in the said complainant ..... of the complaint that in or about the month of October 1824 that the said complainant.....

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Complainant {Daniel L Johnston} was born in July 1803 . Witness knew Daniel Johnston the father of the complainant and in his life time he died in January 1816 ..... Witness says that the defendant was married in 1817 to the widow of Daniel Johnston, deceased and mother of the complainant.....