

or be set apart and allotted to them, and that while it is not in conflict with the provisions of said will to sell said lands, or any of them for the purpose of distribution, yet said will gives and slaves no power for any sale thereof for such purpose.

Your petitioner therefore states that the interest of all persons concerned in said lands and slaves will be best promoted by a sale thereof and a distribution of the proceeds among said heirs according to their several rights.

Wherefore your Petitioner prays your Honor to authorize him to sell said lands and slaves for the purpose of making a division of said estate, among said heirs, according to the statute in such cases made and that such proceedings orders and decrees may be had and made in the premises as may be sufficient to effectuate such sale, for said purpose according to law.

(This paper is the only paper found in the envelope in the files here in Madison County, Alabama. The other records were taken from the ~~Original~~ Court Record and Probate Court Record Books)

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The petition of James Landman to sell the slaves in order to achieve an equitable and fair distribution must have been favored by the court, because the sale did occur in 1844, as shown below: