

# Joseph Sharp Rawlins Records



Documents from  
Bert Rawlins scanned  
July 7, 2007

Journal. U. S. Volunteers. '862

May 1<sup>st</sup> Company left Salt L. City, proceeded to the mouth of Parleys Canyon, finding that road impassable for water the whole road being washed away camped.

2<sup>nd</sup>

Crossed over to Emigration Canyon, received an address and instructions from President J. B. Young also from General W. A. Mills, one mile up the Canyon delayed ascending road, camped for night at Big Spring, roads very bad, at crossings of the stream had to dismount all the men and put on drag ropes arrived at the other side of the little mountain, and camped, had to make a new dug way for 100 yards 3 miles up the Canyon.

3<sup>rd</sup>

Took Santa Ana road had amended dug ways camped there

4<sup>th</sup>

Passed over the Summit snow very deep had to put on men with drag ropes to the wagons, on the other side had to dismount the cavalry and pack the baggage

5<sup>th</sup>

Started packing baggage, 1000 silver feet roads were so bad, the whole Canyon impassable for water, went along the sides of the mountain put in about 20 men

To each Wagon with ropes to prevent upsetting  
travelled in this way for about 6 Miles camped  
for night at the head of the Canyon good  
feed. 6<sup>th</sup>

Crossed the Weber repaired the Bridge, made  
a new bridge at Cache Cave camped there  
7<sup>th</sup>.

Took the mountain side arrived at the  
Telegraph station mouth of Echo water too  
high to ford built a new bridge (one horse  
belonging to Bro Sell drowned) followed  
up the Canyon built another new bridge  
and camped. 8<sup>th</sup>

Could not go up the Canyon further took the  
side of the mountain camped a little beyond  
Cache Cave

9<sup>th</sup>  
Arrived at Yellow Creek the whole bottom  
flooded, built a foot bridge unloaded the  
waggons, carried over the baggage men  
swimming in the water 14 Hours drew over  
the empty waggons reloaded, one horse got  
mired and broke his leg striving to extricate  
himself (belonging to Bishop Smith)

10<sup>th</sup>  
Pleasant Journey camped on Muddy  
11<sup>th</sup>

Made First Bridger camped one mile

beyond the Fort, on our arrival within  $\frac{1}{4}$  of  
a mile of the Fort were met by one of the  
Mail Co. Mr. Hugh Steele who informed us  
we were just in time that the Indians had  
attacked a Mail carriage 14 Miles below Bridger  
Capt. Smith detailed Lieut. Rawlings and 16  
Men to proceed there with all possible despatch.  
After riding some 15 or 16 Miles they returned  
found no trace or tracks of Indians. The truth  
is the Mail carriage started from Bridger, the  
men saw an Indian Squaw, fired on her turned  
their horses round and fled back to the  
Fort.

12.

Left Bridger nothing extra camped at Blacks  
Fork same night

13<sup>th</sup>

crossed over to Stans Fork borrowed 1000  
lbs of Flour from Mr. Granger at the Station  
to be repaid by the supply trains on their  
arrival camped at a bad crossing took  
out the baggage packed over.

14

Arrived at Green River ferry at Lewis Mouth  
crossed over travelled 6 Miles camped.

15.

Did not have sent back 1 Wagon and  
6 Men for 200 lbs Bacon and 800 lbs Flour  
at Stans Fork belonging to Mr. Williams.

16

Snow on the ground Wagner came up with provisions from Harris Fork travelled on Camped on Big Sandy very cold.

17

fold and stormy snow on ground, camped for noon on Dry Sandy took 9 Sacks Barley 2 oats from Mail Station to be reported to the company the first opportunity camped for night in sight of the Pacific Springs

mayed  
sent out  
by NW  
Miller  
in per  
his rec-

18

Mail Station at Pacific Springs deserted passed through a deep snow bank 6 or 7 feet took the Summit cut off very cold.

19

Met a Company of Immigrants 40 or 45 in number from Denver en route to Salmon River camped on Sweet Water.

20

Came to the Mail Station at 3 crossings mail matter burst open and shewed around split track Station not business but deserted camped on Sweet Water 3 Immigrants from Denver with a Handcart camped about one mile from us; W. S. Lydell arrived in camp 11 P. M.

W. S. Lydell

Probate and Estate File  
of Joseph S Rawlins

In the District Court, Probate Division,

at Utah State  
Archives

— IN AND FOR —

Salt Lake County, State of Utah.

In the matter of the estate of

Joseph S. Rawlins

Letters Testamentary.

Deceased.

The last Will of Joseph S. Rawlins deceased,  
having been proved and recorded in the District Court in and for the County  
of Salt Lake State of Utah, of Joseph S. Rawlins  
who is named therein as such hereby appointed executor,  
By order of the Court.

Witness David L. Chamberlain Clerk  
of the District Court, in and for the County  
of Salt Lake, with the seal of the Court af-  
fixed, the 31st day of Oct.

A. D. 1890

David L. Chamberlain Clerk,

By J. Blair Deputy Clerk.

(Seal)

State of Utah, }  
County of Salt Lake. } ss.

Before me David L. Chamberlain Clerk of the  
District Court, in and for Salt Lake County, on this 31st day  
of October A. D. 1890, personally appeared Joseph  
S. Rawlins who being duly sworn, for himself says that  
he will perform, according to law, the duties of Executor of the last Will  
and Testament of Joseph S. Rawlins, deceased.

Subscribed and sworn to before me, } Joseph S. Rawlins  
the day and year aforesaid

For value received Zion's Savings Bank and Trust Company a Corporation acting herein by George M. Cannon, its Cashier, by its by laws empowered so to act, hereby sells, assigns, transfers and sets over to Joseph L. Rawlins, of Salt Lake City, Utah, and to his heirs and assigns forever the attached mortgage in favor of said Bank given by Mary F. Rawlins May 14th 1902, together with the promissory note secured thereby and the money due ~~thereon~~ to grow due thereon.

To have and to hold the same to said Joseph L. Rawlins, his heirs and assigns to his and their sole use, benefit and behoof forever.

IN WITNESS WHEREOF, George M. Cannon, as Cashier of said Zion's Savings Bank and Trust Company, and as such by its by-laws authorized so to act, has subscribed its corporate name and affixed its corporate seal at the City and County of Salt Lake, State of Utah, this 23rd Day of August A.D. 1902.

Signed in presence of  
*Edward M. Ashton*

*Zion's Savings Bank and Trust Co.*  
by *George M. Cannon*  
Cashier

UNITED STATES OF AMERICA.

STATE OF UTAH :  
County of Salt Lake : ss

On the 23rd Day of August A.D. 1902, personally appeared before me George M. Cannon, Cashier, who being by me duly sworn did say that he is the Cashier of Zion's Savings Bank and Trust Company, a Corporation duly organized and existing under the laws of Utah and that said instrument was signed in behalf of said Corporation by authority of its by-laws and said George M. Cannon acknowledged to me that said Corporation executed the same.

*Barlow Ferguson*

# Proof of Publication.

United States of America,

STATE OF UTAH,

COUNTY OF SALT LAKE.

88.

Probate file  
Jos. S. Rawlins  
Probate # 3245  
Film SJ-3 02.1808

Homer J. Robinson



being duly sworn, deposes and says, that he is the  
Chief Clerk of the Salt Lake Daily Tribune,  
a newspaper published in Salt Lake City, Salt Lake  
County, in the State of Utah.

That the notice in the matter of the estate of  
Joseph S. Rawlins  
a true copy of which is hereto attached, was published  
in each daily issue of said newspaper under the heading  
"Probate and Guardianship Notices. Consult County  
Clerk or the respective Signers for further information"  
and in the order and column prescribed in Sec. 4027 of  
the Revised Statutes of Utah, the full period of 11  
days, the last publication thereof being in issue dated  
the 27 day of September 1901.

*Homer J. Robinson*

Subscribed and sworn to before me this

27

day of

September A. D. 1901.

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE STATE OF UTAH  
SALT LAKE COUNTY.

-----oo-----  
In the matter of the Estate  
of  
Joseph S. Rawlins, deceased.  
-----oo-----

PETITION FOR DISTRIBUTION AND SETTLEMENT OF FINAL ACCOUNT.

To the Honorable Third Judicial District Court, Probate Division, and the Honorable W. C. Hall, Judge thereof:

The petition of J. L. Rawlins, executor of the last will and testament of Joseph S. Rawlins, deceased, respectfully shows:

That on the 13th day of October, A. D. 1900, the said Joseph S. Rawlins died testate in said County of Salt Lake and State of Utah.

That on the 31st day of October, A. D. 1900, the will of the said deceased was duly admitted to probate and Letters Testamentary were issued to your petitioner, and thereupon he duly qualified as such executor and entered upon the discharge of his duties as such, and ever since has continued to act as such.

That on the 10th day of November, A. D. 1900, your petitioner duly published a notice to the creditors of said estate to present their claims against the said estate in the manner and for the period prescribed by this Court, and more than ten (10) months have expired since the first publication of Notice to Creditors.

That on the 24th day of November, A. D. 1900, your petitioner duly returned a full, true and correct Inventory and Appraisal of all of the estate of said deceased which has come to his knowledge or possession.

That your petitioner files and presents herewith his Final Account as such executor, and prays that the same may, after due hearing and examination, be finally approved, allowed and settled.

That no claims have been presented against the said estate, and all funeral expenses and expenses of administration thus far incurred and all taxes that have attached to or accrued against the said estate have been fully settled and discharged, and said estate is now in a condition to be closed.

That the residue of said estate now remaining in the hands of your petitioner consists of the following described real and personal property, situate in Salt Lake County, Utah, namely:

Real Estate.

The following described real estate situated at Draper, in Salt Lake County, Utah: Beginning sixty eight and five-tenths (68.5) rods East and twenty five and two-tenths (25.2) rods South of the South-west corner of sec. 30 Township 3 S. R. 1 E. thence North four (4) rods, Thence West sixty eight and  $\frac{2}{5}$  five-tenths (68.5) rods rods, thence South fifty eight and eight-tenths (58.8) rods, thence East eighty (80) rods, thence south eighty (80) rods, thence west eighty three and four-tenths (83.4) rods, thence North  $0^{\circ}35'$  E. one hundred and thirty three (133) rods, thence West ninety four and nine-tenths (94.9) rods more or less to the place of beginning, containing one hundred (100) acres more or less.

The following described real estate situated at Murray, Salt Lake County, Utah: Commencing 52 rods West and 14 rods North from the south-east corner of the north-west quarter of Section 17, Township 2 South of Range 1 East of Salt Lake Meridian, thence North 66 rods, thence West 26 rods, thence South 66 rods, thence East 26 rods to the place of beginning.

Also commencing 35 rods East from the northeast corner of the north-west quarter of the north-west quarter of Section 17 aforesaid, thence South 23.5 rods, thence West 19.5 rods, thence South 19 rods, thence South  $27-3/4^{\circ}$  East 32.7 rods, thence South  $50^{\circ}05'$  East 11.8 rods thence South 4.60 rods more or less to south line of the north-west quarter of said Section 17, thence East 22.384 rods, thence North 14 rods,

thence East 18.5 rods, thence North 66 rods, thence West 44 rods to the place of beginning.

Also commencing 4.50 chains west from the north-east corner of the north-west quarter of the south-west quarter of said Section 17, thence South 2° East 6.20 chains, thence South 2° 30' West 10.45 chains, thence North 85° West 62 links, thence North 79° West 2.86 chains, thence South 62° 30' West 3.38 chains, thence North 1° East 12.35 chains, thence North 74° West 1.37 chains, thence North 34-3/4° East 14.8 rods, thence North 2° 35' East to the North line of the South-west quarter of said Section 17, thence East 23 rods, more or less, to the place of beginning, containing 44 acres -s, more or less.

Personal property.

Cash on hand, *Forty Three*  $\frac{25}{100}$  dollars

One hundred and eight and two-thirds (108-2/3) shares of the capital stock of the East Jordan Irrigation Company.

Eight (8) shares of the capital stock of the Utah Sugar Company.

Ten (10) shares of the capital stock of the Taylorsville and Murray Creamery Company.

Agreement between James H. Day and the deceased, dated February 12, 1896, by which the deceased leased to the said James H. Day one hundred and ninety four (194) head of stock sheep from that date until October 1st, 1897, and which agreement was continued from year to year since said date, under which the said Day was to pay to the said deceased for the lease of said sheep each year, to-wit, if the wool is sold for more than ten (10) cents per pound, two (2) pounds of wool per head and nine (9) lambs per each one hundred (100) head of stock sheep, and if sold for less than ten cents per pound, one and one-half (1-1/2) pounds of wool per head and eight (8) lambs per each one hundred head of stock sheep, the said Day agreeing to keep the old stock good until the expiration of the contract.

One span of mares and one set of harness.

One old wagon,

One colt,

One buggy,

One single buggy harness,

Farming implements, household and kitchen furniture,

One milk cow.

That since the return of said Inventory one mare and one two year old colt have died, and one cow was sold by the widow and the proceeds of the sale retained by her.

That since the return of said Inventory showing three (3) shares of the stock of the Utah sugar Company belonging to the said estate the said Company has issued additional stock apportioned among the stockholders according to their respective holdings upon the condition of paying therefor the par value thereof. As the par value is far less than the market value, your petitioner ~~deeming~~ <sup>deeming</sup> it his duty to comply with said condition, has made the required payment and received five (5) additional shares of said stock, which now belongs to the said estate.

That by the terms of the said will of the said deceased, the above described real and personal property was devised and bequeathed as follows:

To the wife of the said deceased, Mary Rawlins, was given all the personal property, except one team, harness and wagon and one hundred shares of the stock of the East Jordan Irrigation Company. Also the deceased devised to her for the term of her natural life all the real estate situated at South Cottonwood, Salt Lake County, Utah, with the remainder to your petitioner, son of the said deceased, and to his daughter, Nancy Jane Kerr, in fee, the said remainder being charged with the comfortable support of the said Mary Rawlins, the widow of said deceased, during her life.

All the real estate of said deceased situated at Draper, Salt Lake County, Utah, and one hundred (100) shares of the stock of the East Jordan Irrigation Company was given and devised by the said deceased to his son, James R. Rawlins, and to his daughters Hanna Terry and Lily P. Brown and to the children of the deceased daughter of the said deceased,

Martha Sophrona Fitzgerald, and to Lucy Day, the said James R. Rawlins, Hanna Tarry and Lily P. Brown to have one share each, the children of the said Martha Sophrona Fitzgerald to take one share together, and the said Lucy Day to take one-half share, said last named legatess and devisees to have the said property in said proportions in fee.

One team, harness and wagon were given by the said will to Orson Whitman Rawlins.

That within the time fixed by law and allowed by the Court, the said Mary Rawlins, widow of the said deceased, duly filed her written acceptance of the testamentary provision made for her in and by the said will.

WHEREFORE your petitioner prays that the administration of said estate may be brought to a close, and that he may be discharged from his trust as such executor.

That after due notice given and proceedings had, the estate remaining in the hands of your petitioner as aforesaid, may be distributed to the said parties entitled thereto as above mentioned, and that such other and further order may be made as is meet in the premises, and your petitioner will ever pray, etc.

*J. L. Rawlins*  
-----  
Executor of the last will and testament of Joseph S. Rawlins, deceased.

State of Utah :  
                  : ss.  
Salt Lake County :

J. L. Rawlins, executor of the last will and testament of Joseph S. Rawlins, deceased, being first duly sworn, deposes and says, that he has read the foregoing petition, knows the contents thereof, and that the same is true of his own knowledge.

Subscribed and sworn to before me this 16 day of September, A. D. 1901.

*Joseph H. [unclear]*  
-----  
Notary Public.

Names and addresses of heirs of Joseph R. Rawlins, deceased.

- 1 J. L. Rawlins, Salt Lake City, Utah
- 2 Mrs. N. J. Kerr, Richmond, Cache County, Utah.
- 3 James R. Rawlins, Draper, Utah.
- 4 Hannah Terry " "
- 5 Lily P. Brown " "
- 6 Mrs. Mary Rawlins, widow of deceased, Murray, Utah
- 7 Orson P. Rawlins, Murray, Utah.
- 8 Joseph Fitzgerald and Athol Fitzgerald, minors of whom  
9 B. F. Fitzgerald is guardian, Draper, Utah.

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE STATE OF UTAH  
SALT LAKE COUNTY.

-----000-----  
 In the matter of the Estate :  
 of :  
 Joseph S. Rawlins, deceased. :  
 -----000-----  
 FINAL ACCOUNT OF EXECUTOR.

J. L. Rawlins, executor of the last will and testament of  
 Joseph S. Rawlins, deceased.

In Account with the Estate of Said deceased:

		Dr.
1900.	To cash received as follows, to-wit:	
December,	Collected by widow from sale of hay and retained by her,	\$90.00
Nov. 8th,	From Salt Lake county, balance due deceased for salary as Commissioner,	54.10
Nov. 8th,	On deposit in Deseret National Bank,	141.48
Nov. 8th,	Payment of note against East Jordan Irrigation Company,	325.00
1901.		
April 23rd,	Dividend on 5 shares stock Utah Sugar Co.,	1.50
May 20th,	From East Jordan Irrigation Company, balance on account due deceased,	49.20
July	From James H. Day for wool, collected and retained by widow,	109.00
Aug. 23rd,	South Cottonwood Co-operative Institution, balance due deceased,	7.15.
	Total,	\$777.33

		Cr.
1900	BY CASH PAID OUT AS FOLLOWS: TO-WIT:	
		Voucher No.
Oct. 18,	Account burial lot, digging grave, etc.	1 \$12.50
Oct. 17,	Clerk's fees,	2 2.00
Oct. 30,	Herald Company for publishing notice,	3 7.50
Nov. 7,	Salt Lake Livery Co., carriages for funeral,	4 33.00

1900		Voucher No.	Cr.
Nov. 9,	Taxes,		\$41.55
Nov. 9,	J. E. Taylor, undertaker,	6	152.00
Nov. 15,	Abstract,	7	6.00
Nov. 17,	Stove for widow,		19.00
Nov. 24,	Clark's fee for filing inventory,	8	50.00
Dec. 26,	Bell Telephone Co.,	9	1.50
Dec. 26,	Money collected and retained by widow for hay,		90.00
Dec. 26,	News Publishing Co, publishing Notice to Creditors,	10	4.00
Nov. 24,	G. L. Goldman, apprasier,	14	5.00
1901.			
March,	Telephone for widow,	11	10.50
April 23,	To widow, dividend Utah Sugar Company,		1.50
May 24,	Morris & Son, monument,	12	160.00
June 19,	Utah Sugar Company, 3 shares stock,	13	30.00
	To widow, money for wool,		109.00
	Total,		\$ 734.15
	Balance,		\$ 47.28

WHEREFORE said executor prays that said Final Account may be approved, allowed and settled, and the residue of said estate, after the payment of any future expenses of administration, be distributed after due notice is given of the time and place of the hearing thereof to the legatees and devisees under the will of said deceased, and that his administration of said estate be brought to a close.

*J. T. Rawlins*  
 Executor of the last will and testament of Joseph S. Rawlins, deceased.

In the District Court, Probate Division,

IN AND FOR

Salt Lake County, State of Utah.

In the matter of the estate of

Joseph S. Rawlins  
Deceased.

Testimony of Subscribing  
Witness.

George L. Goldman

being first duly

sworn, says: I am of lawful age and reside in Murray  
Salt Lake County, State of Utah. I knew Joseph S. Rawlins  
the decedent in his life time. He was a resident of  
Murray, Salt Lake County, Utah, at the time of his death.  
He died on the 15<sup>th</sup> day of October A. D. 1900.

I was present at the time. He left estate in this County.

The instrument here shown to me, marked filed in this Court on the  
17<sup>th</sup> day of October A. D. 1900, purporting to be the last  
Will and Testament of said deceased, was signed by the said deceased

in the said town of Murray,  
on the 5<sup>th</sup> day of October A. D. 1900, the day it bears date,  
in the presence of myself and W. J. Kern

The said Testator thereupon declared to us, and each of us, the same to be  
his last Will and Testament, and requested us, in attestation thereof, to  
sign the same as witnesses. The said W. J. Kern  
and I, then and there, in the presence of each other and of the said Testator,  
signed the same as witnesses. At the time of executing the said Will, the  
said deceased

was over eighteen  
years of age, I should think he was about the age of 27 years. He was  
also of sound and disposing mind, and was not under any restraint, duress,  
menace, fraud, undue influence or fraudulent misrepresentations, and that  
the said Will was executed in all particulars as required by law.

G. L. Goldman,  
Subscribing Witness.

Signed by the above witness, the said G. L. Goldman  
and sworn to by me this 31<sup>st</sup> day of October A. D. 1900

David L. Dumber, Clerk

In the matter of the estate of

Order Admitting Will to  
Probate.

Joseph S. Rawlins  
Deceased.

The petition of Joseph S. Rawlins  
heretofore filed, praying for admission to Probate of a  
certain document, filed therewith, in this Court, purporting to be the last  
Will and Testament of Joseph S. Rawlins  
deceased, and that letters testamentary be issued to the said  
Joseph S. Rawlins coming on regularly to be heard this  
31<sup>st</sup> day of October A. D. 1903, and proof being made  
that due notice had been given according to law, of the time appointed for  
proving said document and hearing said petition, according to the former  
order herein made, and after examining said petitioner, and

George K. Goldsman one of the  
subscribing witnesses to said Will, whose testimony has been reduced to writ-  
ing and filed in this Court, from which it appears that the said document  
is the last Will and Testament of the said deceased; that it was executed in  
all respects and particulars as required by law, and that the said testator  
at the time of the execution of said document, was of sound mind, and not  
under any restraint, duress, menace, fraud, undue influence, or fraudulent  
misrepresentations; that the said testator died on the 13<sup>th</sup> day of  
October, A. D. 1902, being a resident of Salt Lake  
County - State of Utah, leaving both real and personal estate, the  
personal estate being of the value of about two thousand  
————— Dollars, and the annual rents, issues and profits of said  
real estate being of the value of one hundred Dollars.  
or thereabouts; and Frank Fitzgerald the  
attorney duly appointed to represent the minor heirs who are interested in  
the estate of said deceased being present and consenting, and no objections  
being made or filed, and said applicant being competent to serve as execu-  
tor ;

It is Ordered, That the said document heretofore filed, purporting to be  
the last Will and Testament of said Joseph S. Rawlins  
deceased, be admitted to probate as the last Will and Testament of said  
deceased; that said Joseph S. Rawlins  
of Salt Lake City Utah  
be and he is hereby appointed executor in accordance with the pro-  
visions of said Will, and that Letters Testamentary issue to him  
to act without bond as directed  
upon giving the bond required by law for the faithful execution of the duties  
in said will.

IN THE THIRD DISTRICT COURT OF THE STATE OF UTAH, SALT LAKE COUNTY,  
PROBATE DIVISION.

In the Matter of the Estate  
of  
Joseph S. Rawlins, deceased.

000

000

Probate File  
of Jos. S. Rawlins  
at Utah State Archive  
Probate # 3245  
Film 5J-3 02.1808

J. L. Rawlins, executor of the last will of Joseph S. Rawlins, deceased, having on the 15th day of September, A. D. 1901, rendered and filed in this Court his Final Account as such executor with a petition praying for the final settlement of his administration and the distribution of the estate in his hands, and thereafter on the 27th day of September, A. D. 1901 said matter coming on regularly to be heard, and due proof having been made to the satisfaction of this Court and filed herein that notice of the settlement of said Account and of the time and place of hearing the same and the said Petition for Distribution had been given by the Clerk of this Court as required by law and the order of the Court, said Court proceeds to hear and consider the same, and upon such hearing the Court finds the facts as set forth in the said petition to be true.

That the said Joseph S. Rawlins died testate on the 13th day of October, A. D. 1900 in Salt Lake County, State of Utah, leaving an estate therein.

That the following is a copy of the last will and testament of the said deceased, namely:

The last will of Joseph Sharp Rawlins.

After the payment of my debts and funeral expenses, I give to my wife Mary Rawlins all my personal property, except one team, harness, and wagon, and one hundred shares of stock of the East Jordan Irrigation Co.; I also devise to her for the term of her natural life all my real estate situated at South Cottonwood, Salt Lake Co., Utah, with the remainder to my son Joseph L. Rawlins and my daughter Nancy Jane Kerr, in fee.

I devise this said remainder in said real estate to my said son and daughter, charged with the comfortable support of my said wife during her life.

All my real estate at Draper, Utah, and one hundred shares of the stock of the East Jordan Irrigation Co., I give and devise to my son, James R. Rawlins and to my daughter Hannah Terry and Lilly P. Brown, and to the children of my deceased daughter Martha Sophrona Fitzgerald and to Lucy Day; the said Jas. R. Rawlins, Hannah Terry, and Lily P. Brown to take one share each, the children of my deceased daughter Martha Sophrona Fitzgerald to take one share together, and Lucy Day to take one-half share; the said legatees and devisees to have the said property in said proportions in fee.

I give to Orson Whitman Rawlins one team, harness, and wagon.

I appoint my son Joseph L. Rawlins as the executor of this my will, to act without bonds.

In witness whereof, I have hereunto set my hand and seal this 5th day of October, 1900.

(signed) Joseph S. Rawlins.

Signed and sealed by the said Jos. Sharp Rawlins, who at the time, published and declared the same as and for his last will and testament, in our presence, who in his presence and in the presence of each other, and at his request, subscribe our names as witnesses.

(Signed) W. J. Kerr, Logan, Utah

" G. L. Goldman, Murray, Utah "

That on the 31st day of October, A. D. 1900, the said will was, by order of said Court duly made, given and entered, admitted to probate and Letters Testamentary were issued to the petitioner, J. L. Rawlins, and thereupon he duly qualified as such executor and entered upon the discharge of his duties as such, and has ever since continued to so act.

That the said executor thereupon duly published a notice to the creditors of the said estate to present their claims against the said

estate, said notice being published in the manner and for the period prescribed by law and the order of this Court, the first publication of said notice having been made on the 10th day of November, A. D. 1900, due proof of the publication of said notice having been rendered and filed in this Court, and more than ten (10) months have expired since the first publication of said Notice to Creditors.

That on the 24th day of November, A. D. 1900, said petitioner, J. L. Rawlins, duly returned a full, true and correct inventory and appraisal of all the estate of said deceased which had come to his knowledge or possession.

That within the time before distribution of said estate fixed by law and allowed by the Court, Mary Rawlins, the widow of the said deceased, by the following written instrument filed in this Court, duly accepted the testamentary provision made in her behalf under and by virtue of the terms of said will, namely:

" WHEREAS by the last will and testament of the said deceased, Joseph S. Rawlins, duly admitted to probate on the 31st day of October, A. D. 1900, provision was made for the undersigned, Mary Rawlins, the widow of the said deceased, which provision was intended to be in lieu of the distributive share secured to the undersigned under and by virtue of the laws of the said state, and whereas the undersigned is desirous of accepting the said testamentary provision and renouncing her distributive share as secured by law,

Now comes the undersigned, and by leave of court first had and obtained, and within the time before distribution of said estate allowed by the court, files this written instrument with the Clerk of the said Court, and hereby accepts the said testamentary provision made in her behalf under and by virtue of the terms of said will.

(Signed) Mary Rawlins.

That no claims have been presented against the said estate and all funeral expenses and expenses of administration incurred up to and including the 15th day of September, A. D. 1901, and all taxes that have accrued attached to or accrued against the personal property of said estate, have been fully settled and discharged, and said estate is

now in a condition to be closed.

That the ~~xx~~ cash received by said petitioner as appears from his final account filed herein, has been seven hundred seventy ~~dollars~~ dollars and forty three cents (\$777.43), and the cash paid out by him as shown by said Account has been seven hundred thirty four dollars and fifteen cents (\$734.15), leaving a balance in his hands of forty three dollars and twenty eight cents (\$43.28), for which disbursements vouchers have been duly presented and filed in this court.

That there remains for distribution said money and the real and personal estate hereinafter described, and no exceptions or objections having been made or filed by any persons interested in the said estate, or otherwise, thereto,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that all the acts and proceedings of the said executor as appearing upon the records hereof, be, and the same are, hereby approved and confirmed.

That the said Final Account of the said executor be, and the same is, hereby fully and in all respects allowed, approved and confirmed

It is further ORDERED, ADJUDGED AND DECREED, that the following described real estate situated at Draper in Salt Lake County, Utah, also one hundred shares of the stock of the East Jordan Irrigation Company, a corporation, be and the same ~~be~~ hereby distributed according to the directions of the said will, to James R. Rawlins, Hannah Terry and Lily P. Brown, children of the said deceased, and to the children of Martha Sophrona Fitzgerald, the deceased daughter of the said deceased, namely, F. Benjamin A. Joseph Fitzgerald and Ethel Fitzgerald, and to Lucy Day; the said James R. Rawlins, Hannah Terry and Lily P. Brown to take one share each, Joseph F. Fitzgerald and Ethel Fitzgerald, children of the said Martha Sophrona Fitzgerald, to take one share together, and Lucy Day to take one-half share, the said legatees and devisees to have the said property in said proportions in fee, the said real estate being described as follows:

Beginning sixty eight and five-tenths (68.5) rods East and twenty five and two-tenths (25.2) rods South of the Southwest corner Salt Lake Meridian of Sec. 30 Township 3 S. R. 1 E. thence North four (4) rods, thence West sixty eight and five-tenths (68.5) rods, thence South fifty eight and

now in a condition to be closed.

That the ~~xx~~ cash received by said petitioner as appears from his final account filed herein, has been seven hundred seventy ~~dollars~~ and forty three cents (\$777.43), and the cash paid out by him as shown by said Account has been seven hundred thirty four dollars and fifteen cents (\$734.15), leaving a balance in his hands of forty three dollars and twenty eight cents (\$43.28), for which disbursements vouchers have been duly presented and filed in this court.

That there remains for distribution said money and the real and personal estate hereinafter described, and no exceptions or objections having been made or filed by any persons interested in the said estate, or otherwise, thereto,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that all the acts and proceedings of the said executor as appearing upon the records hereof, be, and the same are, hereby approved and confirmed.

That the said Final Account of the said executor be, and the same is, hereby fully and in all respects allowed, approved and confirmed

It is further ORDERED, ADJUDGED AND DECREED, that the following described real estate situated at Draper in Salt Lake County, Utah, also one hundred shares of the stock of the East Jordan Irrigation Company, a corporation, be and the same ~~are~~ hereby distributed according to the directions of the said will, to James R. Rawlins, Hannah Terry and Lily P. Brown, children of the said deceased, and to the children of Martha Sophrona Fitzgerald, the deceased daughter of the said deceased, namely, F. Benjamin A. Joseph Fitzgerald and Akkel Fitzgerald, and to Lucy Day; the said James R. Rawlins, Hannah Terry and Lily P. Brown to take one share each, Joseph F. Fitzgerald and Akkel Fitzgerald, children of the said Martha Sophrona Fitzgerald, to take one share together, and Lucy Day to take one-half share, the said legatees and devisees to have the said property in said proportions in fee, the said real estate being described as follows:

Beginning sixty eight and five-tenths (68.5) rods East and twenty five and two-tenths (25.2) rods South of the Southwest corner of Sec. 30 Township 3-S. R. 1-E. ~~thence~~ North four (4) rods, thence East sixty eight and five-tenths (68.5) rods, thence South fifty eight and

eight-tenths (88.8) rods, thence East eighty (80) rods, thence South eighty (80) rods, thence East eighty three and four-tenths (83.4) rods, thence North  $0^{\circ}35'$  E. one hundred and thirty three (133) rods, thence West Ninety four and nine-tenths (94.9) rods more or less to the place of beginning, containing one hundred acres more or less.

It is further ORDERED, ADJUDGED AND DECREED, that the following described real estate situated at Murray, Salt Lake County, Utah, according to the directions of said will, be distributed to Mary Rawlins, the widow of the said deceased, for the term of her natural life, with remainder to Joseph L. Rawlins and Nancy Jane Kerr, children of the said deceased, in fee, the said remainder to be charged with the portable support of the said Mary Rawlins, widow of the said deceased, said real estate being particularly described as follows, to-wit:

Commencing 52 rods West and 14 rods North from the South-east corner of the North-west quarter of Section 17, Township 2 South of Range 1 East of Salt Lake Meridian, thence North 66 rods, thence West 26 rods, thence South 66 rods, thence East 26 rods to the place of beginning.

Also commencing 36 rods East from the Northwest corner of the South-west quarter of the north-west quarter of Section 17, aforesaid, thence South 23.5 rods, thence West 19.5 rods, thence South 19 rods, thence South  $27\frac{3}{4}^{\circ}$  East 32.7 rods, thence South  $50^{\circ}05'$  east 11.2 rods, thence South 4.50 rods more or less to South line of the north-west quarter of said Section 17, thence East 22.384 rods, thence North 14 rods thence East 18.3 rods, thence North 66 rods, thence West 44 rods to the place of beginning.

Also commencing 4.50 chains west from the Northeast corner of the north-west quarter of the south-west quarter of said Section 17, thence South  $2^{\circ}$  East 6.20 chains, thence South  $2^{\circ}30'$  West 10.45 chains, thence North  $55^{\circ}$  West 62 links, thence North  $79^{\circ}$  West 2.66 chains, thence South  $62^{\circ}30'$  West 3.38 chains, thence North  $1^{\circ}$  East 12.56 chains, thence North  $74^{\circ}$  West 1.37 chains, thence North  $34\frac{3}{4}^{\circ}$  East 14.8 rods, thence North  $2^{\circ}35'$  East to the North line of the south-west quarter of said Section 17 thence East 23 rods, more or less, to the place of beginning, containing forty-four (44) acres, more or less.

It is further ORDERED, ADJUDGED AND DECREED, that there be distributed to Orson Whitman Rawlins one team, harness, and wagon, namely: The span of mares, harness and wagon mentioned in the petition herein.

It is further ORDERED, ADJUDGED AND DECREED that the residue of the personal property be, and the same is hereby distributed, as directed by the said will, to Mary Rawlins, the widow of the said deceased, said property being described as follows, namely:

Eight and two-thirds (8-2/3) shares of the capital stock of the East Jordan Irrigation Company; Eight (8) shares of the capital stock of the Utah Sugar Company; Ten (10) shares of the capital stock of the Taylorsville and Murray Creamery Company; Agreement between James H. Day and the deceased, dated February 12th, 1896, by which the deceased leased to the said James H. Day one hundred and ninety four (194) head of stock sheep from that date until October 1st, 1897, and which agreement was continued from year to year since said date, under which the said Day was to pay to the said deceased for the lease of said sheep each year, to-wit: if the wool is sold for more than ten cents (\$.10) per pound, two (2) pounds of wool per head and nine (9) lambs per each one hundred (100) head of stock sheep, and if sold for less than ten cents per pound, one and one-half (1-1/2) pounds of wool per head and eight (8) lambs per each one hundred head of stock sheep, the said Day agreeing to keep the old stock good until the expiration of the contract; One colt; One buggy; One single buggy harness; Farming implements; Household and kitchen furniture; One milk cow.

And it is further ORDERED, ADJUDGED AND DECREED that upon the delivery of the said personal property as hereinabove ordered, and upon filing necessary and proper vouchers therefor in this Court, said executor be entitled to a full and final order of discharge as such executor.

Done in open court this 27<sup>th</sup> day of September, A. D. 1901.

*Wm. C. Hall*  
-----  
Judge.

JOHN JAMES,  
Clerk.

*John James*  
Deputy Clerk



deceased and which is herewith presented to said District Court.

That the undersigned, Joseph L. Rawlins, your petitioner, is named in said will as the executor thereof, and Mary Rawlins, the widow of said deceased, aged about seventy-three (73) years, residing at Murray in said County of Salt Lake, Joseph L. Rawlins, aged fifty (50) years, residing at Salt Lake City in said County, Nancy Jane Kerr, aged fifty-five (55) years, residing at Richmond in the County of Cache, State of Utah, James R. Rawlins, aged about thirty-one (31) years, Hannah Terry, aged about twenty-nine (29) years, Lily P. Brown, aged about twenty-two (22) years, Joseph Fitzgerald, aged about nine (9) years, Athol Fitzgerald, aged about seven (7) years, residing at Draper in said County of Salt Lake and State of Utah, Lucy Day, aged about forty-five years, residing at Draper in said County, and Orson Whitmann, aged about seventeen (17) years, residing at Murray in said County, are named therein as legatees and devisees.

That the subscribing witnesses to said will are W. J. Kerr, residing in Logan, in the County of Cache, State of Utah, and G. L. Goldman, residing at Murray, in the County of Salt Lake, State of Utah.

That the next of kin of said testator whom your petitioner is advised and believes and therefore alleges to be the heirs at law of said testator; and the names, ages and residences of said heirs are as follows, to wit;

Mary Rawlins, the widow of said deceased, residing at Murray, in the County of Salt Lake, State of Utah, Joseph L. Rawlins,, Nancy Jane Kerr, James R. Rawlins, Hannah Terry and Lily P. Brown are the children of the said deceased and their ages and places of residence are as hereinbefore set forth, Joseph Fitzgerald and Athol Fitzgerald, the children of Martha Sophronia Fitzgerald, a deceased daughter of the said testator whose ages and places of residence are as hereinbefore set forth.

That at the time said will was executed the said testator was of the age of seventy-seven (77) years or thereabouts and was of sound and disposing mind and not acting under duress, menace, fraud, or undue influence, and was in every respect competent, by last will, to dispose of all his estate.

That said will is in writing signed by the said testator and attested by said subscribing witnesses at the request of said testator subscribing their names to the said will in the presence of said testator and in the presence of each other; and that as your petitioner is advised and therefore alleges said witnesses, at the time of attesting the execution of said will, were and are now competent.

WHEREFORE, Your petitioner prays that said will may be admitted to probate and that letters testamentary be issued to your petitioner and for that purpose that said court appoint a time for proving said will and that all persons interested be notified and directed to appear at the time appointed for proving the same; and subpoenas be directed to be issued to the said subscribing witnesses to the said will, residing in the said Salt Lake County; and that all other necessary and proper orders may be made in the premises.

And your petitioner will ever pray, &c.

Dated October 17th, 1900.

*John R. Rawlinson*

Pacific Springs  
June 27/67.

President Young

Dear Sir,

I have just rec<sup>d</sup> orders from General Craig through Col Collins to march my Command to Fort Bridger to guard the line from Green River to Salt Lake City and start from here tomorrow morning.

Lieut Rawlings and Command arrived here yesterday owing to neglect of the Mail, my orders to Lieut Rawlings did not reach him until eight days after they were due consequently there had been no detail left at Davis Gate.

There has been built by the Command at the former place a Log House 20 ft by 16 with Baked Houses & detached also a Commodious Corral. Lieut Rawlings has left the above in charge of Major & Ivarr O'Neil V. but occupied by Mess<sup>rs</sup>

Merchant and Wheeler Traders who formerly owned the Station that was destroyed there. The property is subject to our order at any time. The Command also made a good and substantial Bridge on Sweetwater, had of our team's crossed over the Mail bridge would have been \$200 per Waggon this bridge is free and also in charge of Major & Ivarr. Several Immigration Companies crossed during the time the Command was there free. One Company presented us with a good Waggon which Lieut Rawlings handed over to Captain Harmon.

I have had frequent interviews with Col Collins's Officers, they have behaved very gentlemanly, and expressed themselves much pleased with our provisions and seem disposed to render us every assistance to contribute to our comfort.

Col Collins is decidedly against killing Indians indiscriminately and will not take any general measures save on the defensive, until he can

Letter from Lot Smith to Brigham Young.

Utah State Archives

mentions Joseph Sparg Rawlings  
in this letter

ascertains satisfactorily by whom the depredations have been committed, and not then resort to killing until he is satisfied that peaceable measures have failed.

Col Collins' Officers all allow that we are the best suited to guard this road both men and horses, they are anxious to return and if they have any influence I imagine they will try to get recalled and recommend Utah to furnish the necessary Guard. The Colonel has just left our Camp. He has sent for Washkie Chief of the Snakes with a view to make treaty or obtain information

No sickness at all in Camp at present. We are attached to Col Collins' Regiment General Craig's division and furnish our Muster Descriptive and other Returns to that Command, should General Wells require duplicates we will forward them.

I am,  
Sir

Yours respectfully  
Lot Smith

Report

June 27, Woodford 5/102.  
of  
John A. Smith,  
about his command  
about

111

May 22 1862

Moved the Command 5 Miles up the River and Camped

23

Captain Smith and 25 Men marched to Sweetwater Bridge Hooped U. S. Flag at the Station. Here we found the California Mail scattered all around. Turned out for Foot Dile in the afternoon.

24

Company paraded mounted for Inspection and Drill

25

U. S. Troops reported within 6 Miles Capt. Smith and Escort went to meet them false report proved to be a large Company of Emigrants.

26

Company left Sweetwater Bridge, 1 Sep<sup>t</sup> and 10. Privates detailed to remain and guard the Station command Camped at Devils Gate.

27

Sent Teams for Wood Poles & for Building surveyed and marked out place for Corral House &c

28

Commenced Building Corral.

29

Rec<sup>d</sup> orders from General Craig to march to Horns Fork Indians having stolen Mail Animals from that Station. Detailed 50 Men to accompany Capt. Smith en route for foregoing place, the remainder of the Company under Command of Lieut. Rawlings to remain at Devils Gate. The Corral and 1 House for Storage was completed at this place by Lieut. Rawlings Command

30

Capt. Smith and Head Quarters of Company marched this morning en route for Horns Fork

SHEET ONE OF THREE SHEETS, JOURNAL OF R. H. ATTWOOD, 1ST SGT.

CAPT. LOFT SMITH'S CO. CAVALRY, CIVIL WAR, MAY 22 THROUGH JULY 14, 1862

↑  
Utah State Archives