

Eight

I desire and direct, that the above children
as the small heirs, to whom I was bound
to be left to my five children, to be
divided and paid off by them as they see
proper and as to the money and the same
children, three of the five being
small child, and one, and if divided
that to be either of public or private sale
as they of the five may direct, and
the proceeds to be equally divided among
them, after the underwritten are paid
in the full sum as the same may
be directed in the deed of and conveyed
as directed in the first clause of this
deed to be so conveyed as not to divide
a share among the other undivided half
interest.

Eight

And after the death of any one of
us at any death, should be divided
all of the property, effects or estate, not
undivided, to be undivided to be put
up for sale to the highest bidder
after proper advertising the same and
the proceeds thereof to be equally divided
among the five children or their legal
representatives or heirs, and any profits
arising as above stated may be
divided among the five children
provided, the same can be done agree-
ably or sold at private sale, making
after many years past, three of the
said to rule are in the fifth clause
above.

Done April 11, 1878. Land & M. D. D.

In good, sealed, distinct and published
by George H. Dyer as his last will and
testament, in the presence of the undersigned
witnesses, who were present with
him at the time and at his special
request and request made in the presence
of each other.

Done 12th day of April, 1878.
George H. Dyer

Witness my hand and seal

J. C. Whitcomb

Bellevue

George

I, James L. Dyer, of said
County, in view of the fact
that all men must die, and feeling
such desire as is common with men
to provide the best I can for my fam-
ily, after my death, do hereby publish
and declare this as my last will
and testament, hereby revoking all
former wills and testaments by me
made.

I then

I give and bequeath to my beloved
wife, Eliza L. Dyer, and in lieu
of dower, year support via the house
and lot on which we now
live inside including the lawn
and grass lot, also the lot of
two acres in Church Street now in
cultivation, in Acorns and all
of my household and kitchen furniture
except the piano and my pet fam-
ous shorthorn cow. All that part
of the above

north of the said Road, and to include
the "Cedar field", also the said place which
lies south of the said Road, to-hold and
to hold the same, for and during my
natural life, and after my death to pass
to my said wife, absolutely, and after
her death, by will, or otherwise,
all the live stock, fanning tools, and
growing crops, on each of the above places,
and on that part of the said "Mugger place"
which lies south of the Railroad, except
the cotton crops on altogether,
and to include all the corn, wheat, oats,
hay, fodder, &c, except the crop of oats
now now growing everywhere, and
of this year only which is to be sold
and which now, fodder, &c I may
have on hand at the time of my
death, except as above excepted, also
One hundred dollars in cash.
I give and bequeath to my daughter,
Ann Kelly, fifteen hundred dol-
lars cash (\$1500), and my small farm
near Norcross, known as the "First
place", subject to the life estate of
her mother as above. To my daughter,
Ida King, I give and bequeath my
place "No 2" (excepted above) and the
house and lot, in and on which I
now live, reside, and all the lots
spread above, in the town of Norcross,
and all that part of the said "Mugger
place" which lies north of the said
Road, and the said "Cedar field" ad-
joining the same, subject to the life
estate of her said mother in said
Norcross lots, and other property as

specified above. I also give and bequeath
to my said daughter, the said half
half of said "Mugger place" which lies
south of the Railroad, subject to her
mother's said life estate therein.
I also give and bequeath to my son,
Will C. Simmons, the said east half
of said "Mugger place" which lies south
of the Railroad, adjoining the said "First
place", and that above bequeathed to his
sister Ida, subject to her said mother's
life estate therein, and the sum of three
thousand dollars (\$3000) cash.
I also give and bequeath to each of
my said daughters, Martha K. King,
and Eliza Prater the sum of five
hundred dollars (\$500) each, to my
daughter, Susan C. Wynn, I give and
bequeath my law office, my business
and all the furniture, library of books,
&c therein and appertaining thereto,
for and during her natural life,
with the right to dispose thereof by
will. And I also give and bequeath
to my said wife and my son Will C.
Simmons, all my books and library at home,
and all my unpublished manuscripts with
the furniture in my library room at home
to be had, used and disposed of as they
may see fit during their natural lives
and to the survivors of them.

I also give and bequeath to my little
grandson, James Simmons Kelly the one
half corner lot (as originally surveyed)
in the town of Danawatha, in said
County, and on which my old sawing
house now stands with all the im-
provements thereon.

I also give and bequeath to my
grandson James H. Smith, a lot of one
square acre, adjoining the above and
in the street leading to the Methodist
grave ground, bounded on which a ten
minut house and stands, &c.

I also give and bequeath to my son
William C. Simmons the 27th and
first of land a part of the latter
plot, and which adjoins the tract
which I recently sold him in the
town of Lewisville. This I give to
him purely as a token of my love
for as I am well pleased to know he
now has and is capable of making
as much of this worlds goods, as he

Item 3 I hereby further will, that my unde-
quated estate be sold, and that
after the payment of all my debts
and other legal and necessary ex-
penses, and the above money agrees
the balance be divided, share and
share alike, between all my said
daughters, and my said youngest
son, and share alike.

Item 4 I hereby appoint the husband of
each of my said daughters trustee
for his wife to receive and hold
the share of each for her use and
benefit during her life and to go
to the use of their children after
their death.

Item 5 I hereby nominate my son-in-law
Samuel Winn and Lemuel A. Mitchell
and my son Lowell C. Simmons
Executors of this my last will and

testament, and so appoint them and so
of those.

Witness whereof, I have hereunto
set my hand and affixed my seal
this 10th day of July 1856. James H. Smith

We whose names are hereunto sub-
scribed do testify that we saw James
C. Simmons the testator, sign seal, pub-
lish and declare the above three pages
to be and contain his last will and
testament, and that we signed the
same in his presence and at his
request, and in the presence of
each other, as witnesses hereunto, this
the day and year above written.

R. B. Wall
A. B. Smith
C. C. Brown

Record of 1st. 3d. 1856
R. B. Wall
Ordinary

Enquire To I, John H. Wall, of said state,
Subscribed County, and county, being of sound
and disposing mind and memory do
make this my last will and testament.

Item 1 I give bequeath and devise to my wife
Mary H. Wall the following property to wit
One half an acre and making three bags of
of my growing crop consisting of cotton
one vote given by I. H. Wall to said
said John H. Wall for eight hundred
dollars, dated September 1856, of
of my late estate amounting to said
four hundred dollars of my said estate
now on hand.