

State of North Carolina }
Buncombe County }

To the Judge of Probate in said County,
The undersigned a citizen of the County
of Knox, State of Tennessee represents
that John P. Kennedy late of said County of
Knox is dead, having made and published
a last will and Testament which was duly
admitted to probate in the County Court of
Knox County; that said John P. Kennedy
appointed John Smith of Knox County as his
executor, who duly renounced the execution
of said will in said Court, a copy of which
said will as well as the records of said
renunciation is certified to by the Clerk of
said Court that your petitioner afterwards
upon the application of one of the creditors
of said John P. Kennedy, was duly appointed
according to the laws of said State and
qualified as the administrator with the
will annexed of said John P. Kennedy deceased;
your petitioner is informed & believes that there
is due to said John P. Kennedy from the Western
N.C. Rail Road a sum of money for work
done on said Road which your petitioner
desires to procure and apply in due course
of administration of said estate.

Wherefore he prays that he may be
appointed as administrator with the
will annexed by this Court.
And that said will be reserved & registered
in the County of Buncombe State of North
Carolina

(Signed) H. H. Taylor

State of North Carolina }
Buncombe County }

This the 12 day of August 1872 before the
undersigned Judge of Probate in and
for the County of Buncombe
personally came James P. Rainsborough
of Madison County, Tennessee

sworn says; that he was personally
acquainted with John P. Kennedy late a
contractor on the Western Division of the
N. C. R. Road, and that said Kennedy is
now dead without wife or children as
he is informed and believes

(Signed) Jas. M. Rainsborough
Sworn to & subscribed before me this
12th August 1872 -

(Signed) James E. Reed
Judge Probate

State of North Carolina } In the
Buncombe County } Probate Court
On this the 12th day of August A.D. 1872
before me James E. Reed Judge of Probate
for said County personally came George
P. Morgan of Henderson County
State of Tennessee who being duly sworn
says that he was personally acquainted
with John P. Kennedy late of
Knox County Tennessee and who was
a contractor on the Western Division of
N.C. Rail Road that said John P.
Kennedy is now dead without having
left a wife or any children

(Signed) George P. Morgan
Sworn to & subscribed before me this 12th
August 1872

(Signed) J. E. Reed
Judge Probate

In appearing to the satisfaction of the
Court upon the affidavits of Jas.
M. Rainsborough & George P. Morgan that
John P. Kennedy late of the County of
Knox and State of Tennessee is dead
having made and published a last
will and Testament which was duly
admitted to probate and recorded in
said County of Knox; and it
appearing to the satisfaction
of the Court that John M. Smith, the
executor appointed in said will,

duly renounced the execution thereof and that
afterwards H. H. Taylor of said County of
Knox upon the application of a creditor of
said John P. Kennedy was duly appointed
Administrator with the Will annexed
who duly qualified as such and a
duly certified copy of said Will and the
record of said Court so having been exhibited
to this court it is ordered that said will be
duly recorded in this County as the Original
will of said John P. Kennedy dec'd
and upon the application of said H. H. Taylor
it is ordered and adjudged that said H. H. Taylor
be appointed Administrator with the Will
annexed of said John P. Kennedy dec'd as to all
property belonging to said John P. Kennedy in this
County & State

(Signed) James E. Reed
Judge Probate

Monday December 4th 1871

Be it remembered that at a County Court
began and held for the County of Knox at the
Court House in Knoxville on the 1st
Monday it being the 4th day of December
1871 present and presiding C. W. Jones
Chairman and the associate justices
W. A. A. Corner and John Linnell were
had the following proceedings to wit

And instrument of writing purporting
to be the last Will and Testament of John
P. Kennedy deceased bearing date
March 31st 1870 and attested by J. R.
Cornick, Thos. D. Corner and Edmund
Fitzgerald purporting to have been signed
sealed and published by the said John
P. Kennedy now deceased in presence
of said attesting witnesses as his last
will and Testament was produced
in open Court and placed for
Probate as the last will and
Testament of John P. Kennedy dec'd

Also was produced at the same time
with said instrument a writing
dated November 1st 1871 attested by J. R.
Cornick Charles Bannard and Mr. J.
Finnegan purporting to be signed
and sealed by said John P. Kennedy as
a Codicil to his last Will and Testament
and is republished except so far as
the same is inconsistent with the provisions
of said Codicil.

Whereupon J. R. Cornick and Edmund
Fitzgerald two of the subscribing witnesses
to the said last Will and Testament
being first sworn depose and said
that they were acquainted with the
said John P. Kennedy previous to
and at the time of his death, that
they saw him sign and heard him
publish and declare said instrument
to be his last Will and Testament
and that at the time of so doing
he was of sound mind and
disposing memory to the best of
their knowledge and belief
And J. R. Cornick and Mr. J. Finnegan
two of the subscribing witnesses to the
Codicil to said last will and Testament
being first sworn depose and
said that they were acquainted
with John P. Kennedy previous to and
at the time of his death that they
saw him sign and heard him
publish and declare said instrument
to be a Codicil to his last Will and
Testament and that at the time
of so doing he was of sound
mind and disposing memory to the
best of their knowledge and belief
Therefrom said Will and Codicil thereto
were ordered to be recorded.

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afterwards H. H. Taylor of said County of
Knox upon the application of a creditor of
said John P. Kennedy was duly appointed
Administrator with the Will annexed
who duly qualified as such and a
duly certified copy of said Will and the
record of said Court so having been exhibited
to this court it is ordered that said will be
duly recorded in this County as the Original
will of said John P. Kennedy dec'd
and upon the application of said H. H. Taylor
it is ordered and adjudged that said H. H. Taylor
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two of the subscribing witnesses to the
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said that they were acquainted
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of so doing he was of sound
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best of their knowledge and belief
Therefrom said Will and Codicil thereto
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Wednesday December 6th 1871
Court met pursuant to adjournment
and presiding C. W. Jones Chairman
and the associate justice W. A. C. Corner
and John Lunnell were had the following
proceedings to wit

The last Will and Testament of John
P. Kennedy deceased having been proven
and admitted to record on a favour
don of the present term of this Court
in which John McGroth is named as
executor thereof
the said John McGroth came into open
Court and declined to qualify as Executor
of the same

State of Tennessee
Knox County } I J. H. Blang clerk
of the County Court in and for the state
and County aforesaid do hereby certify
that the foregoing is a full true and
perfect transcript from the Record of
said Court of the probate of the last will
and testament of John P. Kennedy died, and of
the Codicil thereto attached, which my hand
and Official seal at Office in Knoxville this 8th day
of August 1872

J. H. Blang
Clerk

Know all men by these presents, that I John
P. Kennedy of the City of Knoxville, County of Knox
and State of Tennessee, do hereby make &
publish this my last will and testament, as
follows to wit:

First I hereby revoke all former wills which may
have been by me heretofore made.

Second I wish all just debts paid; But in reality I
own nothing, except that John Bayliff is my
security in a certain suit pending in Carter
County Tennessee. In case of my death, I wish
divulge and him, in consequence of said suit.

ship I wish my executor to discharge each
liability with the first funds which may come
into his hands.

Third I wish my beloved parents, Patrick Kennedy and
Margaret Kennedy and the survivor of them to
be comfortably supported out of the annual in-
come of my estate during their lives and the
lives of the survivors, and I wish them and
the survivor of them to occupy as a home whichever
of the two tenements on Lot number fifty nine
in said City of Knoxville they may prefer.

Fourth I give and devise unto my brother Peter H. Kennedy
in full sample on the condition herein after
mentioned, and subject to the right of my parents
to a home thereon as above specified, said Lot
No. 59 and the appurtenances; but this title to said
Lot shall not vest until he shall have returned
to said City of Knoxville and shall never vest
in case my father and mother shall both die
prior to his return in which event said Lot No.
59 shall along with the residue of my estate become
as hereinafter specified and for this purpose I give
after specified, the property of Patrick H. Jackson
of the City of Nashville in the County Davidson
and State of Tennessee.

Fifth I do hereby devise and bequeath subject to the
devise & bequest in favor of my parents and
brother, above set forth, all the rest and res-
idue of my estate real, personal and mixed to
said Graham his heirs and assigns it to
apply the same to religious and educational
purposes in said City of Knoxville for the
benefit of the Roman Catholic Church in said
City, and in such manner as may seem fit and
proper to said Graham his heirs and assigns

Sixth I do hereby nominate and appoint my friend
John McGroth to be the of this my last will &
testament.

Seventh I do hereby empower my said executor to
borrow five hundred dollars from one of the
banks and to hand the same to Edmund
Bayliff to be by him used in defraying
the cost of transportation to said City of

from where they now are in North Carolina all my horses, mules, wagons, carts, tools and implements which I have been using in carrying out my contract with the Western North Carolina Rail Road; and I wish said Fitzgerald after properly accounting for said fund to receive a fair compensation for said service and I wish my executor to dispose of said property to be brought from North Carolina, on the best terms he can and to liquidate said \$500.00 loan to him with the first funds which may come into his hands. And I will here specify as a part of my estate that said North Carolina Rail Road Company is still indebted to me on a considerable sum, the precise amount of which I am unable to state, but at amounts to a good many thousand dollars I think fifteen or sixteen thousand. In order to make the provision of the will the more intelligible I will here mention that said Lot No. 37 which is what is known as Lot No. 39 in Sand King Co. addition to the City of Knoxville was conveyed to my mother by Joseph T. King from whom I purchased it. I have really paid all the purchase money and the costs of all the improvements. I trust to the honor of my beloved parents that they will do whatever may be necessary in order to carry out my wishes herein expressed, relative to said Lot Number fifty nine and the Appertinances. Said Lot fronts 25 feet on 1st St. and has a depth of about 141 feet and is bounded on the west by William Street. In testimony whereof I have hereunto set my hand and affixed my seal to this my last will and testament. This 31st day of March A.D. 1870

J. P. Kennedy (Seal)

The foregoing will was signed, sealed & published as his last will and testament of John P. Kennedy in the presence of the undersigned who subscribed their names as witnesses thereto in the presence of said John P. Kennedy and at his request and in the presence of each other on the 31st day of March A.D. 1870.

T. R. ...

Thomas Closser, Edmund Fitzgerald

Know all men by these presents that I John P. Kennedy of the City of Knoxville, County of Knox & State of Tenn. do hereby make and publish this my codicil to the last will and testament which I heretofore to-wit: on the 31st day of March A.D. 1870 made and published and which was witnessed by G. R. Cormick, Thomas Closser and Edmund Fitzgerald to-wit:

- First I do hereby ratify and confirm and republish said will, except so far as the same may be inconsistent with the provisions of this Codicil.
- Second The bequest in said will to Patrick A. Fuhren shall be for educational purposes; the power to have the property over there able to pay for their education; and the education must be conducted according to the principles of the Roman Catholic Church.
- Third I wish my executor John M. Bralton to sell the real estate in said city of Knoxville conveyed to me by John A. Harder, S. H. Kirkland, W. M. Kirkland, C. King and Dr. C. King by their joint deed, dated the 18th day of July 1868 Registered in Register's office in Knoxville in book 3, Page 138, also the property bought from Daniel Lyons. And I hereby vest in my executor the discretionary power to sell said real estate referred to in this clause on such terms and on such terms as he may consider most conducive to the interest of my estate.
- Fourth My executor shall use the proceeds of sales under the preceding clause in liquidating my outstanding liabilities to Daniel Lyons and in improving my unimproved real estate in said city of Knoxville.
- Fifth All property acquired by me since the date of said will of 31st March 1870 is devised and subject to the provisions of said will and of this Codicil. The same as that owned by me on said 31st March 1870. In testimony whereof I have hereunto set my hand and affixed my seal to this Codicil this first day of April A.D. 1871

J. P. Kennedy (Seal)

This foregoing codicil was signed sealed and
published as the Codicil to his last will and
testament by John P. Kennedy in the presence of
the undersigned, who subscribed their names
as witnesses thereto, in the presence of said John
P. Kennedy and at his request and in the
presence of each other this first day of Nov.
A.D. 1871

T.R. Cornish
Charles Bowen
Thos. Ramsey

I J. S. A. Blang Clerk of the County
Knox County Tenn. do hereby certify that the
 foregoing is a full and true & perfect copy of
the last will and testament of John P.
Kennedy deceased and the Codicil thereto attached
as the same appears of record in my office.

Witness my hand & seal of office in Knoxville
the 8th day of August 1872

J. S. A. Blang, Clerk

I L. M. Jones Chairman of the County
Knox County Tenn. do hereby certify that J. S. A. Blang whose genuine
signature appears to the foregoing certificate is now
and was at the date thereof, the duly elected and
qualified Clerk of said Court, that said Certi-
ficate is in due form of law and by the proper
officer, that he is the proper custodian of the seal
and records of said Court-County and that
his official acts as such are entitled to full
faith and credit.

Witness my hand at office in Knoxville the
8th day of August 1872

L. M. Jones
Chairman Knox County
Court

In the name of God amen
I Katherine Gran ~~born~~ the
Late Jeremiah Gran late of the County
of Buncombe and State of North Carolina
Residing on Poles Creek, being of sound mind
and dispossessing memory, and calling to
mind that death is certain, and my
continuance in this life uncertain, do
make and publish this my last will and
Testament,

And first of all I desire my that my
Executor herein after named have me plainly
and Decently Buried by my Beloved Husband
Jeremiah Gran here on the Home where I
now live, and to pay the necessary expence
of the same out of my Estate, as also to pay
all my just debts out of said Estate

I will and devise that Two select women
of my neighbors be called in and that they
doth off all my household and Kitchen Furni-
ture in six lots as near equal as is reason-
able as they can reasonably do, and that said lots
be drawn for and go to the following
persons or their children (future the persons
so willing to are dead) Mrs Susanah Rice
wife of Daniel Rice, Temperance Clark wife
of Samuel Clark, Lydia Jones wife of
Adolphus Jones, Hanna Wilson wife of
Jireh Wilson, Rebecca Clark wife of
William Clark, Jane Morgan wife of Elmer
Morgan I have heretofore provided for
the children of my daughter ~~Hollis~~
Matilda Hollis and that is the reason
I do not now make provisions for them
here I will and devise that all other of my
of every kind and description except my wear-
ing apparel, be sold according to Law and
and after all my just debts and funeral expence
are paid that the residue be equally divided between
all my children both sons and daughters, and
where any of them are dead their children
take the portion which would fall to
the Parents