

July Term, 18th day of Aug, 1883.

Snout County Court

A copy of a judgment of the Snout Circuit Court was this day produced in open Court and ordered to be filed and entered of record as follows:

State of Kentucky,

Snout Circuit Court,

August Term, Aug. 16th, 1883.

J. B. Adams, executor etc,

Appel.

Jno. G. Evee Deceased & others.

The parties hereto being all before the Court by entry of appearance and summons and the infant defendant being represented in Court by Guardian Ad Litem. This day this cause was heard by the Court by agreement, without the intervention of a jury and none being demanded, and the Court after hearing the evidence - in full of the opinion that the paper produced in the County Court and probated on the 24th day of April 1882, by an order of the Snout County Court, then and there entered, is and was not the last will and Testament of said John G. Evee, deceased.

It is therefore adjudged by the Court that said paper be and the same is rejected as not being the true last will and Testament of said Evee, and the order of the County Court of April 24th, 1882, admitting said will to probate, and from which the appeal is prosecuted is hereby reversed, and a copy of this judgment ordered to be certified to the Snout County Court for record.

A copy

Attest: J. H. Hunter,

And in obedience to the foregoing judgment of the Snout Circuit Court, it is now ordered that at the order of this Court, entered at its April term - 1882, admitting to probate and ordering to be recorded a paper purported to be the last will and Testament of John G. Evee, decd., be and the same is hereby set aside and the letter of admittance heretofore granted to J. B. Adams, as executor in pursuance of said order are hereby revoked, and thereupon another and different paper purporting to be the last will and Testament of John G. Evee, decd., and presented to this Court, at its regular March Term 1883 for probate was proven by the testimony of Green Elliott to have been found amongst the valuable papers of said Evee, and was also proved by the testimony of Green Elliott, Thomas Wyatt, James H. Black, J. B. Bafford and John Sigmund to be wholly in the hand writing of said Evee, and the Court being satisfied that said last named paper is the true last will and Testament of said Evee, ordered that the same be admitted to probate and recorded as such, and thereupon George M. Adams named as executor in said will after giving bond as required by law with John Goodin, Richard Adams and William Gilbert as his sureties took the oath required by law and duly qualified as such executor which was approved by the Court.

And in view of the uncertainty of human life, I make this my last will and Testament.

I do desire if possible to be buried in a

Cemetery at Lexington, Ky. beside my beloved wife Mary E. Eve, and that I be buried Masonically, that a sufficiency of my estate be taken to pay my funeral expenses, and for suitable tombstone with proper inscriptions, also for purchasing and placing tombstone at the graves of my little sister Susan Jane Eve, and my Grandmother Elizabeth Eve in the Ballinger graveyard, all to be of white marble and with suitable inscriptions. You will find such in my memorandum books. I also wish the graves to be properly cared.

2nd. I desire all my just debts paid. 3d. At the death of my father Benj. Eve, he and I were in partnership in the sale of goods etc. in Bartonsville as set forth in his will and in the article of partnership in my papers there are a number of debts scattered through the country, some of which may be collected. I desire them collected as fast as possible, and settlement made.

4th. As executor of my father, I am satisfied I have paid out more than I have received. I desire a settlement of the estate and a proper allowance made to me by the Court for my time and services; but do not ask that it shall be collected as one half of it would come from Mrs. Mathews portion of the estate. 5th. James H. Umbley and myself have been in partnership in the practice of Law, there is a settlement to be made with him, he can tell all about the terms, about office rent, fuel, stationary etc. and about the debts collected and those due us. I want the settlement made on his statement having every confidence in his integrity. I desire that he shall at once collect the debts due the firm, and pay to me

the amount due me, or that my Cleric collect them.

6th. I desire my individual debts collected as fast as possible.

7. I own an interest of three tenths in the Maddron Mine, situated in Haywood Co., N.C. near the Tenn. State line.

I own an undivided two thirds and G. C. Linton one third of thirty thousand acres of land in Macon Co., N.C., also I

own an undivided three fourths in some other lands in Macon and Wayne Cos., N.C. I own equally with Stephen Whitaker about twelve thousand acres of land in Cherokee, Graham and Wayne Cos., N.C. I own about five hundred acres in Cherokee Co., N.C.

I these N.C. lands I look upon as valuable, I want division with Linton even if by suit and in this case in the N.C. Court with Linton, Macon Co., N.C. Counsel with him and G. C. Linton, Greenville, S.C., about the lands in Macon Co. with Stephen Whitaker about three in Cherokee Co. etc. I forgot to say that Prof. Richard Owen of New Harmony, Ind. owns a one twentieth in the Macon Co. lands read his report. I want these lands and my interest in the Maddron Mine sold privately or publicly for the best price provided that is not less than one dollar per acre for the lands, and a reasonable price for my interest in the Maddron Mine.

8. I own lands on various watercourses in Hart and Bell Counties, Ky., outside of my own dwelling house etc. in Bartonsville, I desire them sold reserving the coal and Mineral interest and sell that interest when a rail road gets in process of building to Cumberland Gap. In conjunction with Adam Pezder and John I own some lands on Greary and other creeks, this Co. is styled "Pine

Mountain Mining Co. I have a lease from a portion of the ~~Country~~ Company. In fact all except A. Redder and J. H. Bryant. It is understood that Bryant is dead without heirs. Redder is to be equally interested in the lease if he pays the half for roader, fuel, drille, hammer etc. boarding of hands and of Mc Namara's work heretofore and one half for testing hereafter my land on the North side of the Pine Mountain is as the hill above and the Minerals interest is to be retained until test is made. My Executor is directed to use one hundred dollars of my estate to assist in purchasing of roader etc. and working at the same place worked at by Mc Namara, see Redder about the matter. Adam Redder and myself own some land on the North side of the Pine Mountain, about 100 acres is surveyed by Isaac Dean and some on the North side say about acres, surveyed by W. F. Waterfield, they are numbered. Redder will be entitled to an interest of one half upon his paying one half the surveyors fees, taxes and other expences. I want my portion sold reserving the mineral interest and sell that as soon as it can be reasonably done.

In conjunction with J. A. Partan and others obtaining the "Clear Creek Mining Co." I own some lands etc on Clear Creek, consult with Johnathan Partan about it.

John G. Eve.

I made a contract some years since with James Farmer of J. H. Bell Co. for some lands, have it surveyed, pay for it where it is not covered by older grants or been in the possession of others so long that they can hold it

and have him make the General Warrantee Deed, then sell at the proper time, making a Quit Claims Deed. I bought some lands of Jerry M. Gibbons, I bought some lands from Mr. Purcell lying near the mouth of Caterons Branch, the land does not come up to his contract and I am disappointed very much in the land in consequence he agreed verbally, I should have it surveyed, I employed A. L. Jones to do it (see his map and the papers), Adam Hess has claims to cover a portion of the remaining land, on the river above Stewart, the hill is free of Coal. I desire the land paid for, the Coal veins stripped, then sell at the proper time and have Purcell to make title to the purchasers.

The papers explaining about the title etc. to all the above properties will be found on record in the Kern Co. Court, and in my papers including letters.

I own the land and ground upon which it is located now occupied by J. H. Smith as a shoe shop for which I paid \$300.00, I own the dwelling house and twenty five acres of land where I live, I desire all the above properties sold and as fast as sold and the money received invested in Bank Stocks, or loaned out at ten per cent interest or undoubted mortgage secure as well as additional personal security. I want the interest properly collected every six or twelve months and reinvested in the same manner. This portion of this instrument will be somewhat modified in an after part of it and the property finally disposed of.

John G. Eve.

I will to Mountain Lodge No-187, the fourteen volume of the Universal Masonic Library which I have. I will

To Jas. H. Tinsley my set of N. Y. Reports (Law) I give to Mrs. Kate P. Bernmann the bible presented to my wife, (to be sent to Mrs. J. T. Davis with, for Mr. J. give to Mrs. Jennie Bernmann (to be sent to J. T. Davis, my) my large Photograph Album, and the pictures in it except those of my father, mother, brother, and Mrs. Mathews family, which Mrs. Mathews is to have if she decides. I give to Mrs. Harriet P. Billingsley my wife's engagement ring & a single diamond. I give to Laura H. Davidson a Breast Pin (Set), made of my wife's hair, also a Breast Pin and Ears Rings which belonged to my wife and now in possession of some member of the family.

I give to Mrs. C. M. Davidson a Porcelain picture of my wife and my wife's little Polyglot Bible - also my wife's trunk and its contents, except as herein disposed of.

My wife has two name sakes, Leila H. Tinsley, and daughter of Jas. H. Tinsley, and Leila C. Hughes, daughter of C. M. Hughes. I want each of them to have picture of my wife as a memento. I have several name sakes, viz: John C. Trooper, John C. Mayne, John C. Heath (son of Ephraim Heath & Catharine Co.) John C. G. Shaw, John G. Gordon, also my brother George E. H. I have a name-sake George E. H. Gordon, I desire that my cousin E. W. Adams shall select out of my property an article he may desire as a memento.

If my estate should be worth as much as \$1000, ten thousand dollars, after the payment of my debts and funeral expenses (as above, then) I desire there shall be paid to my mother-in-law

Mrs. C. M. Davidson or rather to her son-in-law George E. Billingsley in trust for her \$1000, (one thousand dollars) to be paid to her in such installments as she may desire, if she be dead then said sum to be divided equally amongst her children, this amount to be paid over as soon as it can be conveniently raised, and if my estate shall be worth \$1000 and additional \$1000 is to be appropriated in the same way, and so on in proportion to its value.

I give to my cousin E. W. Mathews my gold watch given me by Aunt Mary Smith, and have no further claim or management. I desire her interest and that of her children protected and for that purpose I desire that the broker Bart will appoint G. M. Adams, Jr. her trustee under my future will, with all the powers I now have and if he decides that the Court will appoint whomever he, G. M. Adams may select I desire that G. M. Adams act as trustee to carry into effect the provisions of this will so far as Mrs. Mathews and her children are concerned and without security being required, I desire that my Executors shall do just as money is collected pay it over to my said trustee who will appropriate economically as much of the interest or even a portion of the principal as may be necessary, to assist in supporting properly the said Ellen & her family, this provision to last during her natural life, Mrs. Mathews has five children viz: Benjamin, John, William, George and Bettie Francis. My trustee may if he thinks it best appropriate a portion of the interest on the money to assist in sending them to school until they become proficient in reading, writing, spelling, grammar

mar, geography and Arithmetic and that any ~~of~~ said children who fails or refuses to do any any of those things, shall be cut off from receiving any portion of my estate, the proportion to be determined by my Trustees, after receiving such education as above, if any of them desire to obtain further education, my said Trustees may appropriate.

John G. Eve.

Such sums as may be necessary in his discretion to further to educate him, her or them such sum not to be taken out of his, her or their portion, in division as the boys become twenty one years of age, having be taken themselves delivering to some honest calling or occupation, for as much as two years consecutively previously my Trustees aforesaid if any one of them desire to go into business on his own account may furnish him ~~two~~ to assist in starting in business, provided he is satisfied the money will not be squandered, and as to the girls, if they are either of them should get married, he will furnish such one (not an excessive) but a suitable outfit or wedding trousseau, and \$100 beside to purchase household furniture, provided she has previously learned to cut and make her own dresses, and to do household and kitchen work, It is my further will and desire that at the death of Mrs. Mattheve, that my remaining property shall be equally divided amongst her said children, provided they have complied with the requisitions above, and if any one of them has at that time failed, he or she shall have no portion in the division, my Trustees to be the Judges

and if Mrs. Eilers Mattheve should fail after one year of my death, or if their children should fail for one year after her death to accept the provision of this will, then it is my desire that the whole of my ~~estate~~ be appropriated for the establishment of a Female Seminary or Boarding School where girls can be taught useful as well as ornamental branches of education.

John G. Eve.

And in that event my Trustees shall select five suitable men to act as directors of said institution and said directors shall have power from time to time to fill vacancies in their board, it shall be the duty of the board to purchase or erect suitable buildings in or near Harrodsburg for the boarding of young ladies and girls, They will ~~in~~ ⁱⁿ proper suitable laws for the government of the institution, they will select proper teachers if my estate is sufficient (with the stipend above), they will invest or loan the money out at interest and employ teachers for the institution with said interest, I hereby appoint G. M. Adams, Jr. and Geo. Jas. C. Waterfield my Executors both or either to act and without security being required

John G. Eve.

✓ State of Kentucky,
County of Knox, T. Sch.
J. B. F. Stickleley, Clerk of the County Court for the County and State aforesaid, do certify that the foregoing is a true copy of a paper purporting to be the last will and testament of John G. Eve, deceased, which was produced in open Court at the regular March term 1883, of the Knox County Court and said paper was at the

regular July Term, 1883, of said Court admitted to probate and ordered of record, whereupon the same is-
sues with this certificate have been recorded in my office.

Given under my hand, and
seal this 5th day of July, 1884.
J. B. D. Stickley, Clerk.
By John W. Fuggle, S. C.

State of Kentucky,
First County, ss.
I, John Parker, Clerk of the
County Court within and for the
County and State aforesaid, the
same being a Court of probate, hereby
certify that the foregoing is a true and
correct transcript and copy of
the proceedings had in the matter
of the probate of the last will and
testament of John G. Bre, deceased,
and of the qualifications of Geo. W.
Blaine as executor of said last will
and testament, and of said last
will and testament itself, as probated
and duly recorded in my office.
In testimony whereof I have
hereunto at my hand and affixed
the official seal of said Court, on
this 15th day of August, 1901.

Official
Seal

John Parker, Clerk.
First County Court.

State of Kentucky,
First County, ss.
J. J. Myatt, Presiding Judge
of the County Court in and for the
County and State aforesaid, do
certify that the foregoing certificate
of John Parker, and the attestation
of the foregoing record is in due form
and by the proper officers: that the
said John Parker is dead was at the
time of signing said attestation, the
Clerk of said Court, and his official

acts are entitled to full faith and
credit, that the said Court is a Court
of record, having a seal, and had full
jurisdiction to determine all matters
shown forth in said record. In
witness whereof I have hereunto, at
my hand this 15th day of Aug-
ust, 1901.

J. J. Myatt, Judge
First County Court.

State of Kentucky,
First County, ss.

I, John Parker, Clerk of the
County Court of First County, State
of Kentucky, do certify that J. J.
Myatt, whose genuine signature
is appended to the foregoing certi-
ficate is, and at the time of signing
the said certificate was, the Pre-
siding Judge of said Court duly
commissioned and qualified as
such. In witness my hand and the
seal of said Court this 3rd
day of August, 1901.

Official
Seal

John Parker, Clerk.
First County Court.

North Carolina,
Cherokee County,
The foregoing certificate
of John Parker, Clerk of the County
Court of First County, in the State
of Kentucky attested by his official
seal, also of J. J. Myatt Presiding
Judge of the County Court of First
County, in the State of Kentucky,
are adjudged to be correct and suf-
ficient and according to law, there-
fore let the instrument with the
certificates be registered.

This Aug. 8, 1901.
Aug-8-1901.
J. W. Loringood,
Clerk Superior Court.

Registered in the book of Miller in page 198 at