

S E P T E M B E R T E R M 1921.

WILL OF JOSEPH R. MCGINLEY.

Maryville Tennessee

August 31st 1917

In the name Of Our Benevolent Father. I Joseph R. McGinley being of sound mind and disposing memory do make and publish this my last will and testament

Item First: I devise and bequeath to my beloved wife Fidelia all my Real estate Located in Blount County Tennessee. and als all Personal Property of evry kind some to be used for her surport during her natural life, at her decease I direct that all Real estate and personal property remaining shall be sold and divided between my children, Charles C. McGinley, John N. McGinley Mary L. McGinley Spieter Minnie L. McGinley Foster and Joseph L. McGinley all share and share alike.

Item second: It is my wish that my wife Fidelia McGinley be appointed administratrix of my estate.

Joseph R McGinley

Signed by the said Joseph R McGinley as and for his last will and testament in the Presence of us the undersigned who at his request and in his sight and presence have subscribed our names hereto as attesting witnesses the day and year afove written.

M H Edmondson

Jno L Law

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WILL OF JAMES WATERS:

I, James Waters, of Blount County, Tennessee, being of sound mind and disposing memory and aware of the uncertainty of the length of life and the certainty of death, do make, ordain and publish this my last will and testament, hereby revoking and making void all other wills and codicils by me at any time heretofore made.

1. It is my will and I hereby direct that my funeral expenses and all just indebtedness owing by me at the time of my decease, be paid.

2. I give and devise to my son, Dr. James M. Waters during his life time, and at his death to his son James M. Waters, and to my daughter Mary E. Gamble, jointly and equally, the following tracts or parcels of land, all situated in the 14th District of Blount County, Tennessee, to wit: - (1) A tract known as the lower bottom containing 42 1/2 acres, more or less; (2) A tract south of the Knob road, containing 31 acres, more or less, the location and boundaries of all of which are more specifically and definitely set out and shown in the surveys and plats of W. M. Nichols, Surveyor, made January 25th 1908, and are attached to and made part of this will, being Marked exhibits "A" and "B". (3) Two tracts situated on the waters of Little River, First, Known as the homestead tract, containing 101 1/2 acres, more or less, and Second, Tract of timber land, containing 50 1/2 acres, more or less, the location and boundaries of which are more specifically and definitely shown in the surveys of W. M. Nichols, Surveyor, made January 25th 1908, which are attached to this will and made part of it, being marked exhibits "C" and "D".

3. I have heretofore given to each of my children one thousand dollars, making them equal that far.

4. I have also advanced and given to my daughter Jane whose first husband was Reese Davis, and after his death she married Ousick, and she has since departed this life, and to my daughter Rachel Neubert, and to my son Gnoch Waters, each three thousand dollars, which I consider as making to them an equal amount, and therefore no more is given to them or their heirs except as herein after directed.

5. Some years ago I loaned to my grandson, James Waters, the son of Gnoch Waters, three hundred and twenty five dollars, for which his note was taken. By mutual agreement this note was renewed January 27th 1908 by Mathe Waters, the widow of my said grand son, with Gnoch Waters and John Hitch as joint makers, being for \$345.65, bearing interest from date, due and payable Annually. This note provides, and it is my will that when the principal is paid, the same shall become the property and belong to my great grand son, the son of my grand son James, the child's name being also James Waters, I retaining the right and use of the interest as it matures, and it is my will and I hereby direct that if my said great grand son above named should die without issue, that the

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his fathers side.

6. It is my will that my body receive a decent Christian burial, and that a monument be placed to the grave, larger at the bottom but not so high as the one I had placed to the grave of my first wife.

7. I give and bequeath to my two grand sons, James R. Davis and John M. Davis, my undivided interest in the 43 acres tract which is not included in the surveys above referred to.

8. It is my will and I hereby give, bequeath and devise to my great grand daughter Robertson, the grand daughter of Jane Cusick, deceased, and to another great grand daughter Sadie Cusick, Rachel Sherrill and Ellen Gamble, the daughters of my daughter Jane Cusick now deceased, jointly representing the interest or share of said deceased daughter, and to Enoch Waters and to Dr. James M. Waters, any and all remainder of any and every kind and nature of my estate, real, personal and mixed, that may be remaining after disposing of the estate as herein above shown, the same to be divided equally, the children and grand children of Jane Cusick jointly taking the interest or share that would have been hers if living.

9. In constructing the turnpike along the place of Enoch Waters by the public, a private outlet or passage is left open and is now used from his place to the pike; now it is my will and I hereby direct that this right of way be made perpetual, so that at all times in the future there shall be the right of way for a passage to and from the residence to the pike of sufficient width and grade to make an easy passage from the ford of the river out to the pike, being about one hundred yards.

10. I hereby constitute and appoint Thomas Nichols as executor of this my last will and testament.

In testimony whereof I hereunto affix my signature, on this 18th day of May, 1918.

James Waters

We, the undersigned, being present and requested to do so, saw James Waters, with whom we are each personally acquainted, the testator affix his signature to the foregoing instrument, and at the same time he declared the same to be his last will and testament, and in his presence and the presence of each other, at the request of the testator, we affix our names hereto as attesting witnesses, on this the 18th day of May, 1918.

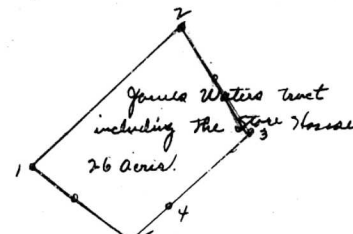
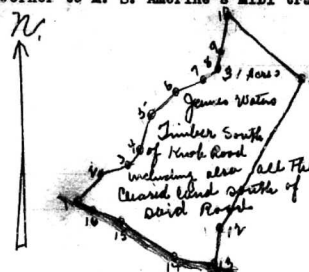
J. C. Tucker  
Will A. McTeer

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## EXHIBIT A.

January 25, 1908.

Scale 20 chs per inch 2 Pole chain Two Plats of James Waters land including all the land South of the Knob Road and also a 26 acre tract including the Store house - First tract Beginning on a stone on the east bank of the River corner to M. S. Amerine's MBL tract: thence with the same



- 1 N 41 E 7 5/10 chs to a stone: thence with the Knob Road
- 2 N 68 1/2 E (present call) 7 chs
- 3 N 42 1/2 E 4 chs
- 4 N 14 1/2 E 8 chs
- 5 N 47 3/4 E 8 chs
- 6 N 67 3/4 E 7 chs
- 7 N 47 3/4 E 4 chs
- 8 N 17 3/4 E 4 chs
- 9 N 7 1/2 E 6 9/10 chs to a stake on the old line; thence with the same
- 10 S 58 1/2 E 22 chs to a Black oak corner to Joe (Stat) Gamble thence with his lines
- 11 S 27 1/2 W 44 23/50 chs to a chestnut
- 12 S 2 W 7.8 chs to a Black gum on the North bank of the River thence down the same
- 13 N 85 W 9 8/10 chs
- 14 N 60 W 14 chs
- 15 N 67 1/4 W 7 chs
- 16 N 65 1/2 W 4 chs to the beginning containing 31 acres

Second or Storehouse tract Beginning on a Black Oak on the east bank of the River Persimmon-and-elm-pointers corner to the Homestead tract: thence with the same

- 1 N 46 E 45 2/10 chs to a stone on the back line thence with the same
- 2 S 31 E 25 7/10 chs to a stone & pointers; thence with the 50 1/2 acre timber tract
- 3 S 45 1/2 W 25 chs to a stone and Pike pointers corner to M.S. Amerine's mill tract
- 4 S 41 W 10 chs to a stone on the east bank of the River 31 Links N 78 E from a large elm stump; thence down the River
- 5 N 52 1/4 W 27 4/10 chs to the beginning containing 26 acres

W. M. Nichols Surveyor

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## EXHIBIT B.

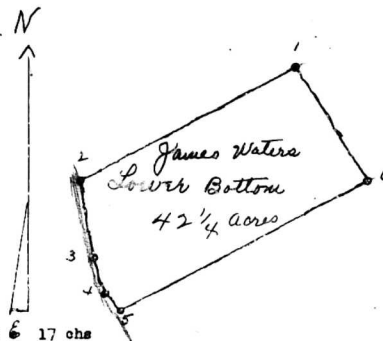
January 25, 1908.

Scale 20 chs per inch 2 Pole chain

A Plat of James Waters' lower Bottom's on Little River Beginning on a stone corner to Mrs. Jane Davis thence with her line

- 1 S 57° W. 54 chs to a stake on the east bank of the River thence

up the same



- 2 S 13 1/2 E 17 chs  
 3 S 24 E 8 chs  
 4 S 29 E 4 4/10 chs to a Sycamore on the east bank of the River thence  
 5 N. 57 E 61 2/10 chs to a stone and pointers on the back line; thence with the same  
 6 N. 31 W. 29 4/10 chs to the beginning containing 42 1/4 acres.

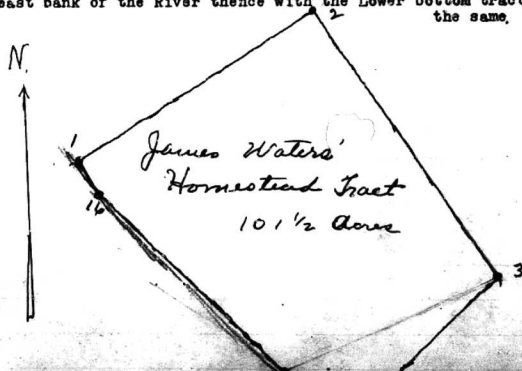
W. M. Nichols Surveyor.

## EXHIBIT C.

January 25, 1908.

Scale 20 chs per inch 2 pole chains

A Plat of James Water's Homestead tract Beginning on a sycamore on the east bank of the River thence with the Lower bottom tract thence with the same.



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- 1 N 57 E 61 2/10 chs to a stone and pointers on the back line; thence with the same  
 2 S 31 E 70 chs to a stake and pointers corner to the Storehouse tract; thence with the same  
 3 S 46 W 45 2/10 chs to a Black oak on the east bank of Little River; thence down the same  
 4 N 52 1/4 W. 17 4/10 chs to a stake  
 5 N. 42 1/4 W. 42 chs to a stake  
 6 N 29 W 7 6/10 chs to the beginning containing 101 1/2 acres

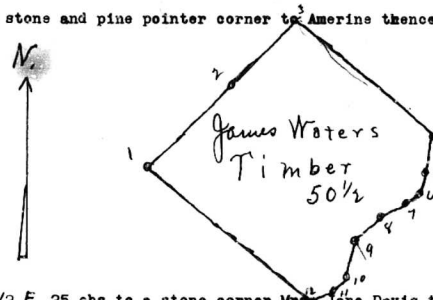
W. M. Nichols Surveyor

## EXHIBIT D.

January 25, 1908.

Scale 20 chs to one inch 2 pole chain

A Plat of James Waters timber lying east of M. S. Amerines Mill tract Beginning on a stone and pine pointer corner to Amerine thence with the 14 acre tract



- 1 N 45 1/2 E 25 chs to a stone corner Mrs. Jane Davis thence with her line  
 2 N 41 E 20 chs to a stake corner to Dr. J. M. Waters with the same  
 3 S 53 E 42 9/10 chs to a stake thence with the knob Road  
 4 S 7 1/2 W 6.9 chs  
 5 S 17 1/2 W 4 chs  
 6 S 47 3/4 W 4 chs  
 7 S 67 3/4 W 7 chs  
 8 S 47 3/4 W 8 chs  
 9 S 14 1/2 W 8 chs  
 10 S 42 1/2 W 4 chs  
 11 S 68 1/2 W 7 chs to a stone corner to M. S. Amerine thence with the same.  
 12 N 51 W 46 chs to the beginning containing 50 1/2 acres

W. M. Nichols Surveyor