

to his signature above, after his name had been written by one of us Robt W. Green; said J. S. Rhoton having directed said Robt W. Green to sign the name of said J. S. Rhoton to the foregoing instrument in his presence, and said instrument was acknowledged by him to each of us and he at the same time published and declared the above instrument to be his last will and testament, and so at the testator's request and in his presence and in the presence of each other have signed our names as witnesses hereto, on this 27th day of July 1901

Witness our hands
J. J. Roberts
Robert W. Green

This day the foregoing paper writing purporting to be the last will and testament of J. S. Rhoton died was produced in open Court and proven by the oaths of J. J. Roberts & Robert W. Green subscribing witnesses thereto which is ordered to probate and record
This Dec. 2, 1901 J. M. Emerson
Chairman

See page 287 of mine Book 16.

Will of George H. Norton

I George H. Norton being of sound mind and body make and publish this my last will and testament, hereby revoking all other wills heretofore made by me,

I wish my executor and trustee herein after named to pay all and any of my debts that I may owe at the time of my death out of any monies I may have on hand at the time of my death, or from any other source that he may deem best for the interest of my estate.

I hereby devise to James Glynn and following lots or parcels of land lying within the Corporate limits of Tullahoma, Tenn. Being all of Section Fifty one, as laid down in the plan of Tullahoma, as line surveyed on South East 1/4 of the 1st Range, 1st Range, railroad. But this assignment is in trust for the use and benefit of the Church of St. Barnabas of the Protestant Episcopal Church of Tullahoma Tennessee, said lot is to be used by said Church for all purposes and objects as it may deem best, but this devise is made not out of my own wish but also that of my dear deceased wife. This devise is made to said Trustee because it is doubtful whether said St. Barnabas Church as Church is incorporated, and when said Church or Church of St. Barnabas is incorporated my said Trustee will convey said lots to it in fee but without warranty, I have but one child Charles H. Norton now about 42 years of age, he is a deaf mute, and for that reason I deem it prudent not to devise and bequeath to him absolutely any of my property, but my purpose is to give the usufruct of said property and the remainder to go to his children, Now therefore I hereby devise and bequeath to James Glynn of Tullahoma Tennessee all of my property of every kind and description including Real Estate, personally mixed

Property, choses in action money and every other description of property that may be belonging to me at my death, and the enumeration of property here made is not to operate to exclude anything I may own at my death, except the devise to said St. Barnabas Parish or Churches.

Said Trustee is clothed with full power in the control and management of said property, to the effect that it may be best protected and used the largest usufruct.

He may sell in any way he sees proper any part or all of said property.

He may collect any and all debts due me at such times as he may deem best for the interest of my estate.

He may lend the money during my estate on such time as he may deem proper and upon such security as he may deem best. And he shall continue said loans or renew them as his judgment may dictate for the best interest of my estate.

He will pay his expenses out of said estate and be allowed such compensation as the Court (Jury) may deem just when his settlements are made.

During the life of my son Charles, all of the usufruct of said property is to be paid over to him at such periods as my Trustee may deem best for my son's interest, and at the death of my son said Trust is to terminate and all of said Estate is to be paid to his (my son's) children in equal parts and if any of them should then be dead leaving child or children surviving them, then the child or children of such deceased child shall take such part of my estate as would have gone such child of my son Charles. And in the event my son's wife Myra should survive him she shall take a child's part, it being my desire that if she survives my son Charles, she shall share as though she was one of my son's children. In the event my said Trustee refuses

or fails to qualify it is my desire that the Chancellor holding the Chancery Court at Manchester Tennessee shall select a discreet solvent business man to carry out this Trust and when so selected such Trustee is to have all the powers I give to the Trustee named in this will, and when such Trustee is selected by the Chancellor a proper bond will be required of him.

But I now nominate James G. Lydell as Executor, and Trustee of this will and he is excused from giving bond in either capacity.

In witness whereof I have signed and sealed and published and declared this instrument as my will, at Tullahoma Tenn, on this 9th day of November 1885.

Geo. H. Norton Seal

The said George H. Norton at Tullahoma on the 9th day of November 1885 signed and published and declared this instrument as his last will and testament and in the presence of each other, named hereunto, written and named as witnesses on this 9th day of November 1885.

A. J. Smith
C. W. Parker

Tullahoma: 9 June 1894

I hereby modify my will heretofore made so as to authorize my executor on the request of my son Charles Henry, to advance him from the body of my estate from time to time as in the opinion and judgment may be necessary to enable him to make a supply, or that may be necessary to aid and care for him in sickness or in decline of life. I prefer my son having the benefit and comfort of the means I leave during his life, but I leave this authority to be exercised in the sound discretion of my executor and without restraint.

G. H. Norton

For Probate see Page Misc Book 16.

In the name of God Amen:

I J. M. Jernigan of Coffee County Tennessee being of sound mind and memory realizing the uncertainty of life and the certainty of death, do therefore make, ordain, publish, and declare this to be my last will and testament, hereby revoking all former wills by me at any time made. That is to say first after all my law full debts are paid and discharged, the residue of my estate, real and personal of every nature and kind whatever, I give, devise, bequeath and dispose of as follows: to James Clarence Green (infant son of William Green and his wife Henrietta B Green) I give, ~~bequeath~~ ~~and dispose of as follows~~ My tract of land of about Ninety acres and which tract is described as follows: Situated in the 4th Civil district of Coffee County Tennessee on the waters of Riley's Creek and being same land I bought from R B Davidson and known as the old Robert Wilson tract of land and on which is situated the house in which said Wm Green now lives and said tract lays immediately south of the tract of land now owned by John S Wilson and is the Northern portion of my main body of land and is in some what the shape of an oblong square. And the rest and residue of my estate, real and personal of every nature and kind, I give to my beloved wife Lottie Jernigan during her life and all of which property she is to have and use for and during the term of her natural life and at her death the same to go to said William Green and his said wife, Henrietta B. Green and the realty herein conveyed consists of various tracts in the 4th Civil district of Coffee County Tennessee. In witness whereof, I have hereunto subscribed my name to the foregoing instrument in the presence of D C Bennett and Robert W Green witnesses hereto, and I hereby declare the

said instrument to be my last will and testament on the 12 day of February 1902
J. M. Jernigan

The foregoing written instrument was subscribed by the said J M Jernigan in our presence and he at the same time published and declared said instrument to be his last will and testament; And we at said testator's request, and in his presence and in the presence of each other have signed our names as witnesses hereunto on this the 12 day of February 1902, and neither of us are related to any of the parties nor interested in the devise of the property herein conveyed except Robert W Green is a brother of Wm Green but not a beneficiary under the will. Wm.
the 12 day of February, 1902. D C Bennett
Witnesses Robert W Green
L A Parks.

Approved in Open Court March 3 1902
J M Emerson
(Clerk)

And further, on the 15th day of February 1902 said J M Jernigan, the testator, declared in my presence that the foregoing instrument is his last will and testament and requested me to witness the same as such and he further acknowledged that the same had already been published and declared as such as stated above and he acknowledged to me his signature to the foregoing instrument to have been signed by him for aforesaid purposes, and I am not related to any of the parties nor interested in any way in the devise of the property devised by said will. Witness my hand 12th day of February 1902

For probate see order Dec page 316 Minute Book 16

The State of South Carolina

Richland County In Court of Probate
By Archibald W. Ray Esq. Judge of Probate
of said County.

Personally Appears John J. Earle who, being duly sworn, Says: that he, said Mrs Ellen J. Crick sign seal, publish and declare the annexed instrument of writing, bearing date the fifteenth day of January, A.D. 1902, to be and contain her last will and Testament: that the said Mrs Ellen J. Crick was then of sound and disposing mind, Memory and understanding, according to the best of deponents knowledge and belief, and that the said John J. Earle, J. A. Tompkins and W. J. Roberts at the request of the Testatrix in her presence, and in the presence of each other, witnessed the due execution thereof.

sworn to before me, this 1st day of May A.D. 1902,

Archibald W. Ray
Judge of Probate

A true copy

(Archibald W. Ray

Judge of Probate

Richland Co. S.C.

In the Name of God, Amen,

I, Ellen J. Crick, widowed, formerly of Sullivan County, in the County of Coffee, in the State of Tennessee, and now of the County of Richland in the State of South Carolina, being of sound and disposing mind, Memory and understanding, do make, ordain, publish and declare this to be my last will and Testament hereby revoking all former wills and Codicils I may have made:

Item 1. I give, devise and bequeath to my friend Thomas Wilson of the County of Coffee in the State of Tennessee, and to his Successors to his and their heirs and assigns forever, the following lots of land situated and being in the Town of Sullahomaw, in the County of Coffee

and State of Tennessee, (a) That lot of land 200 by 130 feet, on the corner of Collins and Edde Streets, conveyed to me by R. H. Crick, by deed dated August 2nd 1895, and recorded in the Office of the Register for Coffee County in Book "7" at page 17. (b) That lot of land 86 by 150 feet, on the corner of Lincoln and Edde Streets, conveyed to me by James B. Aydelott, by deed dated January 23. 1899 and recorded in the Office of the Register for Coffee County in Book "7" at page 18.

In Trust. Nevertheless, and to and for the uses and purposes herein after expressed and declared of and concerning the same, that is to say in trust and to and for the joint benefit and behoof of my beloved children, Statie B. Crick, Sallie R. Crick, and Leonard D. Crick, for and during the term of their minority, and upon the youngest of the three above named children reaching the age of twenty one years, the trust hereby created, shall instantly cease and determine, and the two lots above mentioned and described shall immediately vest in the three said children, in fee simple, absolutely and forever, share and share alike, the child or children of a deceased child to take the Parents share.

Provided, However, that should one or more of my said above named children, depart this life without heirs of the body living at the time of its or their death, the share or shares of such deceased, at the determination of this trust, shall vest in the survivor or survivors of them, and should all of the three above named children depart this life, without heirs of the body then surviving, before the above stated time for the termination of this trust, then the trust herein created shall instantly cease and determine and the two lots of land shall immediately vest in my other children living at such time in fee simple, absolute and forever freed from all limitations, trusts and conditions whatsoever, as tenants in common.

the Child or Children of a deceased Child to take the Parents share.

Reposing especial Confidence and trust in the said Thomas Wilson, It is Further Provided, That I here by authorize, empower, and direct the said Thomas Wilson, as Trustee, and his successors in said Trust whenever he may deem it expedient or necessary to the interest and welfare of my three above named Children, to sell and convey in fee simple absolute the lot or lots above mentioned, for such sums of money and upon such terms as he shall deem proper and to make, execute and deliver good and sufficient deeds for the same, the proceeds of the sale, if any, to be used either in the purchase of other real estate, to be subject to the same trusts as are herein set forth, or else to be used by the said trustee for the education, maintenance and support of my three said Children, It being my special desire that the said property should be so handled as to result to the greatest benefit of the three said Children.

Item 2 Out of consideration for the care and attention which my son William L. Crick has shown me, I hereby give, devise and bequeath to him and his heirs and assigns forever, the one-third interest in a lot of land which I own in the Town of Sullahoma in the County of Coffee, in the State of Tennessee; the same being the interest which I inherited from my mother and which I own as a tenant in common with my two brothers George Timbom and William Timbom.

Item 3, The Upright Baldwin Pines which I own. I hereby give, devise and bequeath to my two youngest daughters, Hattie B. Crick and Sallie R. Crick.

Item 4, I hereby give devise and bequeath my feather beds and pillows to my Children, William L. Crick, Hattie B. Crick and Sallie R. Crick.

Item 5 All of the rest and residue

of my property, I desire sold and the proceeds equally divided among my Children living at the time of my death.

Item 6. I have, in this will, made no special provision for my Children, Robert H. Crick, Floyd R. Crick and Ada S. Crick, I give to them a Mother's blessing, I love them the same as my other Children, they have however, reached the age when they can provide for themselves and my property being small, I have thought it best to give it to my young and helpless Children. It is my hope that the provisions here in, will meet with their approval.

I hereby nominate, constitute and appoint Thomas Wilson, of Sullahoma in the County of Coffee and State of Tennessee Executor of this my last will and Testament.

I hereby adopt the foregoing written paper constituting my last will and Testament as my own handwriting.

In Witness whereof, I have set my hand and seal, at Columbia, Richland County, South Carolina this the fifteenth day of January in the Year of our Lord one thousand nine hundred and Two.

Wm. J. Crick (Seal)

Signed, Sealed, Published and Declared by the testatrix to be her last will and Testament in the presence of us, who at her request and in her presence, and in the presence of each other have here unto subscribed our names to

J. A. Tompkins
Jno. J. Earle
W. J. Roberts

A true Copy

Archibald W. Ray
Judge of Probate
Richland Co. S.C.

The State of South Carolina
County of Richland

On the Court of Probate
The last will and Testament of Mrs. Wm. J. Crick deceased, is hereby admitted to Probate in Common

form

Witness my hand and the seal of the Probate Court, this 8th day of May 1902.

Archibald W Ray
Judge of Probate

State of South Carolina
County of Richland

In the Court of Probate

In re

the Estate of

Mrs Ellen J Crick

Deceased,

I Archibald W Ray, Judge of the Court of Probate in and for the County and State aforesaid, and under section 35 of the Code of Procedure of this State, being ex officio Clerk of said Court on failure to appoint a Clerk thereof, do hereby certify that the writings hereunto annexed consisting of about six pages, doth contain a full explanation of the proceedings had in this Court in the matter of admitting to probate the last will and testament of Mrs Ellen J Crick, deceased. Said writing comprising certified copies of the said last will and testament, of the affidavit proving the same and of the order of this Court admitting the same to probate in Common Pleas as appears by the original records remaining in this office.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Court at Columbia S.C. this 9th day of May A.D. 1902.

Archibald W Ray
Judge and ex officio
Clerk of said Court

State of South Carolina
County of Richland

In the Court of Probate

I Archibald W Ray Judge of the Court of Probate for Richland County, in the State aforesaid, do hereby certify that Archibald W Ray, whose attestation is above written as appears by his name in his handwriting

and the seal of the said Court hereunto affixed was at the date thereof ex officio Clerk of said Court under section 35 of the Code of Procedure of this State, the said Court having failed to appoint a Clerk thereof; that all due faith should be given to his official attestations as such Clerk, and that the said attestations is in due form by the proper officer.

Given under my hand and the seal of said Court, at Columbia S.C. this 9th day of May A.D. 1902,

Archibald W Ray
Judge of the Court of Probate
for Richland County
South Carolina

Will of J. R. Brewer

I the slave of God god amend J. R. Brewer of the County of Coffee State of Tennessee do hereby being of sound mind and memory, and considering the uncertainty of this frail and brittle mortal life do therefore make and ordain public and before this to be my last will and testament that is to say First after all my debts are paid and discharged the residue of my estate real and personal I give bequeath and dispose as follows to wit all the real and personal property that may belong to me at my death. I will and bequeath to my wife Parnell for her to have the right to control and manage, and use as though I was present to her own use she is entitled to maintain with child, him, I wish her to fully enjoy what property she now owns her entire life at her death if there is any property or lands I want I will have to have and have all the remains of my estate after leaving Contributions to my sister and mother graves mine and Parnell's grave, now in care J. W. Hall should lie before my interment. the right to all will fall into the hands of Parnell to give it to whom she chooses. I see all the lands I am in possession of and make good title to the same I have with this, with my own hand, for the express purpose herein contained this being the only will I have made, this done in the presence of the subscribing Witnesses on the 6 of May 1902.

J. R. Brewer

This do, a paper avowing conformity to the last will and testament of J. R. Brewer was produced and open read and proved by the oaths of S. A. Swanson and C. H. Hest. Two of the subscribing witnesses.

and ordered to be recorded. This June

2 1902

J. H. Commissioner

Will of Thomas Carson

Last Will and Testament of T.B. Carson of
Tulahoma Poffet Co. Tenn.
Believing in the existence of Almighty God
& knowing man is born to die & being of sound
mind - it is my will that after my death, my
property both Real & personal, is to pass to
the to the possession of my wife Maggie
Turner Carson, without bond & she is to
own & enjoy the same, at her death or
when she remarries the same is to be
turned over to my son John Turner Carson
to be his forever given under my hand
& witnessed this June 12. A.D. 1896

Witness

J.B. Moore

J.C. Brown

Thomas Carson

State of Tennessee }
Poffet County, } This day the foregoing
paper writing was produced in open
Court and proven by the oath of J.B. Moore
and J.C. Brown to be the last will and tes-
tament of Thomas B. Carson dec'd and as
by the Court ordered to probate and record
and the Clerk is ordered to file and record
the same, this 7th day of June 1896.

J.M. Emerson
Chairman

Will of Wiley Harrison

I Wiley Harrison make this my last will
and Testament revoking all other, if any heretofore
made. I give and bequeath to my wife
Caroline L. Harrison all my estate real and
personal and mixed of every kind and sum of
money whatever absolute property and estate
March 7 1893

Wiley Harrison

Witness

P.B. Isbell

John S. Moore

This day a paper writing purporting to be
the last will and testament of Wiley Harrison
dead, was produced in open court and proven
by the oath of John S. Moore one of the subscribing
witnesses and he also proved the signature
of P.B. Isbell the other subscribing witness who
is now dead. it is ordered that said paper
writing be admitted to probate and record
and as for the last will and testament
of Wiley Harrison

J.M. Emerson

Chairman

State of Tennessee
Coffee County

I S. S. Thomas now being of feeble health and desiring to dispose of my estate, do declare the following as my will as to the disposition of my estate at my death.

First- I wish all my just debts to be settled, at the earliest convenient date after my death out of any money that may be on hand, and in case there is not sufficient money on hand, then I wish them paid out of the proceeds of the sale of my personal property. So as to give my wife the least possible inconvenience.

Second, I wish my wife to have, during her life any money and personal property that may remain after my debts are paid, and all my real estate.

Third At the death of my wife I desire that our little child we are raising, William Anderson Thomas, shall have any of the personal money that I have given to my wife, that may then remain on hand, and also the real estate herein bequeathed to my wife, namely a tract of land lying in the 11th Civil district of Coffee County Tennessee, containing by estimation fifty one acres, and bounded on the east by J. M. Womack and A. J. Thomas, on the west by J. B. Dickens and Alexander Hawks, on the north by Womack's and south by A. J. Thomas.

This gift to the said child is conditional and shall not be binding and valid unless he shall be kind, dutiful and attentive to my wife and remain with her and look after her affairs until he is twenty five years old; and unless when he is twenty five years old, he is sober moral and industrious and worthy of the gift, his disqualification to be determined

by three worthy men to be chosen by the Chancellor of the division in which the land may then be or by the judge or Chairman of the County Court of this county. If by the prescribed method he shall, at the age of twenty five years be found to be worthy of the gift, then the title to the said shall vest in him absolutely; but it shall not be subject to any incumbrance by him before he becomes the absolute owner in the manner prescribed, except, in case of my wife's death he may have the benefits of the rents; nor shall my ^{wife's} incumbrances except by lease or rent contracts.

Fourth- In case the said child, my said grandchild shall be found unworthy of the gift, then I wish the said property, both personal and real sold to the highest bidder, on six years time, except the present cash, well secured note bearing interest to be taken for the unpaid purchase money, when the proceeds are collected, I wish it all except that necessary to pay expenses of sale to be given to the Christian Church nearest the land; the same however not to be made during my wife's life.

Fifth- I hereby nominate and appoint my dear wife, Louisa Thomas, to execute this will, and having the utmost confidence in her, I excuse her from executing bonds; and, in case any part of this will has not been executed at her death, she is authorized to appoint her successor to further execute this will. I hereby revoke all former wills.

S. S. Thomas

The foregoing will was signed and acknowledged in our presence this day July 10, 1902, and we witnessed the same by his request and signed it as witnesses in his presence some day above set out.

Witnesses
B. P. Basham
Jay Lusk

See page 567 min. Book 16 for probate

State of Tennessee

Know all men by these presents, that this day the foregoing paper written purporting to be the last will and testament of E. D. Hammond was produced in open Court and proved by the oaths of B. B. Boshaw and J. J. Boshaw, the two Subscribed witnesses thereto, which is ordered to be never do go, & this, Aug. 4th 1902. J. W. Emerson, Clerk

I, Elizabeth D. Martin, resident of Tullahoma, Tennessee, widow of Mat Martin deceased, being of sound mind & memory, do make publish and declare this to be my last will & testament. I give bequeath and devise to my kind and devoted friends James Ogles and Ann Ogles his wife residents of Tullahoma Tenn. all of my estate, real personal and mixed, however owned claimed or held by me, by the will of my late husband, Mat Martin, or by purchase, contract in fee simple or in equity which is now in, or situated, or located in the State of Tennessee or Arkansas or the U.S. of America especially my interest in certain manganese mines more land situated in State of Arkansas and especially my interest in certain lands situated in Coffee County Tennessee.

2 The residue of my estate and which consists of interest or claim in lands in Texas I bequeath and devise to my lawfully heirs.

I make and constitute James Ogles to be the executor of this my last will & testament and he is hereby excused from making any & all bonds, that are or may be required by laws of any State, In Witness whereof I have subscribed my name & declared this to be my last will & testament this 14th day of Aug. 1902.

Elizabeth D. Martin

The above written instrument was subscribed by said Elizabeth D. Martin, in our presence, and acknowledge by her, to each of us and she at the same time published and declared the above instrument so subscribed by her to be her last will & testament, and we at the testator's request, and in her presence have signed our names as witnesses hereto and written opposite our names our respective places of residence. This the fourteenth (14th) day of August 1902,

James B. Aydelott Tullahoma
R. E. Audleston

I, W. E. Hager, knowing the uncertainty of life & the certainty of death & being of sound mind & memory, hereby revoking & declaring void all former wills by me made do hereby make & declare this to be my last will & testament, I will to my beloved wife E. J. Hager the tract of land on which I now live, being in the 14th Civil District of Coffee County Tenn & containing one hundred acres more or less, with 15 acres cleared land cut off of it, to my 80 acre tract by a line running from the N. W. corner of said home place with the same bearing of the line between me & O. E. Price (said line being my N. B. & O. E. Price's S. B. line) to the W. B. line of the School's heirs land to have & to hold for her sole use & benefit during her natural life, or widowhood & at her death or marriage said tract of land is to go to her two children, M. A. & Fannie E. Hager, jointly & equally & is not to be liable for any debts that they now owe, or may owe, but I desire that it go to their heirs at their death, & in case of the death of either of them without heirs, I will that their interest be equally divided among all my heirs. I will that my grandson, the heir of my son W. E. Hager be paid the sum of one dollar, as all the interest I desire him ever to have in my estate,

I will that the tract of land north of the home place containing with the fifteen acres off of the home place, 95⁺ acres more or less, to my two daughters J. V. Tucker & Susan J. Hager, equally, & at their death to their heirs, said land is not to be liable for any debts they now owe or may hereafter owe but I desire that it go to their bodily heirs, & if they or either of them die without heirs, I will that their interest go to my heirs, equally.

I will to my son Geo W. Hager the five acre tract of land in the 13th Civil Dist of Coffee County Tenn which was deeded to me by Geo W. Allen & Eliza Allen, for him to possess & dispose of as he may desire,

After my debts & burial expenses are all paid, I will all the personal property that I may die

possessed of to my two daughters J. V. Tucker & Susan J. Hager equally, or to be divided between them as they may desire.

I hereby appoint my son Geo W. Hager, with my friend Wm M. Anderson, as executors of this my last will & testament without bond, for testimony whereof I hereunto set my hand, this 1st day of Dec, 1901

Witnesses

Wm M. Anderson

P. K. Carson

W. E. Hager
m.h.

For private See Will Book 16 page 370

I Virginia Whitworth make this my last will and testament hereby revoking and making void all others wills heretofore at any time made by me.

It is my wish and desire, and I so will that, at my death, all my property of every description whatever, real, personal and mixed go to and be the property of my sister, Carolina Nickerson, wife of Wiley Nickerson, absolutely as her own property and estate.

I appoint my sister Carolina Nickerson my executor, and she will fill that place without giving bond and security.

February 26, 1896

Virginia Whitworth

Witnesses

P. C. Osbell

N. P. Wilkinson

J. D. Simmons

For Probate see page 395 Vol. Mum Book 10

I, R. P. Hough, being of sound mind and disposing memory, do make and publish this my last will and testament, hereby revoking all former wills by me at any time made.

First. I direct that all my just debts, including funeral expenses, be paid out of any money that may come into the hands of my executrix.

Second. I direct that that my entire estate be kept together as one fund, for the use and benefit of my family until my youngest child living shall reach the age of twenty one years, with the exception of such house-hold and kitchen furniture as my wife Jennie Hough may desire to keep for the use of herself and two children. I direct that all my property, both real and personal be sold, and here give my executrix full power to execute deeds of conveyance for the same without the intervention of a court, but it is not my desire that my one-third interest in the "medicine company,"

known as "J. E. Hough & Sons" and my one-half interest in the "Barn Lot" in Manchester Tenn, fronting on Main St and running to McLain St. the property of Thos Clark being on the east and property of E. S. Hough bounding it on the west, be immediately sold. It is my wish that these interests be retained as a part of my estate so long as the dividends arising therefrom shall make them profitable, or so long as my wife Jennie Hough may desire to retain said interests. The time when said interests shall be sold, I leave entirely to the judgment and discretion of my wife Jennie Hough. So fast as my estate is reduced to cash, it shall be invested in solvent stocks and bonds, or loaned on good security as may appear best in the discretion of my executrix.

Third. The income from my entire estate shall be paid as fast as received, to my wife Jennie Hough for the use of herself and two children Elizabeth Hough and William Hough, and in the event of the death of the mother before the termination of this trust, the income therefrom shall be held for the sole benefit of my two children or the survivors of

them

In the event the income so derived from my estate, should be insufficient to meet the demands of a proper support for my wife and two children, she Jennie Hough, shall have the right to reduce said estate from time to time by such amounts as will be necessary to make up the deficit, and my trustee will pay to her on demand, said amounts out of the corpus of the estate. This right, I give to my beloved wife without restriction for I have the utmost confidence in her economy and discretion.

Fourth. When my youngest living child shall reach twenty one years of age, this trust shall terminate, and I direct that my estate or such as shall then remain, be divided equally among the said Jennie Hough, Elizabeth Hough, and Helen Hough, should they all be living, but if not, then equally between the survivors, for their sole and separate use and free from the debts and contract of any husband or husbands that either of them may have. It being my intention to entirely exclude the marital rights of any husband that such of them may have.

Fifth. I hereby nominate and appoint my beloved wife, Jennie Hough, sole executrix and trustee of this my last will and testament. I have perfect confidence in her sense of justice and right and believe that she will carry out my wishes in the management of my affairs and will properly apply all funds that may come into her hands, and she is excused from making any bond.

Sixth. In the event of her death or inability to act as my executrix and trustee, she Jennie Hough, is here given the power and it is my will and wish that she nominate and appoint any one of her choice as my executrix and trustee to this my last will and testament. In witness whereof, I have set my hand this the 15th day of Oct. 1901

R. P. Hough

Signed by the said R. P. Hough, as and for his last will and testament, in the presence of us the under signed, who, at his request, and in his right and presence, have subscribed our names hereto as attesting witnesses, the day and date above written

Jos. A. Stafford
J. E. Hillis

For probate see minutes Book 16 page 421 & 2,

State of Tennessee Coffee County, December 30th 1903
 know all men by these presents that I
 H. L. Smith of the County & State aforesaid do
 here by make & constitute my wife Delilah
 the sole executor of the following last will
 & testament of mine & first I will to
 her all the property of which I may be
 legally possessed at the date of my death
 with full power to sell at any time after
 said date any or all of the said property
 either publicly or privately & make good
 & sufficient title to the same & also she
 shall have power to contract with some
 person for her future support & attention
 to her person with power to use any
 of said property or the proceeds of the
 same in payment for said care & att
 ention to her person & if there should
 be any of said property or proceeds
 of the same left after the death & decent
 burial of my wife with epitaph &c then
 the same to be legally divided between
 our legal heirs
 H. L. Smith Sr
 Witnesses below
 J. W. Daniel
 John W. Brown

The foregoing paper writing was for
 read in open court and proven
 to be the last will and testament of
 H. L. Smith Sr died by the testimony of
 J. W. Daniel & John W. Brown and was
 ordered to probate and record which
 is accordingly done this Jan'y 10. 1904
 At Chambers Court
 for probate in min Book 16 page

I, Joanna Briley, while sound in
 mind and memory, and knowing the
 certainty of death, and the uncertainty
 of life, and being desirous of making
 some disposition of my earthly effects
 in a manner just to my children and
 grand children, and in a manner satis-
 factory to myself, as well, hereby make
 and publish this as my last will or
 testament concerning the same, hereby
 revoking any and all wills by me at
 any time heretofore made, viz:

I direct first of all after my death
 that my funeral and burial expenses
 made without display or extravagance,
 and all my just debts be paid out of my
 money I may have on hand at my death,
 or that may first come to the hands of my
 executor

I direct that as early as practicable
 after my death, my executor shall sell
 either publicly or privately, and on such
 terms as he may deem most advantageous
 to the beneficiaries in this will all the
 property real and personal I may have
 at my death, and he is hereby authorized
 and empowered to make a deed to the pur-
 chaser of the ready

I have advanced to my son Johnathan
 W. Briley two hundred twenty five dollars,
 which he is to account for in the distri-
 bution of my estate, and I desire to give
 him nothing less his other brothers have
 been made equal with him, having ad-
 vanced them nothing

I give to my grand daughters Mrs
 Lee Parker, and Mrs Fanny Ryan daugh-
 ters of my oldest son Calvin Briley decessed
 each one half of two hundred and twenty
 five dollars, they taking the one fourth

or share their father would have taken if living.

V

To my Son William Thomas Brisey I give also Two hundred twenty five dollars (\$225.00)

VI

To my son John O Brisey I give Three hundred and twenty five dollars (\$325.00) which is one hundred dollars in excess of my other sons or their children. This disposition in favor of my son John O. may not be understood by my other sons, but I trust they will be quite content for me to say it is done for reasons though not apparent perhaps to them, is satisfactory to me.

VII

And finally should anything remain after making the above distribution, I desire it distributed as follows: One fourth (1/4) to the said daughters of Calvin Brisey deceased, in equal amounts, one fourth to William Thomas Brisey; one fourth to Johnathan W. Brisey; and one fourth to John O. Brisey.

I nominate and appoint Dr David Bryan my executor who will be prompt in the discharge of his duty in carrying into effect the provisions herein, and receive reasonable compensation for his services.

The above and foregoing was subscribed by the testatrix in our presence, and we in her presence and in the presence of each other at her request have here to subscribed our names as witnesses to the same. This 10th day of April 1901.

B. S. Stroud

J. H. Smith

Joanna Brisey

I James B. Aydelott of Tullahoma Tennessee do make this my last will, hereby revoking all others.

1.

I bequeath and devise to my wife Sarah B. Aydelott, Lots Nos 6-7-8 Section 27 town 16N of Tullahoma, (our homestead), together with all the household and kitchen furniture, wares, books, bric a brac and each and every article of household effects, except articles herein after mentioned, including live stock and vehicles on said premises.

2.

To James B. Aydelott Jr. my son library, his however my Executor & Trustee may see and invest proceeds for his benefit, if she deems best, (library may decrease in value before his majority)

3.

To my daughter Jesse Mae Aydelott I confirm the piano, music, music rack & stool, her portraits, Joe Withersby portrait, her books, her bric a brac etc. And I give her as a special bequest Five hundred (\$500) dollars and direct my Executor to pay same to her in person at earliest satisfactory time after my death, whether she be of age or not, the same being intended for her own use as she may deem best.

4.

To my son David Aydelott his portrait and

5.

To my son George C. Aydelott his portrait and

6.

My Executor and Trustee is requested (not mandated) to give or pay out of my estate Two hundred & fifty (250) dollars to the benefit of T. Barnabas Parish of Tullahoma, in the way she deems best, may be paid out in installments running say three or four years.

7.

The remainder of my personal estate shall be shared share & share alike between my wife and our children, my wife taking a child's part.

My son James B. Aydelott Jr.

8

The remainder of my real estate is hereby devised share and share alike to my wife and children, my wife taking a child's part. In the event of one or more of my children dying with issue before my death, then the child or children of such parent shall take the parent's share.

9

The bequest and devise to my wife are to her own separate use, free from the control or marital rights of any future husband. She may enjoy, use, charge, sell, convey, bequeath & devise, the same, or any part of the same, real or personal in as free and ample a manner as if she were a feme sole.

10

The gifts, bequests and devises to my daughter Jesse Mai Aydelott, are to her own separate use, free from the control or marital rights of her husband (if she be married) or of any future husband, she may enjoy, use, charge, sell, convey, bequeath and devise same, or any part of same real or personal in as free and ample a manner as if she were a feme sole.

11.

I hereby nominate, name and appoint my wife Sarah P. Aydelott, Executor and Trustee of my last will, and as Guardian and Trustee of and for my minor children and of any other minor beneficiaries, if such there be at my death.

12.

The said Executor and Trustee is authorized to collect debts, sell personal property for the purpose of paying liabilities, and for the purpose of distribution, in part or in whole. She is authorized to distribute the personal property in kind or in any fair way among the legatees.

13.

The said Executor & Trustee Sarah P. Aydelott is authorized with and by the written consent of my living children of age, to sell any

estate and make deeds for the purpose of paying liabilities of the estate, —

For purpose of reinvestment,

For purpose of distribution and settlement of the estate. For the purpose of dividing the property in an equitable and just way among all the beneficiaries — (That is the Executor, with written consent of the living children of age may make a division of the real estate among the beneficiaries, and make deeds.) —

14

Sales may be made public or private. (I do not like the idea of a general public sale of real estate & family effects, that attract attention of the curious)

15

I especially excuse my named Executor and Trustee and Guardian for minors, Sarah P. Aydelott from giving bond in any and all capacities, she being more interested in the estate & welfare of our children than any one.)

16

In the event Sarah P. Aydelott fails or declines to assume these duties, then I appoint my sons George C. & Dook Aydelott as Executors without bond and with all powers vested as Executors & Trustees herein named Sarah P. Aydelott.

In case of death failure or declination of either one of my said sons to act, then the other may qualify as such Executor and is excused from making bond.

This the 25th day of January 1899
James B. Aydelott

Filed Aug. 3, 1903

D. A. Minum clerk

For probate see Minute Books No. 16 pages 501 & 8 August Term 1903.

I Mrs Mary Chockley of Coffee County
Tennessee.

Do make and publish this my
last will and testament, here by revok-
ing all former wills by me at any time
made;

First I direct that all my debts including
funeral expenses be paid by my executor

Second; I give, devise and bequeath
to Mrs J M Chutcher, all property that I
may own at my death, including house
hold goods, money & furniture &c

Thirdly, I hereby nominate and appoint
Mrs M A Jones as my executrix and she
will be allowed to execute this trust
without bonds, and I here by direct her
after paying my debts & funeral expenses
to turn over all my effects, money, bed
clothing, furniture &c to the said Mrs
J M Chutcher.

In witness I have hereunto set my
hand this 24 day of May 1904.

Witness Mrs Mary Chockley

W. G. Wilson

J M Jones,

(For probate see page 14 minute Book
17.)

Filed June 6th 1904

C A Simms, Clerk

In the Probate Court of Union County Ohio,
June 6th 1904.

In the Matter of the will of ^{James} Journal Entry No 6104
J J Kilbury Deceased Will Probated

Be it remembered, That heretofore, to wit: On the
31st day of May A.D. 1904, by instrument
of writing, purporting to be the last will and
testament of J J Kilbury late of Jerome township
in this County, deceased, was produced in open
Court and offered for probate, and was then
filed. And it now being shown to the satisfaction
of the Court that due notice of the filing of
said will and of the application to admit
the same to Probate and Record in this Court,
has been given to the next of kin of the
testator, resident of the State of Ohio, pursu-
ant to a former order of this Court; on this
day came J W Harris and Howard C Black,
the subscribing witnesses to said will, who
being duly sworn testified to the due execution
and attestation of said will, which testimony
was reduced to writing, by them respectively
subscribed, and filed with said will, where-
upon the Court finds that the aforesaid instrument
of writing is the last will and testament of said
J J Kilbury, deceased; that the same was duly ex-
ecuted and attested; and that the said J J
Kilbury deceased, that the same was duly
executed and attested; and that the said
testator, at the time of making, signing and
sealing the same was of full age, of sound
mind and memory and not under any
restraint; and thereupon this day came
Howard C Black and Clark Richard, the sub-
scribing witnesses to the Codicil to said will,
who being sworn testified to the due execution
and attestation of said Codicil to said will, which
testimony was reduced to writing, by them
respectively subscribed, and filed with said
Codicil to said will, whereupon the Court finds
that the aforesaid instrument of writing is
the last will and testament of said

J. J. Kilbury, deceased; that the same was duly executed and attested; and that the said Testator, at the time of making, signing and sealing the same was of full age, of sound mind and memory, and not under restraint.

It is therefore, by the Court ordered, that the said will be admitted to Probate, that a Complete Record be made of all the proceedings herein, and that the Costs herein taxed & be paid by the executors named in said will within ten days, and that an execution is awarded therefor.

Attest John M. Brydick,
Probate Judge.

The last Will and Testament of

J. J. Kilbury of Jerome Township, Union County, Ohio.
In the Name of the Everlasting Father of All.
I, the said J. J. Kilbury, being of sound and disposing mind and memory, considering the uncertainty & continuance in life and desiring to make such disposition of my worldly estate as I deem best, do make, publish and declare this to be my last will and testament, hereby revoking and annulling any and all former will or wills whatsoever by me made.

First I desire all my just debts and funeral expenses to be paid as soon as may be practicable after my decease.

Second I give and bequeath to my daughter Amanda Power, the land which came to me from my father's estate, consisting of about 61 acres situate in Canaan Township, Madison County, Ohio; but I direct that she pay to my grand children, the children of my deceased son Oliver, May, Anna and Arthur, or their legal heirs, the total amount of fifteen hundred (\$1500.00) dollars, share and share alike, one-third to each; and I direct that she may have three years after said land is delivered to her to pay said amount or

may pay said amount any time before that, but she is to pay not less than three hundred (\$300.00) dollars per year and is to pay interest at the rate of six per cent. per annum upon any amount unpaid at the time of the delivery of said land to her and the proportion of one-third is to be maintained in all payments.

Third I give and bequeath to my son Emilinus M. Kilbury, the undivided one-fifth of my home-farm situate in Jerome Township, Union County, Ohio, said farm entire consisting of about 15 1/2 acres.

Fourth I give and bequeath to my daughter Emma S. Reed, the undivided one-fifth of my said home-farm, also the sum of six hundred (\$600.00) dollars in cash, in a manner equalize her with my other children.

Fifth I give and bequeath to my son Emilinus M. Kilbury, in trust for the children of my son Ulysses Grant Kilbury, the undivided one-fifth of my said farm to be managed by said Emilinus M. Kilbury in any manner he sees fit. And I further empower the said Emilinus M. Kilbury to sell said interest and deed or deeds to make and deliver to me, purchaser or purchasers, the proceeds arising from said sale to hold or reinvest for the sole and exclusive use and benefit of the said children of the said Ulysses Grant Kilbury. And at any time that the said Emilinus M. Kilbury may deem it wise and expedient he may deliver the management of this said interest to said Ulysses Grant Kilbury. However I direct that out of this share twelve hundred (\$1200.00) dollars be paid to my children Emilinus M. Kilbury, Emma S. Reed, Clark R. Kilbury and Thomas Everett Kilbury, three hundred dollars to each. I further direct that my said son Emilinus M. Kilbury be not required to give bond for the execution of this said trust.

Sixth I give and bequeath to my son Clark R. Kilbury, the undivided one-fifth

of my said home farm.

Seventh. I give and bequeath to my son Thomas Everett Kilbury, the undivided one-fifth of my said home farm.

Eighth. In case my Chattel property be not sufficient to pay all my debts, charges and bequests, I direct that there be no delivery of my real estate but direct that my executor, herein after named hold all of said real estate together except that in Tennessee, directions concerning which are herein after given. And I direct in said case, that my executor, shall rent my said real estate or empower them to encumber same by mortgage or otherwise until said debts, charges and bequests are fully paid. And when said debts, charges and bequests are fully paid I direct the delivery of said real estate as here in before bequeathed, first to Amanda; and then to Emilius M., Emma S., Emilius in trust for the children of Ulysses B., Clark and Thomas Everett.

When my said home farm is delivered to said Emilius M., Emma S., Emilius M. in trust for the children of Ulysses B., Clark and Thomas Everett I direct that same be not sold for a period of five years, unless all of said interests agree to the sale, which I direct there shall be for not less than twenty dollars per acre. And in case any one or interest attempt to have said farm sold or divided by partition or other method through the Courts, I direct that the entire costs of said proceeding come out of such one's share; And as long as said real estate is unsold after said debts, charges and bequests are paid I direct that my executor, rent it, paying taxes and other expenses, then divide the balance equally among the five interests. And the Tennessee land I empower my said executor to sell and deed or deeds to make and deliver to purchaser or purchasers or to otherwise

handle and dispose of as to them may seem best and use the funds arising therefrom in paying debts, charges and bequests, and in case there be any left to go into the general fund of my estate, and be treated as personal property. And any residue remaining if any remain, I direct shall be divided into seven equal shares, one of which shall go to my daughter Amanda Janss, one to my son Emilius M. Kilbury; one to Emma S. Reed; one to Emilius M. Kilbury in trust for the children of Ulysses Grant Kilbury; one to Clark R. Kilbury; one to Thomas Everett Kilbury; and one to May, Anna and Arthur, the children of my deceased son Elmer, one-third to each.

The reason that I desire this order to be followed in the distribution of said residue is that I feel that I have pretty well equalized my children in this will; and I direct that all or any charges against my children or grand children, or notes against them at the date of making this will be discharged as all have been considered in reaching my conclusion.

Ninth. I Nominate and appoint my sons Emilius M. Kilbury and Thomas Everett Kilbury to be my executors of this my last will and testament and direct that they be not required to give bond for the execution of said trust.

In Witness Whereof I have hereunto set my hand this 8th day of July A.D. 1903.

J. B. Kilbury.

Signed, sealed and acknowledged by J. B. Kilbury as his last will and testament, in our presence and subscribed and attested by us as witnesses in his presence and at his request and in the presence of each other.

J. W. Harris Plain City Ohio
Howard P. Black Plain City Ohio

Codicil

to the last Will and Testament of J. T. Kilbury
I, the said J. T. Kilbury of Jerome Township,
Union County Ohio desiring to make a
change in my Will arising from the death
of my daughter Emma S. Read, do make,
publish and declare, this to be a Codicil
to my said last Will and Testament,
hereby ratifying my said last Will
and Testament in every respect. Save
in so far as the same is changed by
this Codicil.

Since the making of my said last Will
and Testament, my daughter Emma S. Read
has died and left surviving her, her
daughter, Dorthula.

I Will and bequeath to the said Dorthula
Read my grand daughter the daughter of
my daughter Emma S. Read, now deceased
the same property that in my said last
Will and Testament was willed and
bequeathed to her mother, the said Emma
S. Read but direct that same be held in
trust for her by my son Emilius M.
Kilbury until she arrives at the age
of twenty five (25) years, And I hereby
empower the said Emilius M. Kilbury as
said trustee to execute and deliver and on
demand for the real estate if he deem it best
to sell the same and to invest and reinvest
the fund arising under my Will and
this Codicil in securities looking rather
to the safety of the investment than the
rate of interest or dividend, And I desire
that the fund, principal and income, shall
be kept intact until the said Dorthula
shall arrive at the said age of twenty five
(25) years, I further direct that my said
son Emilius M. Kilbury as said trustee
file reports in the Probate Court and
he be not required to give bond for the
discharge of said trust.

In case of the death of my said grand

daughter Dorthula Read before she arrives at
the age of twenty five (25) years in case she
leaves heirs of her body surviving her, I direct
that this fund shall go to said heirs or heirs;
but in case she die without leaving heirs
of her body surviving her, I direct that the
said fund shall be divided according
to law among my heirs.

In Witness Whereof I have hereunto set
my hand this 24th day of May 1904

J. T. Kilbury

Signed, sealed and acknowledged by the
said J. T. Kilbury as and for a Codicil to his
last Will and Testament, in our presence, who
at his request sign as witnesses in his
presence and in the presence of each other,

Howard C. Black, Plain City Ohio

Clark Richard Ham City Ohio

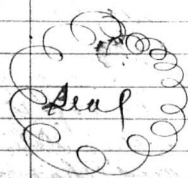
Authentication Under Act of Congress.

State of Ohio 3
County of Union 3 ss. I John M. Brodrick, Judge
and Ex Officio Clerk of the Probate Court,
in and for the said County of Union do hereby
certify that I have compared the foregoing copy
of the records of the last Will and Testament
of J. T. Kilbury, deceased, of Jerome Township,
State of the County of Union, aforesaid, deceased,
with the original thereof, which now remain
ing in this office, and in my custody, and
have found the same to be a manuscript
therefrom, and of the whole of such original
records, and I further certify that
said exemplification would be received in evi-
dence in all the Courts of the State of Ohio.

In Testimony Whereof, I have hereunto set
my hand and affixed the Seal of the
said Probate Court at Marysville,
Ohio, this 22nd day of July A.D. 1904

John M. Brodrick

Judge & Ex Officio Clerk of the Probate Court



State of Ohio ss.
County of Union, 3

I John M. Bodricks, Sole Judge of the Probate Court of said County, do hereby Certify that John M. Bodricks, whose genuine Signature is affixed to the foregoing Certificate, is under the laws of Ohio by virtue of his office as Sole Judge of said Court, also the Clerk of said Court, and was such Clerk at the time of making and subscribing the same; ~~that~~ his attestation aforesaid is in due form of law, and by the proper officer, and that the seal thereto affixed is the seal of said Probate Court, and I further Certify that said last will and testament has been admitted to probate in said Court in due form, and duly recorded.

Witness my hand and seal this Twenty Second day of July A.D. 1904

John M. Bodricks

Sole Judge of the Probate Court of Union County, Ohio

In the matter of the will of J. S. Kellogg, dec'd. of Foreign Will Union County Ohio.

This Cause came on to be heard, upon this 24th day of November, 1904, upon the Certified Copy of the Probate, Will, Codicil and Certificate thereto attached, which was forwarded to the Clerk by mail by the executor, therein named, said Certified Copy having been this day examined by the Court and from said Certified Copy, the Court is satisfied that said will and Codicil was duly authenticated according to Act of Congress by a Court having jurisdiction thereof and that there is real estate in this State and County devised by said will, and that the same was proven before presentation according to the laws of this State.

Therefore the said will and Codicil together with the probate and Certificate attached are admitted to record, and the Clerk is ordered to file and record the same, under Sec 3913 Code of Tennessee

I Jennett Butterfield - widow of the late Henry Butterfield and resident of Coffee County, Tennessee, make this my last will. That is to say after all my just debts are paid - I give devise and bequeath my estate and property Real and personal as follows.

That is to say

1st To the heirs of Thomas Parker deceased (son of Jane Parker and formerly a printer and reporter and resident in South point Lancashire Co. England all my right title interest or estate in & to the lands & their appurtenances known as the Butterfield farm on the North side of the Lynchburg & Tullahoma dirt road near Tullahoma, Coffee Co. Tenn. and to the rear half of Lots Nos 10 and 11 Section 12 town plan of Tullahoma Tenn. This being in accord with last will of my late beloved husband Henry Butterfield -

2nd To Allan Parker of Tullahoma Tenn. who has resided with me for many years and been to me a dutiful son, the lands and appurtenances lying in the south side of the Lynchburg & Tullahoma dirt road being about 2 acres & on which is the large square double tenement house & Negro Cottage in all about 2 acres - & near the town of Tullahoma, Coffee County Tennessee and all my books, pictures and furniture.

3rd To my brother Wm Leary of Manchester England, Eleven Hundred dollars.

4th To my sister Anna Margaret Singleton of Manchester England, Eleven Hundred dollars.

5th To Kate Bygones (who formerly lived with me but now resident of Atlanta, Ga.) One Hundred & fifty dollars.

6th To Louisa V. Sharts of Wheeling West Va. One Hundred and fifty dollars.

7th To the Convention of the Diocese of Tennessee to be held in trust for the use & benefit of St Barnabas Parish in said diocese at

Tullahoma Tenn. One Hundred Dollars.

If there should not be so much as 2600⁰⁰ Twenty six Hundred dollars to be shared by the five last named legates, then it is my desire that each of the five legates shall be reduced ratably in their respective bequest so that neither or none of the 5 shares be cut entirely out - but each shall share in proportion as their respective amounts bears to the whole sum - in other words each shall bear the same percentage of reduction.

Lastly to said Allan Parker all the remainder of my estate real personal or mixed - and I make constitute and appoint the said Allan Parker to be the executor of this, my last will revoking all others.

In witness whereof I have this the 24th day of May 1884 at Tullahoma Coffee County Tennessee. Signed Sealed and published & declared this instrument as my last will & testament

Jennett Butterfield (Seal)

The above written instrument was subscribed & by said Jennett Butterfield in our presence and acknowledged by her to each of us and she at same time published & declared the above instrument as subscribed to be her last will, and we at the testators request and in her presence have signed our names as witnesses hereto and written opposite our names our respective place of residence

This the 24th day of May 1884

James H. Aydelott
J. N. Norton
A. J. Smith

For probate see page 117. Minute Book 17.

It is my desire that the legacies 3-4-5-6-7 be paid as soon as possible and wish in some year and if Allan Parker is my executor & fails to pay the legacies within one year then he must do so himself or

Tullahoma
Tennessee

Will of Mrs C. H. Kincannon.

I C. H. Kincannon of the County of Coffee and State of Tennessee, being of sound mind and disposing memory do hereby make and publish this my last Will and Testament in manner and form following; ^{1st}

I direct that all my just debts be first paid out of any property I may have at my decease.

2nd.

I give and bequeath unto my dear and beloved children, Cyrena Summers and Ward Kincannon, the following tract of land in the manner hereinafter expressed. Said Tract of land is bounded and described as follows: Lying in the 2nd Civil District of Bedford County, Tennessee and is bounded on the North by the lands of Sam Davis and wife, on the South South by Phillips, on the East by Osborn, and on the West by Howard and Singleton, and containing 315 Acres more or less, it being the tract of land conveyed to me by deed of B. W. Couch and wife, and of record in the Register's Office of Bedford County, Tenn., in Book No. 3, page 264. The afore said tract of land I give to my said daughter, Cyrena Summers to be hers absolutely and in fee simple except that the same is and will be charged and encumbered with a devise or bequest of Three Thousand three hundred and thirty three and one third (\$3333 1/3) Dollars, being what I consider one-third of the value of said land. Which I hereby create and direct shall become a fund and treated as such in lieu of one-third interest in kind in the said land. ~~It is intended~~ ^{It is intended} my said Ward Kincannon shall enjoy in the manner herein set forth, that is to say owing to my said son's infirmities and inability

to Control and manage a one-third interest in kind in said land, or to provide for himself a support, the foregoing devise or bequest of Three Thousand three hundred and thirty three and one third dollars is made; and in order to execute and carry out its purposes, I hereby give and bequeath said sum of \$3333 1/3 in trust to my said daughter Cyrena Summers for the sole use and benefit of my said son, Ward Kincannon during his life, and direct that she act as such Trustee, without bond, and further direct that she or her successors in trust set apart from time to time and appropriate to the support and maintenance of my said son Ward Kincannon, the interest on said fund, only which shall become due and payable Annually from my decease at the rate of Six per Cent per Annum, which when so applied shall be in lieu of all other rents and profits and incomes derived from said lands Annually, and to which my said son would otherwise be entitled, which interest accruing at the rate of 6 per cent as afore said, shall become a part of the principal fund until discharged, and likewise together with the principal, shall be a charge upon the whole of said tract of land until the same is discharged by its application as herein directed. or enough to effect the object for which this provision is made as herein set forth, and in the event there should be an excess at any time, when interest has accrued and is payable, or more than is necessary for the support and maintenance of my said son, I direct that the same be likewise held in trust by his Trustee to be applied and appropriated in such manner as may be deemed best by the Trustee to secure the welfare and comfort

Will of Mrs C. H. Kincannon.

I C. H. Kincannon of the County of Coffee and State of Tennessee, being of sound mind and disposing memory do hereby make and publish this my last Will and Testament in manner and form following; ^{1st}

I direct that all my just debts be first paid out of any property I may have at my decease.

2nd.

I give and bequeath unto my dear and beloved children, Cyrena Summers and Ward Kincannon, the following tract of land in the manner hereinafter expressed. Said Tract of land is bounded and described as follows: Lying in the 2nd Civil District of Bedford County, Tennessee and is bounded on the North by the lands of Sam Davis and wife, on the South South by Phillips, on the East by Osborn, and on the West by Howard and Singleton, and containing 315 Acre more or less, it being the tract of land conveyed to me by deed of B. W. Couch and wife, and of Record in the Register's Office of Bedford County, Tenn., in Book No. 3, page 264. The afore said tract of land I give to my said daughter, Cyrena Summers to be hers absolutely and in fee simple except that the same is and will be charged and encumbered with a devise or bequest of Three Thousand three hundred and thirty three and one third (\$3333 1/3) Dollars, being what I consider one-third of the value of said land. Which I hereby create and direct shall become a fund and treated as such in lieu of one-third interest in kind in the said land. ~~It is intended~~ ^{It is intended} my said Ward Kincannon shall enjoy in the manner herein set forth, that is to say owing to my said son's infirmities and inability

to Control and manage a one-third interest in kind in said land, or to provide for himself a support, the foregoing devise or bequest of Three Thousand three hundred and thirty three and one third dollars is made; and in order to execute and carry out its purposes, I hereby give and bequeath said sum of \$3333 1/3 in trust to my said daughter Cyrena Summers for the sole use and benefit of my said son, Ward Kincannon during his life, and direct that she act as such Trustee, without bond, and further direct that she or her successors in trust set apart from time to time and appropriate to the support and maintenance of my said son Ward Kincannon, the interest on said fund, only which shall become due and payable Annually from my decease at the rate of Six per Cent per Annum, which when so applied shall be in lieu of all other rents and profits and incomes derived from said lands Annually, and to which my said son would otherwise be entitled, which interest accruing at the rate of 6 per cent as afore said, shall become a part of the principal fund until discharged, and likewise together with the principal, shall be a charge upon the whole of said tract of land until the same is discharged by its application as herein directed. or enough to effect the object for which this provision is made as herein set forth, and in the event there should be an excess at any time, when interest has accrued and is payable, or more than is necessary for the support and maintenance of my said son, I direct that the same be likewise held in trust by his Trustee to be applied and appropriated in such manner as may be deemed best by the Trustee to secure the welfare and comfort

of my said son, looking in all events to the habits, condition and present and past manner of life of my said son, should there yet remain an excess, the same shall be invested in other property or held in trust without interest for the use and benefit and enjoyment of said Ward Kincannon, and upon his death, should he die without issue, the fund herein created out of and based on, one third interest in said tract of land, on the value thereof, and with which fund said tract is hereby charged, and encumbered, shall be discharged, extinguished and removed and no longer exist, and the land together with the profits, interest and proceeds arising therefrom or the fund herein created as afore said shall become the sole and absolute property of said Cyrena Summers in fee simple, and unincumbered with said fund, which land may be disposed of in any manner she may deem proper, either by deed, gift, devise or otherwise, she may also in the event of her decease before that of my said son appoint her successor as trustee afore said to carry out the provisions of this bequest to my said son, who may be her executor of her last will and testament or other person, in the event my said daughter should not survive my said son, and she should die intestate or fail to accept or execute this trust then it is my desire that the Court having jurisdiction of such matters, appoint some suitable person to carry out the purposes of this trust in the event of no appointment by my daughter, Nothing herein contained shall be construed so as to prevent an alienation of said tract of land upon proper

application by the said Cyrena Summers, or her successors in trust, to a Court of competent jurisdiction, for that purpose, taking care to preserve and protect the interest of said Ward Kincannon, so as not to diminish the amount of said fund, or the income arising annually on account of interest accruing thereon, said land may be sold privately as well as publicly by said Cyrena Summers, but no sale shall be otherwise than upon application to and under the decrees of a Court of competent jurisdiction in the event it ever becomes necessary or advisable to sell said land for any purpose, but should a sale ever be made, the proceeds of sale shall likewise be charged and encumbered with the fund of three thousand three hundred and thirty three and one third dollars afore said, and whether invested or not the same shall in any event be treated, managed and handled, in the same manner as herein before directed, and shall also be inherited or descend in the manner herein before directed.

3rd

I give and bequeath unto my said daughter, Cyrena the house and lot I now occupy in Manchester, Tenn., and which I purchased of W.B. Casey; and I also give and bequeath unto my said daughter, Cyrena all of my real estate in Grundy County, Tenn. and which I designate as Mountain Land, also all my real estate in Fullahoma, Tenn. consisting of four houses and lot, and any ~~such~~ ~~all~~ ~~other~~ ~~real~~ ~~estate~~ ~~not~~ ~~herein~~ ~~already~~ ~~disposed~~ ~~of~~ ~~or~~ ~~referred~~ ~~to~~, if any there be, at the time of my decease, all of which I give and bequeath to my said daughter absolutely and in fee simple except as herein before indicated, to be disposed of by her as she sees proper.

4th

I give and bequeath to my said Daughter, Pyrena all of my personal property of every kind and description also all my notes, Accounts, Choses in Action or other debt or claims owing or due me of which I may be owner or entitled to at my death. I also Appoint said Pyrena Summons my Executor of this my last will and Testament without bond.

In Witness whereof I have hereunto
set my hand, this 8th day of Aug 1903,
W L Cannon

The above written instrument was subscribed by the said P. G. Kinscannon in our presence and acknowledged by her to us and at the same time she declared to us the said written instrument to be her last will and Testament and we at the testator's request and in her presence and in the presence of each other have signed our names as witnesses here unto

This 8th day of Aug 1903

For probate see page 119. Minute Book
No 17-

I Robert R. Traile being of sound mind and memory and knowing the uncertainty of life, and the certainty of death, do make this my last will and testament, hereby revoking all other wills by me made. At any time, I am lawfully possessed of certain land in Coffee County Tennessee, and my two oldest sons to wit: Charley D. Traile and Robert Ransom Traile children by my first wife they have stayed & with me and for the past three years have had to make support for the family, consisting of myself, last wife and three children, and feel desirous of giving to the boys Charley D. and Traile and Robert Ransom Traile the following land to be their own at my death I give them the tract of land that I bought from Joe Willis containing fifty acres it lying east of the Manchester and Garrison road, and twenty three acres off my original tract beginning on my brother Charley Traile's south corner in my east and west line on the west side of the Manchester and Garrison road running south with said road 5 1/2 poles to a rock, on the west side of said road. Near the well where I now live, Thence East 69 poles to David Ferrells corner in my North and South line being altogether about 73 acres it being about one half of my entire land. And if either one of the boys that I have mentioned dies without a family then his part of the land shall go to the other, Now the balance of my land including 15 acres that I bought from W. L. Wilson which is about the same amount that I have given Charley and Ransom, I give to my present wife Martha Ann, and her three children, and if my wife should die before the children then my two boys Herman Traile and Eugene Traile shall inherit it, Now this is for the purpose of giving my wife a chance to raise my three children by her, and if she should ever marry any more, then the two boys Herman and Eugene shall have the land.

This Oct. 13, 1904 Robert R. Traile

We the undersigned Certify that this instrument was read to Robert R. Traig and he signed it in our presence and without our dictation This Oct. 13, 1904.

J. E. Meadows,
Charley Tenzig

For probate see page 126 Minute Book 17.

In the name of God Amen,

I Sarah E. Adams, of Coffee County State of Tennessee, being of age in body but of disposing mind and memory and being desirous to dispose of my property by will do make and publish this as my last will and Testament, in manner and form following to wit:

First direct that all my just debts be paid and after paying my funeral expenses and just debts, I give and bequeath to my beloved Sister Mary Ann Saine wife of Thomas Saine and the heirs of her body All the estate of which I may die seized and possessed of Real, personal and mixed to her sole use during her life and at her death to go to her children then living.

And I do here by nominate and appoint Thomas Saine Executor of this my last will and Testament, I here by revoke all other wills by me at any time made.

In Testimony where of I have hereunto set my hand and affixed my seal this 15th day of November 1896.

Sarah E. Adams,
Signed and Published in
our presence, and subscribed
our names as witnesses thereto
in the presence of the Testator

David C. Coulson
Hiram S. Emerson

Testator Acknowledges this to be her signature for all purposes herein contained This Nov. 21-1896.

Witnesses  J. H. Power
J. S. Cronover.

For probate and Order see Minute Book 17.
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