

James Lewis
Will

I James Lewis of the County of Transier and State of Tennessee do hereby make and cause to be established the following as ^{last} for my last will and testament (viz) 1st I have heretofore given to my wife Mary Lewis by deed of gift which has been duly registered the following negro slaves to wit, Harriet a woman aged about 30 years & her children namely Thomas about 9 or 10 years, Sophia a girl about 5 or 6 Pauline aged about 2 or 3 & Ellen a child 4 months old also Henry ^{the} child of a deceased woman named Ellen (Henry is 7 or 8 years old & Edwidge 4 or 5) also Oreston a boy aged 19 or 20 and William a boy about 14 I hereby ratify and confirm said gift to my said wife to her and her heirs forever and in addition thereto I do hereby give to my said wife during her natural life the use of the following real and personal property to wit two hundred acres of land part of the tract on which I at present reside including the plantation house garden orchard & big Spring with a sufficiency of the tract of land for fuel and all other necessary purposes & profitability however the commission of mine or any waste of the following negro slaves to wit Hannah Isabel & four more James Lewis & Lewis & two more James Lewis & Lewis the whole of the house and kitchen furniture including China ware Cotton ware Glassware silver plates & dishes bedsteads & bedding one four wheel carriage and horses two ^{choice} horses of my stock one gray filly four choice cows and calves one ^{choice} horse and one cow of my stock one third of the stock of hogs. I do give and bequeath to my wife a sufficiency of provisions for her food as hay for one year during and after my decease and all the remaining part of my estate both real and personal I do hereby give and bequeath to my children and grand children and to my son John Lewis & Stephen Cortis as follows to wit 1st To the children of my daughter Dorah I who was first married to Thomas Patton and after his death to Stephen Cortis and to the said Stephen Cortis I give one share or one fifth to be divided between them as they see them after provided to my son John Lewis I give one share or one fifth to my son David Lewis I give one share or one fifth to the children of my deceased daughter Eliza A. McWhorter I give one share or one fifth to my daughter Mary Eliza widow of Henry McWhorter I give one share or one fifth provided however that in the division to be made as above directed the Legacies respectively are to bring me to Hatchpatch and a account for the above said heretofore made to them as follows to wit I have advanced to my said deceased daughter Dorah I ^{the} sum of five hundred and thirty five dollars and consequently the first money would bequeathed in this clause to be charged with that amount to my son John Lewis I have advanced five shares and ^{the} thirty four dollars and eight cents to my son David

Lewis I have advanced five thousand ⁴⁶ Ninety four dollars
 eighty seven Cents to my deceased daughter Eliza C. H. Hovington
 and her husband and family. I have advanced to the amount of
 Five thousand Nine hundred and fifty eight dollars ⁴⁶ Ninety
 four Cents and to my daughter Mary C. H. Hovington and her husband
 I have advanced to the amount of five thousand ⁴⁶ Ninety four
 dollars and eighty seven Cents ⁴⁶ 87 1/2 Fourth. After the death
 of my wife the property herein before devised to her during life &
 by her last bequest to my children and Grand children and she said
 Stephen Porter to be divided between them in the same manner
 as the other property is hereby devised to be divided between
 them. There is also that my son Stephen Lewis is to be divided
 is that I have here to fore advanced to him money and property
 equal to one sixth part of my whole estate. It is the wish
 of the children of my daughter Sarah and her last husband Stephen
 Porter is to be divided between them as follows to my said
 Son in Law Stephen Porter as a token of respect for his
 uniformly kind and respectful conduct towards me and his
 said deceased wife and her children. I give and bequest to
 him during his life the use of the one fourth part of it and
 when the other three fourths to be the children of my said
 deceased daughter Sarah by both husbands to be equally
 divided between them in fee the one fourth hereby devised
 to Stephen Porter during her life after this death to be
 divided & the same as hereby devised in remainder to all the
 children of my said daughter Sarah & their heirs. The devise in
 this cause is subject to the following restrictions & limitations
 that is to say that the share of the said Hovington & her
 daughters of Stephen Porter is hereby severed to them respectively
 for their own sole and separate use free from the control of
 their husbands and not to be in any manner subject
 to the debts of their husbands and I strictly enjoin it
 upon my Executors hereinafter appointed to see that this
 provision is strictly observed. And the share of my
 estate herein & hereby devised to my son David C. Hovington &
 hereby devised to my friend William Downie as Trustee for
 my said Son David & his family. The said Trustee is to provide
 my said Son David to have the use of any amount of the profits
 of his said share of my estate hereby devised for the general
 necessary support of himself & family but the same is not
 to be liable for the debts of his contracting nor is he to be at
 liberty to sell mortgage or otherwise dispose of his said share
 or life say. The said David in said share after the death of my
 said Son David I hereby give and bequest to the lawful heirs
 of said David or to such one or more of my children or
 Grand children as the said David C. Hovington by his
 last will & Testament shall appoint. And in I do hereby
 constitute and appoint my friend William Downie my Executor.

Believing Executors of this my last ^{will} Testament "Habeas" my
 hand and seal at this day of April 1841
 signed sealed published and delivered
 by the Testator for his last will

James Lewis (Seal)

Testament in our presence who also subscribed our names as
 witnesses in his presence of the words "Habeas" on the fourth page
 mentioned before signed. Also the accounts charged to the above named
 acted in 1804 or 27 March 1849

at Law

H. B. Haynes

James Lewis (Seal)

John C. Daugherty

H. B. Haynes

Codicil To Last Will

I James Lewis of Transylvania County Tennessee: Having on the
 day of April 1841 caused to be written by my at Law my
 last will and Testament which was duly signed by me
 and witnessed by the said Law ^{John C. Daugherty} and being
 now desirous to make some alterations therein do hereby
 alter and change the same in the following particular
 Section 1st of the original will my will now is "I do hereby
 direct that my negro woman Ann Maria be substituted for
 the bequest to my wife in place of Girls Lucy and Laura
 and in taking off the two hundred acres of land devised
 to her I hereby say my will is and I accordingly do direct
 that the said bequest as to divide the said property instead
 of giving her the whole thereof. "I desire that my
 negro woman Maria should be kept as a slave if possible in the
 division to be made between my Legates after my decease.
 I have devised them unto both my families as follows: Lot No 1
 Peter and his wife Hannah and their four youngest children to wit
 Ann and a Hannah Ellen and Pamelia Lot No 2 Big Sally
 Grammar Lucy and her child Ann and Lot No 3 Abigail Laura
 and Edyoh Lot No 4 John Peter and William Lot No 5 Richard
 & George " My will and devise is & I do accordingly so direct that
 my daughter Mary Eliza Lewis shall in the devise receive Lot No
 1 & 2 I do agree that my other Legates shall in the
 division receive as follows: To wit " My son David Lewis
 Lot No 2 My son in Law Stephen Lot No 3 The children of his
 deceased wife Sarah Lot No 3 To my Grand children
 Eliza Lewis Eliza Lewis and Eliza Lewis children
 of my daughter Eliza Ann Hawsins Lot No 4 To my Grand
 children William R Lewis Mary Ellen Lewis children
 of my son John T. Lewis Lot No 5 " This portion of my
 estate I give to said Grand children saying that much
 from the share of their father in having my share and
 instruction to make an equal division of my estate between them if
 possible " The devise to a Trust is in my original will for the
 benefit of my son David Lewis is changed to his own life

my will and I have now in that it shall be annexed to the
 Joint Wills of himself and his present wife to the Surviving
 Whichever life shall survive as in the original will. In assigning
 Lot No. 2 in the division of the slaves to my said son David
 & Lewis it was only intended to designate the share in case
 that not in any manner to control the Trust Character of
 the property devised this share is to be held after the division
 by the Trustee according to the directions of the original will.
 My will is that the 6th clause in the original will be changed
 so that the right therein given to my son David & Lewis of the
 residue of the real estate in his share is hereby limited to the share
 which he may receive in the division but not to any
 other portion of my estate they are added to him in and by the
 original will & this Codicil. Since the Execution of my
 original will I have made other advances to my children
 and Grand Children with which I have charged there is a
 Provision kept for that purpose and for which they must account
 upon a division of my estate according to the directions of
 the original will & Testament whereby I have herein to subscribe
 my name this 15th day of September 1845. The Testator has fully
 and his right wife Susan and is unable to write his name
 signed sealed and by the Testator
 agreed for a part of his last will this 15th day of September 1845 in the presence of
 the undersigned who subscribed their names as witnesses at his
 request and his presence
 Test. Linn Scott Francis M. D. Warren

State of Tennessee 3 County Court November 1849. Then the
 Franklin County Court. Last Will & Testament and Joint Codicil
 then to of James Lewis died as per the will
 in said Court for probate thereupon came H. W. Maynard & Co.
 Jurors the said willing witnesses to said will who being
 duly sworn depose and say they were personally acquainted
 with the said Testator in his lifetime that he signed sealed
 and acknowledged the same in their presence to be his last will
 & Testament that he was of sound mind & disposing memory
 at the time he signed the same and that they signed their names
 there to as witnesses in the presence and at the request of the
 Testator on the 27th day of March 1847. Then came Linn Scott
 & Francis M. D. Warren the said willing witnesses to said Codicil
 who being duly sworn depose and say they were personally
 acquainted with the Testator in his lifetime that he signed
 sealed and acknowledged the same to be his Codicil to his last will &
 Testament that he was of sound mind & memory at the time he signed
 the same and that they signed their names there to as witnesses to said
 Codicil in the presence and at the request of the Testator on
 the day it bore date. Whereupon it was ordered by the Court

that said last will and Testament and first codicil thereto of said James
Lewis de do be recorded as the Law directs " Witness my hand & office
this day of 1849

H. E. Taylor ess.

Albrowan & Therman Albrowan do make and publish this as my last will and
Ther Testament hereby revoking all other Wills made by me at any time
1st I direct that my funeral Expenses and all such other debts to
be paid as soon after my death as possible out of any money
that I may die possessed of or may first come in to the hands
of my executor " 2nd I direct that my sons Alfred
E. Brown Samuel Brown & William Albrowan all the lands
that I may die seized and possessed " 3rdly I give and bequeath
to my daughter Elizabeth A. Brown and the heirs of her body
negro property to be worth in value One thousand dollars provided
there is that amount of negro or other property on hand when she
arrives of age if there is not that amount of property or cash on
hand it shall be made up to her out of the lands " I also direct
that if my daughter Elizabeth should die without heirs of her body
her estate is to go to her brother " 4thly I also appoint
John B. Hawse my Guardian for my daughter Elizabeth to
superintend her estate and manage the same and also he the
said John B. Hawse may at any time to send him home
suitable person appointed to manage her estate " 5thly I also
give my son Alfred E. Brown my half more or less of
Clausen one cow and calf the Halls, iron & shoats to come of
one or two Slaughter and Clinis one double tree two skins
three yokes of working hoe working hoe and thirty barrels of Corn
6thly I give my daughter Elizabeth two chd bedsstead and
furniture and one furan and the balance of chd bedsstead and
furniture to be equally divided between my three sons equally
7thly I also direct that my negro woman Alfred a female
go with my two sons Samuel & William Albrowan and the
balance of my negroes to be hired out. 8thly I also
want my lands rented out except so much as my son
Alfred may want to cultivate or at least one third of the
open Land in value " 9thly I also direct that if either of
my sons should die without heirs my other son or sons
shall have his or their estate " 10th I also direct that all
my property not herebefore named be sold and the proceeds
other monies so far as is necessary to go towards raising
my children and if there be any remainder it shall be equally
divided between my three sons " Lastly I do nominate and
appoint John B. Hawse my Executor the witnesses whereof
do to this my will set my hand and seal this 21st day of
August A.D. 1850
Signed sealed and published in our presence H. E. Taylor Seal