

he considered in the way of Legacy received provided to my death
 or their indebtedness & I give at my death " I give & give full
 bequest to my son Thomas & Ruth one hundred dollars the reason
 why I give him only the hundred dollars is not for want of
 affection but because I have had of said much on his account
 the above sum payable two years after my Executor qualifies to
 act Legally & " I give & give full bequest to my Daughter Mary
 & Ruth one negro girl named Anne (or Dugan) Daughter of
 Mary also one servant ^{and} one bed furniture Dress and for Dicks
 and are included " I give & give full bequest to my Daughter
 basanda & Ruth one negro girl named Hannah Daughter of
 Dabney together with one Bureau and bed furniture 1 Horse and
 one cow and are included " I give & give full bequest to my two
 youngest daughters Lucy and Deborah each four hundred fifty
 dollars each payable two years after my Executor qualifies
 to act Legally & together with one Bureau ^{and} one bed and furniture
 each my wife to keep the Bureau Beds & until they are in my or a
 division take place in settlement of my Estate between the heirs
 interested & " I give & give full bequest to my two daughters
 who reside in North Carolina as much as shall amount to
 a distribution share of my Estate I allude to Sally Ann Armstrong
 wife of Peter Armstrong and to my Daughter Harriet & Phelps Partif
 after my death my Estate should be worth more than I
 now anticipate and that I have given them should be less
 than a distribution share I wish them to share or draw
 enough of my Estate to make them equal with two of my
 children which will be hereafter named they receiving a
 schedule of what I have already given them. " I give
 my deceased Daughter Eliza & George had no mind of me and
 my gifts to John R. Home her husband including his disposal
 to my my my a full distribution share of my Estate which
 as much as his heirs are not entitled to receive further share
 or portion of my Estate in the way of Legacy but will here
 after receive his share in a devise & " I give & give full bequest to my
 Daughter Susan a servant a negro girl now a woman with
 one child if having which she is to hold and her increase (the
 name of the negro girl or woman is Wendea) to her use and her
 heirs for assigns forever & " I give & give full bequest to my Daughter
 Francis L. Davis the negro girl named Judy now in her possession
 with her increase to her and her heirs for assigns forever including
 one Bureau and one bed and furniture (deceased) " I give & give full bequest
 also give to my daughter Susan a servant one Bureau and
 one bed and furniture which is now in her possession " I give
 & give full bequest to my three Grandsons Leonas Oscar and
 Clarence Home each of my deceased Daughter Eliza gave Home
 one hundred dollars each with the following proviso viz
 To be paid out of the proceeds of which their father John R.
 Home may owe me at the time of my death he the said

John R Home first paying all his indebtedness for his liabilities on account of the late terms of Bunt & Home William Post and Son and his indebtedness to my within three hundred dollars that remaining Balance I give to my three grand sons above named to be equally divided But if they and John R fail to pay his liabilities to the above named firm and to me within three hundred dollars which remaining Balance I intend as advised to his Children above named I do hereby make said all gifts to my three grand sons as only relate to the specific of three hundred dollars it being the last sum of his indebtedness on account of the late firm & myself. I am as soon as practicable after my death I wish that my lands and first selling my interest in the Springs tract hoping that Joseph Sims will consent in seeing his interest at the same time and that payment or bond be required to be made to my Executor & to Joseph Sims Respectively for a concordance with as to the interest that a choice is settled to in the Springs reference being had to Joseph Sims letters to show the agreement which was agreed to by Joseph Sims myself I wish sale made of the Spring property first to give the purchaser an opportunity of buying the all a new land belonging to me including the lands to be sold on one two and three years Credit unless the satisfaction of my estate should require it necessary to sell on shorter time I wish a deed Trust and two or 3 good solvent freeholders to see to secure the payment of the proceeds of land when sold &c. I have of our tract of land distinct and apart from the Spring tract (viz) one tract where Joseph Sims Rose now lives the Bunt couch tract 300 acres on the west side of Hillis Bunt one tract on the north side of the Shelly mill Road about four miles from here containing about 104 acres which land he will be able to see & separately &c. I am 18 May this year I desire is that my wife Susan share the benefit of one third of the proceeds of all my land when sold during her natural life to purchase land for a home during her lifetime and at her death to be sold and the proceeds divided as hereafter named and if all the one third of the proceeds of land arising from the sale of the same be not required to purchase land for business I wish my Executor to loan out the balance on good security and that my wife receive the interest to that my account thereon I wish the interest of my wife third of the proceeds of land to belong to my wife at her death as though the land had not been sold &c. I am 19th I wish all my personal property not willed away sold together with as many negroes as will raise assets sufficient to pay all my just debts leaving it discretionary with my Executor to sell the perishable property or negroes at public or private sale if sold at public or private sale if sold the same in within the month

January February March or April but the credit is to be the issuing
 January. Item 20 I must have the same together with or with-
 out their tools as my Executor may think advisable. I have
 sometimes destroyed together with the balance of my gross net
 good to hand and wholly united in under Eighteen Hundred
 and fifty five. Item 21 My will and devise
 is that as soon after the 25th December Eighteen Hundred and fifty five
 as may be deemed practicable I wish a ^{division of my} ~~division of my~~ property or property
 belonging to my estate then remain in the hands of my Executor
 or whomever it may be deemed my son Theodore as here
 named (to wit) William Robert John L. Robert Mack Robert Richard
 Burt Susan Estimation Francis L. Lewis Henry B. Burt Casandra
 B. Burt Lucy Burt and Samuel Burt not forgetting that if my
 daughter Sally Ann Arrington and Harriet A. Phillips have not
 received a full distribution share they are to be made equal
 when the division of property may take place after the 25th
 December 1855. Item 22 My will and devise is that at my wife's
 death that the said ^{and} ~~and~~ Mary's arising from or originating from
 the trusts of the proceeds of my land used the same that she
 has the use of during her natural life. I must decide
 among the first son Theodore & their heirs as mentioned on this
 side of this sheet of paper Item 23 Should Providence so or wish
 that two of my three youngest children die previous to the
 25th December 1855 then in that case a division may take
 place sooner if thought advisable but not until reason that
 it shall attain the age of twenty years. Lastly I nominate
 and appoint my son William B. Burt Executor this my last
 will and Testament in witness whereof I have hereunto affixed
 my hand and at first noting the erasures and alteration (to wit)
 Item 2nd I have Erasure word made see Item 3rd I have
 2nd interlineation of Delay / see Item 2 I have 2nd word erased
 see Item 13 I have 2nd word ~~Erased~~ / Item 14 I have 2nd word
 with his increase see Item 22 3rd I have the word when erased
 I concluded to note in the Erasures & c. knowing at the same time
 the validity of this would have been the same as if no note in
 had been taken & c. I subscribed to this 30th day of May 1848
 at my hand and seal

Signed Sealed and Published in our

William B. Burt (Seal)

presence where have subscribed our

names hereto in the presence of the Testator date as above

Burcharn Quiman Thos as L. Logan Wilson L. Hudson

State of Tennessee 3 County Court February Term 1849

Franklin County John the Last Will and Testament of William

Burt deceased was produced in open Court for
 probate thereupon came Thomas L. Logan & Wilson L. Hudson two
 of the subscribers who being duly sworn before
 and say they were personally acquainted with the Testator

his life time that he was and is of sound mind and disposing memory at the time he signed his last will and testament and on the day it bore date that he was of sound mind and disposing memory at the time he signed the same and that they signed their names thereto as witnesses in the presence and at the request of the Testator. Thereupon it was ordered by the Court that said will be recorded as the Law directs. Testes Jm E Taylor Clerk of said Court at office
February 5th 1849

Jm E Taylor cks

Johnathan
Houston's
Will

In the Name of G. D. Lamm & Jonathan Houston of Transcend
County and State of Tennessee being now and in Body that I am
in health and bearing a desire to dispose of what property the Lord
has blessed me with do ordain this my last will and testament
reversing all others I then 1st I desire after death to be buried in
a pious Christian manner. I then 2^d That all my just debt to
be paid and what may remain to be disposed of as follows I do
give I give unto my wife to have and all the balance of my
property during her life or widowhood at her death to be
equally divided among all my living children. I then 3^d
appoint my Son Thomas & Houston my Executor and hereby
authorize him to sell all or any portion of my land that
may this purpose for the payment of my debt to and the
balance paid over to be applied to buying and then home but
there must be an agreement with him and his Mother before
he can sell all I hope he will do the best he can for her
and the children. In witness whereof I have set my hand and seal
this 12th day of February 1849
Attest
Jm L Smith Wm Murphy.
Jonathan Houston Seal

State of Tennessee & County Court May Term 1849
Transcend County Then the said will and testament of Johnathan
Houston he do was for the said court for
probate and thereupon came Jm L Smith & Wm Murphy the witnesses
there to who being duly sworn depose and say they were
personally acquainted with the Testator in his life time and
he signed & sealed and published the same in their presence to his
last will and testament that he was of sound mind and
disposing memory at the time he signed the same and that
they agreed their names thereto as witnesses at the request
and in the presence of the Testator and on the 12th day of
February it was ordered by the Court that said will
be recorded as the Law directs. Testes Jm E Taylor
Clerk of said Court at office May 7th 1849

Jm E Taylor cks