

Copy of the Last Will & Testament of

- I James D. Smyth of Weakly Co. State of Texas, being of sound mind and memory and understanding do make and declare this my last Will and Testament.

First I Will and bequeath to my wife Fannie Smyth all of my household and kitchen furniture and all of the rest of my personal property after paying all debts and dues that may exist at the time of my death.

Second, I also give and devise and bequeath to my wife Fannie Smyth all the real estate belonging to me at the time of my death, consisting of two tracts of land, one of 65 acres more or less in the 11th Civil District of Weakly Co. Texas, bounded as follows to wit: North by Borcherd, South by Smyth, East by Elbert and Wallers, West by Smyth, known as the Smyth place.

The other tract containing 70 acres more or less in the 11th Civil District of Weakly Co. Texas, bounded as follows to wit: North by Witt & Dunlap, South by Dunlap, East by Rapety & Dunlap, West by Dunlap & Witt, and any other real estate belonging to me at the time of my death or that I may inherit or that may be coming to me even after my death.

Verily appoint my wife Fannie Smyth as my Executor, without bond, to this my last Will.

In testimony whereof I hereunto set my hand and published.

J. D. Smyth deceased

this my last Will and Testament in the presence of two witnesses

Jan 29-1894

J. D. Smyth

Signed in the presence of us and in the presence of each other by his request.

Jan 29-1894

Lillie Bowden
Mrs. Smyth

The foregoing Will was probated at the April term 1913 of the County Court. See Minute "11" 1-11-13

Certified transcript of the Last Will and Testament of

The Certified Transcript of Proceedings for Probate of the Last Will and Testament of Anne V. Simms, deceased and of such Will.

The State of Alabama 3 Petition for Probate of Will
Jefferson County 3

In the Probate Court of Jefferson County, Alabama, the honorable J. P. Stiles, the Judge of said Court presiding, the following proceeding were duly and regularly had, to-wit:

To the honorable J. P. Stiles,

Judge of Probate in and for the County of Jefferson, in the State of Alabama:

The Application of Annie V. Tillman, who is a citizen of the State of Alabama, residing in the City of Birmingham in the County of Jefferson, in the State of Alabama, and who is over the age of twenty-one years, and is the wife of John P. Tillman, who also resides in said City, County, and State, and is over the age of twenty-one years, and who joins with her in this Application respectfully states and shews unto your Honor as follows:

First: That Mrs. Anne V. Simms deceased this life on or about the 26th day of August, 1913, and that at the time of her death she was an inhabitant of the County of Jefferson in the State of Alabama and left assets in said County; and that she was at the time of her death, about eighty-one years of age.

Second: That prior to her death, to-wit: on or about the 17th day of February, 1899, the said Anne V. Simms duly executed her last Will and Testament, which is herewith produced and filed in the presence of E. P. Campbell, H. W. Coffin and Marion V. Scott, as subscribing witnesses, who attested the same as such witnesses in her presence and in the presence of

Anne V. Simms deceased

each other; And that, as your petitioners are informed and believe, and therefore state the said Anne V. Simms never revoked said Will and Testament; And that she left the same at the time of her death as her last Will and Testament. That at the time of the execution of said last Will and Testament, the said Anne V. Simms was of sound mind and disposing memory and was over the age of twenty-one years, and was seized and possessed of lands situate in the County of Jefferson, in the State of Alabama, and also of lands situate in the County of Cochran, in the State of Mississippi, and a lot at Nashville, Tennessee; And she was then also possessed of a small amount of personal property.

Third: That at the time of her death, the said Anne V. Simms was a widow, and left surviving her, as her only heirs-at-law, two children, the said Annie S. Tillman and Frank R. Simms, both of who are over the age of twenty-one years.

Fourth: That by said last Will and Testament, the said Annie S. Tillman and Frank R. Simms were nominated as the executor and executrix thereof.

Fifth: That the said Marion V. Scott, one of the subscribing witnesses to said last Will and Testament, has long since been dead.

The Premises considered, your petitioners pray that the said paper-writing herewith produced and filed be admitted to probate by and by the Honorable Court; And that to that end such notice may be issued and such steps taken as

may be required by the statutes of
this state in such cases made and
provided.

And, as in duty bound, your petitioners
will ever pray, etc.

Annice Simmons Tillman
John P. Tillman

Consent to hearing and Waiver of Notice by
all parties in interest.

In the Probate Court of Jefferson County, Alabama
In the matter of the probate of the last will
and testament of Anne V. Simmons, deceased.

We, the undersigned, Annice S. Tillman
the applicant in the above entitled cause,
and John P. Tillman, her husband, and
Frank R. Simmons, the person named
in the said application as the son of
the said Anne V. Simmons, and as
such, the only other heirs-at-law hereby
consent to and request, that the said
application be heard on this day; and
that they and each of them hereby waive
all notice, of every kind whatsoever,
Frank R. Simmons.

Given under our hands in the
presence of the honorable J. P. Stiles,
Judge of said Court, on this the 19th day
of September, 1912.

Attest
J. P. Stiles.
Frank R. Simmons
Annice Simmons Tillman
John P. Tillman

Testimony.

In the Probate Court of Jefferson County,
In the State of Alabama.

In the matter of the Probate of the Last Will
and Testament of Anne V. Simmons, deceased.

Testimony of Edward W. Campbell and
Harry W. Coffin, two of the subscribing
witnesses to the last will and testament
of Anne V. Simmons, deceased.

The said Edward W. Campbell, having
been duly sworn, deposes and says that
he is one of the subscribing witnesses to the
paper writing filed in said cause for
probate as the last will and testament
of Anne V. Simmons, deceased, bearing
date the 17th day of February, 1899; that
he is now, and was at the date of said
paper writing, and an attorney-at-law,
that on the date of said paper writing
he resided and has his law office
in the city of Birmingham, Alabama,
and was then over the age of twenty-one
years; that, at the request of the said
Anne V. Simmons, he wrote said
paper writing and for her last will
and testament; that after the same
was written, as the same appears
above her signature, she, the Anne V.
Simmons, on the date of said paper writing,
signed the same in his presence, and
in the presence of the said Harry W. Coffin
and one Marion V. Scott, the other two
subscribing witnesses to said paper
writing, and for her last will and
testament; and that he, the said
Edward W. Campbell, and the said Harry
W. Coffin, and Marion V. Scott, as
subscribing witnesses to the signature
of the said Anne V. Simmons to the said
paper writing, and at the request of the
said Anne V. Simmons, subscribed
their names thereto in the presence of
the said Anne V. Simmons, and in
the presence of each other.

And the said witness further
deposed and says that he was ac-
quainted with the said Anne V.
Simmons during her life time;
that she was at the time, she signed

the said paper writing over the age of twenty one years, and, in his opinion, was of sound mind and disposing memory, was fully acquainted with the contents of said paper writing, and competent to execute said paper writing as and for her last will and testament; and that at the time of her death, the said Anne V. Simms was an inhabitant of the County of Jefferson, in the State of Alabama, and as he is informed and believes, and therefore states, she, at the time of her death, had resided in said County and State. That the said Marion V. Scott is long since dead.

And the said witness further deposes and says, that, at the time the said Anne V. Simms signed said paper writing, and at the time the same was subscribed by the said subscribing witnesses, the following words, as they now appear under said signatures, were not on said paper writing, to wit:

"I desire to add to the above that I wish my son to possess all my silver marked 'Simms', my books and the two oil paintings 'Scenes on the Hudson'. The silver tumbler 'Simms' I give to Annie."

Edward H. Campbell.
Sworn to and subscribed before me
this, the 19th day of September, 1913

J. P. Stiles

Judge of Probate in and for said County and State

The said Harry W. Coffin, having been first duly sworn, deposes and says that he is one of the subscribing witnesses to the paper writing filed in said cause for probate as the last will and testament

of Anne V. Simms, deceased, bearing date the 17th day of February, 1899, and was then and afterwards continued to be until her death acquainted with the said Anne V. Simms; that the said Anne V. Simms on the date of said paper writing signed the said paper writing at the place where her signature appears as and for her last will and testament, in his presence and in the presence of Edward H. Campbell and Marion V. Scott, the other two subscribing witnesses thereto; and that he and the said Edward H. Campbell and Marion V. Scott, as subscribing witnesses to the signature of the said Anne V. Simms to the said paper writing, and at the request of the said Anne V. Simms, subscribed their names thereto in the presence of the said Anne V. Simms and in the presence of each other.

And the said witness further deposes and says that, in his opinion, the said Anne V. Simms was then of sound mind and disposing memory and competent to then execute said paper writing as and for her last will and testament.

And the said witness further deposes and says that at the time the said Anne V. Simms signed said paper writing, and at the time the same was subscribed by the said subscribing witnesses, the following words, as they now appear under said signatures, were not on said paper writing, to wit:

"I desire to add to the above that I wish my son to possess all my silver marked 'Simms', my books and the two oil paintings 'Scenes on the Hudson'. The

^{Emmett} silver, tumbler and ^{Simmons} given to Annie"
 Harry W. Offin.
 Sworn to and subscribed
 before me on this, the 19th day of September, 1913.
 J. P. Stiles
 Judge of Probate in and for said County
 and State.

Decree Admitting Will to Probate.

In the Probate Court of the County of
 Jefferson, In the State of Alabama,
 In the matter of the Probate of the last
 will and testament of Anne V. Simmons,
 deceased.

Annie S. Tillman, the wife of John P. Tillman, both of whom are over the age of twenty-one years, and are citizens of the State of Alabama, residing in the City of Birmingham, in said State, having this day filed in this Court her application in writing praying that a certain paper writing produced by her and also filed in this Court bearing date the 17th day of February, 1899, and purporting to be the last will and testament of the said Anne V. Simmons, be proved and admitted to probate and recorded in this Court, as the last will and testament of the said Anne V. Simmons, who is averred in said application to have departed this life on the 26th day of August, 1913, leaving her surviving as her only heirs at law, two children, one, the said Annie S. Tillman, her daughter, and the other Frank R. Simmons, her son, (also over the age of twenty-one years,) and who, at the time of her death, is averred to have been an inhabitant of the County of Jefferson, in the State of Alabama, and to have left assets in said County, and to have been over the age of twenty-one years at the time of her signing said paper writing (in which said application the said John P. Tillman joins);

And the said Annie S. Tillman, John P. Tillman and Frank R. Simmons having filed in this Court their consent in writing that the said application may be heard on this day, all of them waiving any and all further notice of the said hearing, the said Frank R. Simmons appearing in open Court in his own proper person and consenting and requesting that said application may be now heard, and it appearing from said paper-writing that the said Annie S. Tillman is one of the legatees and devisees under said will and is also nominated therein as one of the executors thereof, the Court thereupon, upon the motion of the said Annie S. Tillman and at the request of the said Frank R. Simmons, proceeded with said hearing.

And it appearing to the Court from the evidence adduced upon said hearing, and the admission of all parties in interest, that the said Anne V. Simmons departed this life on the 26th day of August, 1913, a single and leaving her surviving as her only heirs at law, two children, one, the said Annie S. Tillman, her daughter, and the other, the said Frank R. Simmons, her son, both of whom are over the age of twenty-one years, and that the said John P. Tillman is also over said age; that at the time of her death, the said Anne V. Simmons was an inhabitant of the County of Jefferson, in the State of Alabama, and left assets in said County, and also left, as and for her last will and testament, the paper writing filed in this cause with the said application, as aforesaid, and bearing date the 17th day of February, 1899; and that at the time of signing said

paper-writing, she was over the age of twenty-one years, and of sound mind and disposing memory, fully competent to make and publish her last will and testament.

And it further appearing to the Court upon said hearing from the testimony of Edward N. Campbell and Harry W. Coffin, two of the subscribing witnesses to the said paper-writing, so produced and filed as the last will and testament of the said Anne V. Simms, as aforesaid, duly taken before the Court, and reduced to writing and signed by them as required by the statutes of the State of Alabama in such cases made, and provided, that the said Anne V. Simms, duly signed the said paper-writing at the place where her signature appears thereon (said signature being "A. V. Simms") as her last will and testament, in the presence of the said Edward N. Campbell and Harry W. Coffin and of one Marion V. Scott, (the latter being now dead), and that the said Edward N. Campbell, Harry W. Coffin and Marion V. Scott, at her request, and as subscribing witnesses to her signature to said paper-writing, subscribed their names thereto in the presence of the said Anne V. Simms, and in the presence of each other; All of which was duly and regularly done as required by law.

And it further appearing to the Court upon said hearing from the evidence introduced thereon that, after signing of the said paper-writing, as her last will and testament, the said Anne V. Simms wrote beneath her signature to said paper-writing the following words, as they appear on said paper-writing, but did not sign her name thereto, to wit,

"I desire to add to the above that I wish my son to possess all of the silver marked 'Simms', my books and the two oil paintings 'James on the Hudson'. The silver tumbler 'Simms' I give to Annie";

It is, therefore, and by the consent of the said Anne V. Tallman, and her said husband, and of the said Frank R. Simms, the only persons interested in the estate of the said Anne V. Simms, deceased, ordered, adjudged and decreed by the Court that all of the said paper-writing, so produced and filed as the last will and testament of the said Anne V. Simms, and, as such, prayed to be admitted to probate, as aforesaid, which was signed by her in the presence of the said subscribing witnesses, as aforesaid, being all of the said paper-writing so filed, saving and excepting only the words afterwards added by her under her signature, as aforesaid, and hereinabove quoted and set out, was duly executed by the said Anne V. Simms, as her last will and testament, in the presence of the said subscribing witnesses, who subscribed their names thereto in her presence and in the presence of each other, all in strict compliance with the statutes of the State of Alabama in such cases made and provided and is, therefore, the last will and testament of the said Anne V. Simms, deceased; and that, as such, the same has been duly probated, and is hereby admitted to probate, and ordered recorded in this court as by law.

It is further ordered and decreed by the Court that the costs of this proceeding be paid out of the assets of the estate of the

said Anne V. Simms, deceased.

This 19th day of September, 1913.

J. P. Stiles
Judge of Probate.

Last Will and Testament of Anne V. Simms.
The State of Alabama,
Jefferson County }
V. Simms, who at present reside in Birmingham

Alabama do make publish and declare this to be my last will and testament, I being now of sound mind and disposing memory and I hereby revoke any and all wills by me heretofore at any time made. And first I desire that all my just debts and funeral expenses be paid. And second I desire and bequeath to my daughter Annie wife of John P. Kilbourn one thousand dollars, which shall be paid out of my estate or out of the proceeds of the sale thereof or of sale of some part thereof. This bequest is made to my daughter not through any partiality to her over my son, but because I have heretofore given her annuities which make it proper in my judgment to make the above request. And third, after the payment of my debt and the said bequest to my daughter which said bequest is made a charge on my estate I desire and bequeath the rest and remainder of my estate real and personal to my son, Frank, and my daughter Annie equally to be divided between them. And fourth, I appoint my son, Frank, and my daughter Annie to be executors of this my last will and hereby relieve them and each of them from giving bond and direct that they or either who may qualify shall be permitted to qualify as executor or executrix of this

will without giving bond.

In testimony whereof I have hereunto set my hand and seal using peroll for seal on this the 17th day of February, 1899.
A. V. Simms (real)

Witnesses:
E. K. Campbell.
H. W. Coffey.
Marion V. Scott.

The above and foregoing will was subscribed by Mrs. Anne V. Simms the testatrix on the day the same bears date in our presence and was by said testatrix in our presence declared to be her last will and testament and we in her presence and at her request and in the presence of each other have subscribed our names as attesting subscribing witnesses to said will on this the 17th day of February, 1899.

E. K. Campbell.

H. W. Coffey.

Marion V. Scott.

I desire to add to the above that I wish my son possess all my silver marked "Simms" my books and the two oil paintings "Scenes on the Hudson" the silver tumbler "Simms" I give to Annie.

Certificate to the Probate of Will

The State of Alabama,
Jefferson County }
J. P. Stiles, Judge of the

Court of Probate, in and for said State and County, do hereby certify that the within instrument of writing has this day in said Court, and before me as the Judge thereof, been duly proven by the proper testimony to be genuine last will and testament of Anne V. Simms deceased. And that said will together with the prop-

thereof have been recorded in my office in book of Wills, Vol. 0 pages 151, 152, 153 and 154.
(seal)

In witness of all which I have hereto set my hand and the seal of the said Court this the 19th day of September, 1913
J. P. Stiles,

Judge of Probate.

Relinquishment of Right to be appointed Executor,
By Frank R. Simms.

In the Probate Court of Jefferson County, Alabama
In the matter of the Probate of the last will and testament of Anne V. Simms, deceased.
I, Frank R. Simms, son of Mrs. Anne V. Simms and who was nominated in her last will and testament, as one of the executors of her last will and testament, hereby waive and relinquish my right to be appointed as such executor, and hereby request that letters testamentary under said will be granted to my sister, Annie S. Gillman, as sole executrix of said last will and testament.

Done this the 19th day of September, 1913, in the presence of the Hon. J. P. Stiles, Judge of Probate.

Frank R. Simms.

Attest:

J. P. Stiles

Judge of Probate.

Petition for Letters Testamentary without Bond
The State of Alabama }
Jefferson County } Probate Court.

Petition of Annie S. Gillman for Letters Testamentary without Bond on the will of Anne V. Simms, deceased.

To the Hon. J. P. Stiles, Judge Probate said County.
This petition of the undersigned Annie S. Gillman, respectfully represents unto you

Honor, that in the last will and testament of Anne V. Simms, deceased, which will and testament has been duly probated and admitted to record in this Court, named as the executrix thereof.

That by an expressed provision in said will to that effect, your petitioner is exempted from giving any bond, as such executrix.

That the said testator died seized and possessed of certain real and personal estate, consisting chiefly of real estate all of said real and personal estate being estimated to be worth about fourteen thousand dollars, and probably not more; that your petitioner, Annie S. Gillman is inhabitant of this State, above the age of twenty one years, and in no respect disqualified, under the law from serving as such executrix.

To the end, therefore, that the said property may be collected and preserved for those who appear to have a legal interest therein, and the said will executed according to the requests of the said testator, your petitioner pray that your honor will grant letters testamentary on said will to her as executrix of said last will and testament, without her entering into bond as such as is provided in and by the terms of said will.

Annie S. Gillman
The State of Alabama }
Jefferson County }

Annie S. Gillman,
being duly sworn depone and say that the facts alleged in above petition are true according to the best of her knowledge, information and belief.

Subscribed and sworn to before me this the 19th day of September, 1913.

J. P. Stiles,
Judge of Probate Court.

I, J. P. Stiles, Judge of Probate Court,
The State of Alabama,
Jefferson County, Probate Court Sept. term 1913.
September 19th, 1913.

The will of Anne V. Simms of the said County, having been duly admitted to record, in said County. Letters Testamentary are hereby granted to Annie Simms Pittman the executrix named in said will which complies with the requisitions of the law and is authorized to take upon herself the execution of such will.
Dated this 19th day of Sept. 1913.

J. P. Stiles,
Judge of Probate.

The State of Alabama,
Jefferson County, In the Probate Court.
J. P. Stiles, Judge of the Probate Court of Jefferson County, State of Alabama, and ex-officio Clerk of said Court, do hereby certify the foregoing papers to be, and I contain a true and correct exemplification and copy of all the proceedings for the Probate of the last will and testament of Anne V. Simms, deceased, and of such will, viz: Petition for probate of will, Consent to remove and waiver of notice by all parties in interest, testimony received admitting will to probate, last will and testament of Anne V. Simms, appeared together with the Certificate of Probate there of, Renunciation of right to the appointed executor by Frank B. Simms, Petition for Letters Testamentary without bond, Letters Testamentary, as the same appears.

on file and of record in this Court.

In testimony whereof, I have hereunto set my official signature as Judge and ex-officio Clerk of said Court, with the seal of said Court affixed, this the 26th day of September in the year our Lord one thousand nine hundred and thirteen.

(Seal) J. P. Stiles
Judge and ex-officio Clerk of the Probate Court of Jefferson County, Alabama.

The State of Alabama,
Jefferson County, I, J. P. Stiles, Judge of the Court of Probate of Jefferson County, State of Alabama, do hereby certify that the Judge of said Court is ex-officio Clerk of said Court; and I do further certify that the foregoing attestation of said Judge as ex-officio Clerk of said Court is in due form.

In testimony whereof, I have hereunto set my official signature as Judge, with the seal of said Court attached, this the 26th day of September, 1913.

J. P. Stiles
Judge of the Probate Court of Jefferson County, State of Alabama.
(Seal)

Will of Mrs. Anna Pybas, dec'd.

Monteagle Gravelly Co. Tennessee,
Dec. 24th 1913.

I, Anna Pybas being of sound mind
and body write this as my last will.
I desire in case of my death that my
Nephew Dudley Glass, who now resides in
Atlanta Ga. shall have all property
both real and Personal of which I may
be possessed. I desire and direct that said
Dudley Glass, shall be relieved of all bond
in settling said Estate and I hereby give
him power of Attorney to sell or otherwise
dispose himself of my full interest in all
property of which I may be possessed.
Written Dec. 24th

Anna Pybas.

Witness

Julia Sealy.

The last Will and

I, Albert H. Roddy, do make and publish this as my last will and Testament, hereby revoking and making void all others by me at any time made.

First I direct that my funeral expenses and all my debts be paid as soon after my death as possible out of any moneys that I may die possessed of or may first come into the hands of my Executor. Secondly I direct that my wife Mrs. Parell Roddy, have an equal share with my children in the house that now owned by me as my home place in Tracy City, Tenn. which is the only Real estate that I own bounded on the north by a street by W. E. Myers, West by Pershena Street. I desire & direct that my children J. R. Roddy, Mrs. Annie Goodman, Mrs. Loue Soyelker, Lu Roddy, Frank Roddy, that each one ~~share~~ ^{share} ~~equally~~ ^{equally} in said house & lot.

Thirdly I desire that my wife Parell Roddy, have the use & control of all of the house hold and kitchen property during her lifetime and at her death to be equally divided between my children as follows J. R. Roddy, Mrs. Annie Goodman, Mrs. Loue Soyelker, Lu Roddy, and Frank Roddy.

Lastly I do hereby nominate and appoint my son J. R. Roddy my executor without bond. In Witness Whereof I do this my will set my hand this the 12th day of March, 1914

Albert H. ^{this} ~~last~~ Roddy.

Testament of Albert H. Roddy, deceased.

signed and published in our presence and we have subscribed our names hereto in the presence of the testator. This the 12th day of March, 1914

C. W. Stumber
Mrs. Charlotte Goodman

Acknowledged before me
this 12th day of March, 1914
J. B. Roddy.

The above instrument of appeal for probate at the April term 1914 of the County Court of Grundy County, and properly probated as it appears on the Minutes of said court. Book 11, Page 336.

John A. Cline Clerk.

The last Will and

Being of sound mind, and in fair health,
I write this my last will.

I have a few pieces of jewelry and a little
solid silver. which I give to my step daughter,
Mrs Lillian McElarity Kelburn. my brother's two
daughters and the daughter of my sister.

I give to Lillian McElarity Kelburn, the
miniature I have of her father, a box
full of onyx and pearls, and one dozen
silver tea spoons, given me on the anniversary
of my sister's wedding.

To my niece Mary Walters, I give to small
round gold pins, five teaspoons marked,
S. B. H., three forks and three Table
spoons marked S. B. H.

To Julie Kennon Walters, my niece I
give a gold belt, five tea spoons
marked S. B. H. To my niece Sallie Fanguine
Walters, I give my watch and chain, my
sorb ladle, marked S. B. H. the silver candle
stick I own, and whatever else of jewelry
or silver I have not otherwise disposed of,
in my will.

Of my husband, M. A. McElarity, survivor
me, I want I want him to have the use
of my property during his natural life.
At his death, I want my niece Mary Walters,
and Julia Kennon Walters, to have fifty dollars
each, and my nephews, J. H. Fanguine H. Fanguine
H. G. Walters and J. B. Walters to have twenty
five dollars, each.

The remainder of my property, after all debts of
mine are paid I give to my niece Sallie Fanguine
Walters, she having lived with and been a
good daughter to me.

I appoint my niece Sallie Fanguine Walters,
my executrix without bond.

Signed by my own hand at Monticello Tenn the
5th day of Oct 1912.

Sallie Walters McElarity
Brentley Smith
J. H. H. Lane

Will of Eliza Werner, dec'd.

I, Eliza Werner, of Tracy City, Grundy County, Tennessee,
being of sound mind and memory do hereby make,
publish, and declare this to be my last will and
testament, hereby revoking and making
void all former Wills by me at any time
heretofore made.

First. I order and direct my executors, as soon after
my decease as practicable, to pay off and
discharge all the debts, dues, and liabilities
that may exist against me at the time of my
decease.

Second. I give and bequeath unto my daughter, Ettie
Werner, the house and lot known as the
Jesse Werner Jr. old home place. Beginning
on a stake the corner of 1st and 2d. Streets, thence
north 203 feet to a stake; thence west 203 feet
to a stake; thence south 203 feet to a stake;
thence east 203 feet to the beginning, in Tracy
City, Tenn., and also one 700 dollars in cash.

Third. I give and bequeath unto my daughter, Annie
Scherer, the properties lying in Tracy City,
Tenn. known as the Chley house and lot and
the Sawyer house and lot. The said Oakley house
and lot being described as follows:

Beginning on a stake on Fourth street corner of
Loran's lot, thence north 104 1/2 feet to a stake;
thence west 105 feet to a stake; thence south
104 1/2 feet to a stake; thence west 105 feet to the
beginning. And the Sawyer house and lot
described as follows: Beginning on a stake
on Mill Street, corner of Campbell lot; thence
north 66 1/2 feet to a stake; thence west 20 feet
to a stake; thence south 66 1/2 feet to a stake;
thence east 210 feet to the beginning; and also I
give and bequeath to her the note of \$219.00 I hold
against her.

Fourth. I give and bequeath unto my daughter,
Mary Church, what is known as her old
home place, lying at the corner of First and
Second Street in Tracy City, Tenn. - Beginning

Will of Eliza Werner dead. Continued

at a stake, the corner of said streets; thence west 104 feet to a stake; thence east 307 feet to a stake; thence south 104 feet to a stake; thence west 307 feet to the beginning; being the property deeded to Eliza Werner by Mary Church and L. J. Church, July 26th, 1901. Also one vacant lot beginning at a stake the N. W. corner of First and Fourth Streets; thence north 119 feet to a stake; thence west 207 feet to a stake; thence south 127 feet to a stake; thence east 307 feet to the beginning. Also I give to her the note & bond against her for \$275.00 and \$175.00 in cash.

Fifth.

I give and bequeath unto my son, Henry Werner, the property known as the Robertson house and lot together with vacant lot adjoining thereto and what is known as the Blacksmith house, and lying together in Tracy City and described as follows: Beginning at a stake on the edge of Monticello road and on west side of Mike Street; thence south 193 1/2 feet to a stake; thence west 210 feet to a stake; thence north 193 1/2 feet to a stake; thence east 210 feet to the beginning, including all three of the above described properties; also I give him note & bond against him for \$81.00, and one hundred and fifty dollars in cash.

Sixth.

I give and bequeath unto my son, Ernest Werner, the house and lot where he now lives in Tracy City, Tenn. Beginning at the corner of Colyar and Pine Streets on a stake; thence southwardly 321 feet to an alley; thence eastwardly 117 feet along said alley to a stake; thence northwardly 221 feet to a stake in line of Colyar Street; thence westwardly 117 feet to the beginning.

Seventh.

I give and bequeath unto my daughter, Bertha Child, the two properties known as the Lanes house and lot, and the Third St.

Will of Eliza Werner. Continued

house and lot; The former described as follows: Beginning at a stake in west line of Fourth Street 127 feet north of the corner of 4th and 1st. Streets; thence north 104 feet to a stake; thence west 307 feet to a stake; thence south 104 feet to a stake; thence east 307 feet to the beginning; and the latter as follows: Beginning at a stake on Second Street, the N.E. corner of Sam Werner's, Jr. old home place; thence north 106 feet to Scherers corner; thence west 308 feet to a stake; thence south 106 feet to a stake; thence east 308 feet to the beginning both lying and being in Tracy City, Tenn.

Eighth.

I give and bequeath to my son, Samuel Werner, the four houses and lots known as Red Row, all lying together in Tracy City, Tenn., and described as follows:

Beginning at a stake on the east side of Mike Street, about 165 feet south of the Monticello road; thence south 202 feet to corner of 1st Street; thence east 204 feet to a stake; thence north 202 feet to a stake; thence west 204 feet to the beginning.

Ninth.

The tract of land known as the Roddy land, lying in Marion County, Tennessee, being the same tract of land conveyed by W. B. Stolt as attorney in fact for A. J. C. Roddy to Samuel Werner, Jr. by deed being dated May 28, 1896, and registered in Book D. O. page 554, (to which deed reference is here made for more complete description), I give and bequeath unto my three sons, Henry, Ernest and Samuel Werner, jointly.

Tenth.

All the remainder of my property, not specially bequeathed, both real and personal, that I may be possessed of or own at the time of my decease shall be disposed of by my executors to the best advantage and the proceeds divided among my seven children share

Will of Elisa Werner dead Continued

and Share alike, after paying all just debts and liabilities as aforesaid.

Eleventh.

I hereby nominate and appoint my three sons, Henry Werner, Earnest Werner, and Samuel Werner, as executors of this Will.

In Witness whereof I have hereunto subscribed my name, this 17th day of June, 1902. Mrs. Elisa Werner.

The above and foregoing instrument, was, at the date thereof, signed, published, and declared by said Elisa Werner as and for her last Will and testament, in presence of us who, at her request and in her presence and in the presence of each other, have subscribed our names as witnesses.

Witnesses: { J. B. Ferguson
Tracy City, Tenn.
Jeff. D. Gault
Tracy City, Tenn.

The above Will was duly proven and Probated in the County Court of Grundy County Tenn. on the first Monday in January, the same being the 14th day of January, 1915. (See Minute Book 112 page 12)

A. J. Shelton, Clerk.

Will of Mrs. Apra Ruch, dec'd

Tracy City, Grundy Co. Tenn.

I, Mrs. Apra Ruch, Executrix of estate of Jacob Ruch, senior, being of sound mind, do hereby declare this to be my last will and testament.

I herewith bequeath all moneys, I may have in hand, all moneys deposited in Banks, all stocks, Bonds, I may possess, also my home, furnishings therein, also all my personal property, contained therein; located at Tracy City, Tenn. in equal shares to my four children, they being the children of above said Jacob Ruch, senior, said children being named, Fred, Katharine, Jacob, Apra Ruch respectively.

I hereunto set my hand and seal, this the 30th day of March - 1914.

Mrs. Apra Ruch.

Witness John Baggenstoss
Witness Mrs. Anna Marugg

The foregoing will was signed by the testator in our presence and we attested the same in her presence and at her request.

This the 30th day of March - 1914

John Baggenstoss
Mrs. Anna Marugg.

Signed and acknowledged before me this the 30th day of March - 1914.

J. B. Roddy, Notary Public.

The Last Will and Testament of Victor A. Raigaux

I, Victor A. Raigaux of Tracy City, Tennessee,
Being of sound mind and memory.

Do hereby publish and declare this to be
my last will and testament hereby revoking
and making void any other will or wills by
me at any time before made.

First

I direct that my funeral expenses, be paid
and all my debts and after my death as
soon as practicable out of any money
that I may die possessed of or that
may first come into the hands of my
executor.

Second

I give and bequeath to Mrs. Elizabeth
Marugg wife of Martin Marugg my lot and
house with all the contents such as furniture,
books, pictures and garden tools making her
my sole heir, in acknowledgement of her
interest in my behalf. She clothed and
me to eat, paid for my medicines, and otherwise
comforted me. God bless her.

Third

I hereby appoint Louis E. Hassler as my
executor. He is expressly excused
from making a bond as such executor.

Victor A. Raigaux

This July 3^d at Tracy City,
Signed by Victor A. Raigaux.

The testator in our presence and we
subscribe our names as witnesses in the
presence of the testator and in the presence
of each other on this the 3^d day of July 1915

L. P. Sasser

G. H. Cunningham

Proven and accepted by the Court on the 20th day of
October 1915 - See minute book O. October 1915 -

E. C. Shelton, Clerk.

Will of Emil Scharer

I, Emil Scharer do make and publish this my last
will and testament hereby revoking and making void
all others by me made at any time.

First I direct that my funeral expenses and all of my
debts be paid as soon after my death as possible
out of any money that I may die possessed of or may
first come into the hands of my executor.

Secondly, I give and bequeath to my beloved wife
Aunie Scharer all of my property both real ~~estate~~
and personal property that I may be possessed of.

Lastly

I do hereby nominate and appoint my beloved
wife Aunie Scharer my executor to act for me from
now as I have all confidence in her to have
full control of everything that I may die
legied and possessed of.

In witness whereof I do this my last will,
set my hand.

This the 29th day of June,
One thousand nine hundred and five

Emil Scharer.

Signed and published in our presence and we have
subscribed our names hereto in the presence of the
testator, this the 29th day of June, 1905

James O'Neill

H. F. Warren

J. B. Robby.

Proven & probated by the court and ordered to be
recorded in the book of Wills.

Filed June 30, 1916.

E. C. Shelton clerk.

Will of W. H. Burns.

I W. H. Burns do make and publish this as my last Will and testament, hereby revoking and making void all others by me at any time made.

First, I direct that my funeral expenses and all my debts be paid as soon after my death as possible out of any moneys that I may die possessed of or may first come into the hands of my Executors.

Secondly, I give and bequeath to my wife, Brunetty Burns, all my property, both personal and realty of every kind and ~~what~~ ^{whatever} what I now own or what I may hereafter become the owner, during the remainder of my life time. It being my desire to bequeath to my said wife Brunetty Burns every thing that I may own or possess, let it be personal property or real estate or both as the case may be, as my children are all now grown and doing business for themselves.

Lastly, I do hereby nominate and appoint my wife Brunetty Burns, my Executor in witness whereof, I do to this my will, set my hand, this the 1st day of February 1911.

W. H. Burns

Signed and published in our presence and we have subscribed our names hereto in the presence and by the request of the Testator.

This the 1st day of February 1911.

John Scruggs, Jr.
Silas Gregory.

Proven to be last will and testament of W. H. Burns, decd. and probated in open Court, on this the 2nd day of October, 1916.

J. B. Roddy, Chairman

See Minute Book "O" page 331 + 2.

Will of Mrs. Maria Yenni, decd.

I, Mary Yenni do make and publish this as my last will and testament hereby revoking and making void all others by me at any time made.

First, I direct that all of my funeral expenses and all of debts, such as medical bill, nurse bill & any bill that may be incurred during my last illness be paid as soon after my death as possible out of any moneys that I may die possessed of or may first come into the hands of my Executors.

Secondly, I give and bequeath to my friend Mrs. Annie Scheaver all of my personal effects, such as clothes &c money that I may have on deposit with the First National Bank of Tracy City Tenn, or any other place that I may die possessed of.

It is my desire and request that my Executor erect a suitable monument at ~~my~~ ^{my} grave out of any moneys that I may die possessed of. It is not my desire to become a burden to any one in my last illness without compensating them.

My friend, Mrs. Annie Scheaver, having given me a home to live with her & provided provisions &c. for my comfort & welfare: it is my desire & wish that she may have all that I may leave, having all confidence in her as a true friend.

Lastly, I do hereby nominate and appoint Mrs. Annie Scheaver my Executor and I request that she be excused from making any bond as administrator. In witness whereof I do to this, my will, set my hand, this the 26 day of Feby. 1916.

Mari Yenni.

Signed and published in our presence and we have subscribed our names hereto in the presence of the testator, this the 26. day of Feby. 1916.

B. W. Woff
Jr. Flomberg

State of Tennessee
Grundy County

Written by me at the request
of the testator & after being read over and explained
by me before signing the same, the same.
The said Mary Gimm acknowledged that she executed
the above & within will to be her act & deed for the
purposes therein contained.

Witness my hand & official Seal at Frazz City, Tennessee.
This the 26th day of Feb'y, 1916.
J. B. Roddy, Notary Public.

Will Probate of Mrs. Mary Gimm decd. Proven in
Open Court Oct. 26th 1916 and ordered to be
recorded by
(See Min Book D' 363.)

J. B. Roddy, Chairman

E. C. Shelton, Clerk

Translation of Last Will and Testament of Leonard Suter, Sr.

I, Leonard Suter, Sr. residing in Grady, Grundy County,
State of Tennessee, U. S. of America, of sound mind and
memory do make, designate, publish and declare the following
as my last Will and Testament,

1. I nominate, constitute, declare and appoint my youngest
son Leonard Suter, Jr. as Executor of this my last Will
and Testament.

2. I wish and it is my will that no inventory be taken of my
inheritance, and that no bond be required of my above-
named Executor of this my last Will and Testament.

3. I designate that all of my lawful debts and my burial
expenses be paid as soon as possible out of my inheritance.

4. In case that my son and Executor should leave me, my
house and farm before my death, then he shall receive
besides the amounts which he received from the management
of my farm from the date of his majority and as long as
he will live up till now, help work and ten my farm up
to the time of his eventual leave, receive the amount of
\$15.00 per month out of my inheritance in recognition
of his services.

5. However if my said son Leonard Suter, Jr. stays with me, and
helps me work my farm and home and attends to my business
like heretofore, until the time of my death then he shall be my
Universal Heir, and in that case, I do hereby nominate him
as such as my sole heir of my entire personal and Real
Estate, inheritance in Grundy County, State of Tennessee.

6. All this under reservation that the step mother of my son
Leonard Suter, Jr. shall have the Homestead right of my
Homestead and also all the house furniture and that he
shall provide his step mother with the necessities of life
on up to her death.

Leonard Suter, Sr. (Seal)

In witness whereof I have signed my name and attached
my seal.

This the 4. day of March, one thousand nine hundred
and sixteen.

The foregoing document was signed by Leonard Suter, Sr.
in our presence and at the same time by him declared
and pronounced as his last will and testament and before
the testators request we signed the same as

Translation of the last Will and Testament of Leonard Suter, Sr.

Witnesses, giving place of our residences

Peter Schild

Rosa Schild

of Gruette, Grundy County, Tennessee

Personally appeared before me
John M. Schild, an acting J. P. for the County
of Grundy, Tennessee, Peter Schild, with whom I
am personally acquainted, and under oath in
due form of law, that the foregoing translation of
the will of Leonard Suter Sr. is true and correct.

This 30th day of Dec. 1916.

Will probated and probated in open Court
this 1st day of Jan. 1917, and ordered to be
recorded in Book of Wills.

J. B. Roddy, Chairman

Will of K. M. Payne

I, K. M. Payne, of Monteagle, Tennessee, do make
and publish this my last will and testament, hereby
revoking all former wills by me at any time made.

First I will and devise to G. W. Orrie, C. A. Cook, A. J. Rollins,
Samuel Warner, and Jeff D. Hults, Trustees, for the use
and benefits of my wife and heirs, the "Wonder Cave
Property," which property consists of the following:

1. Wonder Cave itself with the real estate adjacent thereto which
was purchased from Isaac Smith.
2. The Crystal Cave with small lot around its entrance which
was bought from B. M. Rader.
3. The Wonder Cave Toll Road with Right of way extending
from the Nashville, Chattanooga and St. Louis Railway at
Monteagle to the County Road at Wonder Cave.
4. About fifteen acres of land on the side of the mountain on
both sides of said toll road, on which is a valuable spring,
a small house and other improvements together with a
small orchard, which tract was bought of W. M. Ayler.
5. About four acres of land in bend of said toll road on
which is located Sentinel rock, said land bought of
Lee Tucker.
6. About one acre of land in field on the west side of said
toll road where it enters the County road, about 200 yards
south of Wonder Cave, which was bought of W. M. Cox.
7. About one acre of land adjoining tract No. 6, on the
north and fronting the public road, and Wonder Cave, on
the north, which tract was bought from Elijah Shetter.
8. A tract of about seven acres, bought of J. C. Henly, Sr.,
on the south east side of tract No. 4 above set out.

And I here refer to the several ~~tracts~~ referred to for a more
complete description of said property which I designate as the
Wonder Cave Property, same being all the real property I own
in Grundy County, Tenn., except the house and lot later
referred to herein and devised to my grand daughter, Mary
Orrie, Say Co.

And I direct that the legal title to said Wonder Cave
property above, set forth and described, remain in said

Trustees and their successors in office, unincumbered during the life of my two children, Charles Buford Payne and Katie Payne Sayles and for twenty one years thereafter, and at the end of said period, I direct that said Trustees sell said property to the best advantage and that the proceeds of said sale be equally distributed among my heirs as the law directs.

In the event that any of the persons named as trustees herein should refuse to serve as such, then the remaining Trustees will elect some other person to serve so that the number of Trustees will be five, and in the event that any one of said Trustees should die, or for any reason, should become incapacitated by sickness or should remove himself out of the State of Tennessee, or should resign, in like manner the remaining Trustees shall select his successor, and in electing such Trustee, or his successor to a Trustee, any suitable man or woman shall be eligible, except that I deem it best that neither of my children, Charles Buford Payne, nor Katie Payne Sayles should ever become a Trustee.

Said Trustees shall meet twice a year at Wonder Cave, preferably on the first Saturdays in April and October of each year, and each Trustee who attends said meetings is to be paid five dollars for each day provided that no Trustee is to receive pay for more than two days in any one year, but three of said Trustees shall constitute a quorum for the transaction of business.

It shall be the duty of said Trustees to employ a manager to look after and have charge of said Wonder Cave property, who will report to said Trustees at stated intervals and said manager will be authorized and empowered by said Trustees to keep said Toll Road and Wonder Cave property in repair; to employ suitable guards; to all necessary advertising; collect all moneys for toll and fees charged for entering the cave; pay all bills and salaries on vouchers, and make settlements with the Trustees at stated times and turn over the surplus money to my beloved wife Emma C. Payne. The Trustees may require the manager to give bond for the faithful performance

of his duties, but the Trustees are absolved from the necessity of making bond. The expenses incident to salaries, advertising, betterments, repairs and maintenance and all other necessary expenses, shall not exceed in any one year more than seventy five per cent of the entire gross receipts for that year. And all expenses and salaries including the per diem paid the Trustees, shall be paid out of the gross receipt from said Wonder Cave property.

I direct that my beloved wife Emma C. Payne as long as she is able or desires so to do, have charge of the Toll gate and collect the tolls, and report the amount collected to the Trustees and for such services, she is to have the sum of Twenty Dollars per month together with the use of the house and about fifteen acres of ground where said toll gate is located and designated under A above, free from rent, together with any timber she may need for wood and other purposes on said Wonder Cave property, and after her death or resignation, then the managers shall employ some one to take charge of said toll gate and collect the tolls, and the manager will thereafter be responsible for same and report to the Trustees as in all other matters.

The Trustees shall fix the salary of the manager which shall in no event exceed twenty five per cent of the gross receipts and it may be less than this amount.

The Trustees, in their discretion, may, at any time they see proper, lease a suitable site for a way side inn or hotel for such length of time and on such terms as, in their judgment would be for the best interests of the beneficiaries.

The entire net income of the Wonder Cave property shall be paid annually to my beloved wife Emma C. Payne for her sole and separate use and after her death, the entire net income shall be paid during the life of this trusteeship to my heirs in the following manner to wit: my son, Charles Buford Payne, and his heirs will receive one half of the net proceeds and my daughter, Katie Payne Sayles, and her heirs shall receive the other one half of the net proceeds and this irrespective of the number of heirs either of them may have, and in the event either of my children should die, the one half of the net income shall go to his or her heirs during the life of this trusteeship.

The office building at Wonder Cave is set apart for the use of the Trustees and the Managers but all other property in the Wonder Cave Property in addition to the house and lot where the toll gate is located, the lots designated under 5, 6, 7, & 8 above, I desire that my wife have the use of during her life free from rent.

Second, I give and bequeath to my beloved wife Emma C. Payne all my personal property of whatever kind with exceptions hereinafter specified, including my moneys I may have on hand, all notes and accounts owing to me, and a paid up life insurance policy, which policy is made payable to her, but out of said funds, I direct that all my just debts and funeral expenses be paid, and I further direct that out of said funds Miss Katie Gallagher, who was for many years, my wife's assistant house keeper be paid twenty five dollars as a reward for faithful service.

Third, I give, bequeath and devise to my son Charles Buford Payne, the following real estate in Marion County, Tenn., to wit:

About 300 acres of land on the side of the mountain on west side of Battle Creek within the bounds of the Cannel Grant, also a lot on the side of the mountain near South Pittsburg, Tenn., including Lewis Leap Spring, and an adjacent tract of about three and one half acres, deeded to me by the South Pittsburg City Co. and S. W. Raulston also 150 acres at Orme, Tenn., known as the Doc Payne tract. Also two small tracts of land on top of the Nashville Mountain known as the Jack Whitaker place and the J. D. Young place: also two small tracts of from 20 to 30 each situated on top of the mountain in Marion County, Tenn. one what is known as the Cliffer Point and also any other realty that I may own in Marion County Tenn. and not herein devised.

Fourth, I will, bequeath and devise to my daughter, Katie Payne Sayles, all my land in Marion County, Tenn., known as the Baxters lands, embracing something over five hundred acres, situated one and a half to two miles south east of Monteagle and across

which the Dixie Highway is being constructed. Also my long Combedrake Coadery sword which I have kept as a relic of the Great Civil War, and any old records, papers and family papers left as heirlooms.

Fifth, I will, bequeath and devise to my grandson, Cecil Brucecraft Sayles a tract of about sixty acres of land on the south side of the Nashville, Chattanooga and St. Louis Railroad and fronting on same and known as the Baxfer tract, and located about two miles south west of Monteagle, also my large walnut office desk and a top case that belonged to my son, Cecil, when he died.

Sixth, I give, bequeath, and devise to my dearly beloved granddaughters, Mary Orme Sayles, one lot on which is a log house, situated on the west side of the Wonder Cave Rd. road in Grundy County, and containing about one acre, the place where Peter Woodward now lives, I also give her the best photograph that I have of myself, the large family bible, and one of the best rocking chairs to be selected by her.

Seventh, I will and devise to my grandson, Charles Buford Payne, Jr., my undivided interest, same being a two thirds interest in about forty acres of land on the south side of the Nashville Chattanooga & St. Louis Railway in Marion County Tenn., about one mile south Fairmont College, and known as the Colyer tract. And for more complete descriptions of the several tracts above devised, I refer to the several deeds of conveyance to me.

Eighth, all my books are to be divided equitably between my son, Charles Buford Payne, and my daughter Katie Payne Gallagher, but this is not to be done until my wife Emma C. Payne, select such as she desires to keep. In other words I give my wife such books as she desires, and the remainder I give to my son and daughter, the division to be equitably between them.

Ninth, I name, nominate, and appoint J. H. D. Fields of Tracy City, Tennessee, my executor, and having confidence in his honesty and integrity, I absolve him from the necessity of making bond.

In witness whereof I have hereunto set my hand, this the 24th day of May, 1917
R. M. Payne.

Signed by the said R. M. Payne, as and for his last will and Testament, in the presence of us, the undersigned, who, at his request, and in his sight and presence, have subscribed our names hereto as attesting witnesses, the day and date above written.

(See Min. Book "O" 487)

B. T. Smith
C. P. Norwood.

The Last Will and Testament of R. T. Dykes, Jr.

Realizing the uncertainty of life and the certainty of death and being desirous of making some disposition of my earthly effects and for the love and affection that I entertain for my wife, Mary T. Dykes, I hereby bequeath and give to her all of my real ~~estate~~ personal effects during her life time, including my little farm in the valley on Collins River adjoining John Brighten's farm, also the house and lot in Beershten Spring, in which we now reside, including household and kitchen furniture.

And at the death of my wife, it is my desire that Morris Dykes have the farm in the valley provided he is willing to pay each one of the children one hundred dollars (\$100.00) each. He having two years from the death of his mother to settle these amounts without interest in hand.

But should he not be willing to pay those amounts and take the farm, then the estate is to be sold in one and two years time and divided equally among my children. Eleven in number namely, John C. Dykes, Isaac J. Dykes, Mrs. Dora Daniel, by my first wife, and R. T. Dykes, Jr., Mrs. Myrtle Dykes Sullivan, Morris Herman, Willie, Grace, Lewis and Herbert Dykes, by second marriage. And at the death of my wife, it is my desire and I hereby bequeath and give to Mrs. Myrtle Dykes Sullivan, and Grace Dykes, my two daughters by my second marriage, the house and lot at Beershten Spring, Tenn., including all personal property, household and kitchen furniture that may be on hand at that death of my wife, except the organ which I bequeath to my youngest daughter, Grace Dykes. My reasons for giving my house and lot to my two daughters named above, is, first, Mrs. Myrtle Dykes Sullivan did more to finish and make complete the house, than any other member of the family.

Second, They being girls, would need it more, as they will not be able to get along financially as well as the boys.

It is my desire that Morris Dykes settle all debts that I owe, including my funeral expenses, and that each of my other ten children pay him their equal share of these debts and expenses.

whatever they be, same to be deducted from the \$100.00 Dollars due each of them on the valley farm, in case they fail to settle before this amount is paid to them.

This 20th day of April, 1917.

H. T. Dykes, Jr., Testator.

P. H. Rogers,
John Thompson, Subscribing witnesses.

Proven and probated in open Court on this 6th day of Aug. 1917, by the sworn statements of P. H. Rogers & John Thompson, the two subscribing witnesses, who appeared in proper person.

This Aug. 6, 1917

J. B. Roddy, Chairman

(See min. B. & O. 512)

Will of W^m Coppinger

March 7th, 1913.

I, William Coppinger of the village of Young College County of Grundy, and State of Tennessee.

Being of sound mind and memory do make, publish and declare this to be my last will and testament, to wit:

First. All my just debts and funeral expenses shall be first fully paid.

Second. I give, devise and bequeath to my son Francis Marion Coppinger, a certain tract or parcel of land in the Bottom same being the upper and south portion of said bottom lands, bounded as follows to wit:

On the South by the lands of J. D. Williams: On the East by W. S. Walker and the creek: On the North by the Conditional line of lot no. 2, and on the West by the lands of said Francis Coppinger on which he now lives containing 10 acres, and said Francis is to cultivate said lands to the best advantage and give one third rents thereof to the farm, during my natural life and in case my wife Mary Bealine, is living after my departure she shall receive said rents during her natural life.

My said wife Mary Bealine is to be provided with one horse, cow and calf, and hogs and the remainder to be sold and the money equally divided among all my heirs.

Said parties shall give each other right of road ways to sell produce etc.

After the said Francis has complied with above obligations the said tract of land to be his in fee simple.

Tract no. 2. Adjoining tract no. 1, below and north side I give to our son Albert Coppinger, bounded as follows to wit:
Bounded on the North by the north line of lot no. 1.
On the East by W. S. Walker. On the North by a conditional line in said division between said Albert and Wiley.
On the West by the base of the hill and to comply with the above obligation in full of no. 1. lotted to Francis. 10 acres.

Lot no 3 joins Lot no 2, on the north (Bottom lands) I give to my son Wiley and his heirs, Tract bounded as follows to wit: Bounded on the south by north line of Lot no 2, on the East by W. S. Walker, on the north by A. H. Coffinger and Perry Williams. On the west by Lewis Williams. On the south by lot no 4 to line of lot no 2. Containing about 15 acres of bottom and up lands. Said wily, our son, shall comply with obligations as given in Tract no. 1, as to rents etc.

Tract no 4 I give to my son Robert which is our home and house lot all beech, or up lands, bounded as follows to wit. On the north by lot no 3, to Wiley, west by Mountain road. On the south by F. M. Coffinger, on the east by lot no 2. Said Robert is to comply with obligations as given in Lot no one as to rents etc. About 12 acres. All the thirs in fee simple when above is fully complied with. This will not apply to any party that fails to comply with above obligations.

See page 195 for balance of will.

Codicil

Know all men by these presents, That I hereby expressly confirm my former will, dated March 7, 1913, excepting so far as the disposition of my property is changed by this Codicil.

That portion of said will is as amended and changed as to read as follows to wit:

I give and bequeath to my said wife at my death hogs for meat for one year and if the hogs are not there, or on hand, my said executor or administrators are to furnish them.

Maudy has done got her \$200.00 as provided for in will, she got this in cash.

Effie Walker has got her \$200.00 in cash.

Billie Coffinger has got \$100.00 of his \$200.00 and if balance \$100.00 is not paid at my death, then the Executor will pay him said balance out of the estate.

at my death, if my wife is living it is my will that she have an equal share with the children, after all my

debts are paid, in all the personal property and real estate not otherwise disposed of by former will and in the hands of Executors.

The right and title of said property to remain in me till my death and if I die before my wife does, then the share to my wife to remain hers as aforesaid until her death and then the same to remain in my said heirs in fee simple.

I do witness whereof I, the above named testator have hereunto set my hand and seal to this Codicil, on this July 14, 1914.

W. M. Coffinger (S.S.)

Then and there signed, sealed and published by said William Coffinger the testator as and for his last will & Codicil in the presence of us who at his request, in his presence and in the presence of each other have hereunto set our names as witnesses.

J. C. Shelton
Jas. Beddingfield

3 (Part of will from 1914)

Tract no 5 Mountain side timber lands bounded as follows to wit: On the East by mountain road, Gilbert Coffinger and Savage. On the South by said Savage. West by Jessy Madwell. North by Robert Coffinger.

The right of title is reserved during my natural life But Frances, Gilbert, Wiley and Robert Coffinger is to have access to the timber necessary to keep up their titable lands, fence posts, etc. and to be theirs in fee simple, after my death to go with the farm land adjoining and above their respective lots.

Tract no 6 Mountain side tract no. 6 150 acres, timber lands bounded as follows to wit: East by said Madwell and Savage. South by Wells. West by Hill Branch (wooden). North by Robert Coffinger. I give and bequeath to William Coffinger, my son, and Effie Walker, Maudy Carter, our daughters and their heirs to do with as they see fit, sell or divide at my death, the right of title is to remain in me until I die this to be their in fee simple after my death.

Further I give to my son Wm Coffinger \$200⁰⁰ Cash
also my daughter Nancy \$200⁰⁰ in Cash, and Mary
Carter \$200⁰⁰, Mary Carter \$200⁰⁰ paid in full.
The said payments of said \$200⁰⁰ each is to balance with
valley farm lot etc.

Witnesseth:

Signed
Wm Coffinger

Arnold Kessling
E. N. Walker

I hereby appoint Gilbert Coffinger and G. M. Coffinger
Adms. or executors to this my will.

The within will was received in open Court for probate
and upon oath of the subscribing witnesses, same
was proven to be the last will and testament of
Wm Coffinger, deceased and the same is hereby
proven for probate.

This Sept. 3

1917

J. B. Roddy, Chairman
by J. B. McCarver, Chairman Pro Tem

See Min. Book "O" page 521.

Will of J. H. Summ

State of Tennessee?

Summit County

I, J. H. Summ do make and
Publish this as my last will
and testament hereby revoking and making
void all others by me at any time made
1st I direct that my funeral expenses and
all of my debts to be paid as soon after
my death as possible out of any money
that I may have possessed of or may come
first into the hands of my Administrator
2nd I give and bequeath to my wife Mrs.
Cora Summ all of my household and
furniture and fixtures also
all papers and all Personal Property
she may own at my death in her
own name this must not bar her from
Exempted Property.

3rd.

I convey and transfer unto her sole
and separate use with full power to her
at her pleasure to sell convey demise
or otherwise dispose of the same in any
manner she may see proper (the intent
and purpose of this instrument is to
settle homestead and dower two tracts
of land - Tract No. 1 Beginning in
the Putledge line near the well R. B. Patton
South East Corner. Thence with said Patton
line to the Creek at the Stone Bridge thence
down said Creek with the Preceders & said
Creek, Crossing said Creek to J. E. C. Parsons
South West Corner. Thence with Parsons
line to James Cox North West Corner
Thence with said Cox line to the Road
turning in the Putledge line thence with
45° Boust to the Beginning containing 45
acres more or less -
Tract No. 2. Bounded as follows
Beginning on Stake Bar line Southerland
South West Corner at the Gate thence South
East with said Southerland line to the

J. H. Gunn's will -
Continued.

South west corner near the Long Lake
Veneer Thence South crossing the branch
running with the wire fence coming
on then and then on Pointers in 2nd
pole line Thence South with Markline
to Hickory corner on the Bank of Elk
River Thence down the River with
the Markline to said corner to said line
South East corner on the Bank of
Elk River Thence North 14° E. with
said Gallagher line passing James
Haynes South E. corner to the (Thence)
black Thence up the creek with said Haynes
line passing said Haynes North E. corner
to the beginning.

I want the remainder of any property
both real and personal to be divided
equally between all of my children except
the one hundred acres sold from
H. Co. Fulton, to J. H. & J. F. Gunn, said
tract to be equally divided among
the heirs of Mrs. J. F. Gunn, only.

In order to protect James H. Gunn, Jr.
M. C. Gunn, W. R. Gunn who are minors,
I want each of them to have and
to hold any and all personal property
that they may own at my death
and not to be charged against them
in final settlement.

Lastly I nominate and do appoint as
my executor Dr. L. A. Carden.

In witness whereof I do to this my
will set my hand this 1st day of Feb. 1916

Attest: D. W. Howard
H. C. Lewis

J. H. Gunn

The foregoing will was proven and Prolated
in the Court on Oct 1st 1917 upon the oath
of D. W. Howard
see Book 100
J. R. Rocky, Chancellor

Will of Sarah E. Shumethy
Spring Grove Farm, Monticello, Tennessee.

I Sarah E. Shumethy, widow of Dr. J. F. Shumethy,
is writing this will in her 73 year that her three
children may know her decision about her affairs at
this age. 1st. The insurance kept up by Aneta
and Alfred is to pay the burial expenses.

What is not needed must be divided between them.

The interest I have in the little here at the
farm will pay my debts, if more than enough
divide it with the children. Each have a lot
in Florida, I helped them pay for. Most of the
household effects are Alfred's as he bought them.
They each have bedclothes, but the white bedstead
mattress and springs are Eleanor's. Aneta can
have the large bedstead, and sewing machine.
Two of the bedsteads are Alfred's, wardrobe, desk and
bookcase of his father, and the enlarged picture
of him. The better lot of 6 acres is for Eleanor,
right away must be given at the corner side from
the farm to the Spring branch to water the stock they
feeding up the large fence so stock can't get in the
garden. Should Eleanor die without heirs,
let go to her brother.

If the business at 417 East 1st St. in Jacksonville,
Florida, is not wound up by Mrs. J. R. Navigation
and myself, Alfred, or Eleanor must attend
to it and all of the unfinished business without
going bond or going to law. Take from the thousand
and fifty dollars mortgage I had on it, and get
plain marble slabs for my grave, and their mother's,
all the cost of fixing them and attending to the collect-
ing & R. out of it, then put aside one hundred
dollars for the benefit of helping in her education
the Miriam Howard Glover, my granddaughter is
now a lady, and it must not be used for anything
else. The amount left after this can be divided with
the three children, but Eleanor may collect and use
the interest for herself till is, all the interest is
paid quarterly \$21.00 The mortgage is due Oct.
24th, 1917. Alfred may have my large trunk
or any pictures or books. The oil stoves are his.

Will of Sarah E. Shumathy
Continued.

Alfred and Mont Glover came here about \$45.00 dollars, borrowed money on place, that and the \$31.00 Mont and Alfred used of my money. To help build their cottage can be divided between the children.

Signed 31st. 1912.

Mrs. Sarah E. Shumathy,
Monteagle, Tenn.

Witness. Evelyn S. Spickard,
621 President St. Jackson Miss.

Witness. Annie L. Wellons,
Fort Smith, Arkansas.

Witness. David H. Bryan,
Monteagle, Tenn.

Proven and produced in open court on
June 10th 1913 - by D. H. Bryan, a subscribing
Witness. J. B. Proffly,
Chairman.

And filed in the Office of the Clerk of
the County Court on June 10th 1913 -
E. C. Shelton, Clerk.

Will of Elijah Meeks.

I, Elijah Meeks, of Grundy County, Tennessee, being of sound mind and memory do make, publish and declare this to be my last will and testament, hereby revoking any and all wills by me at any time heretofore made.

It is my will that as soon after my death as possible all my debt be paid including my funeral expenses.

I will and bequeath to my youngest son Elijah Meeks Jr. the following described personal property.

1st One dark bay horse about 8 years old, and 14 hands high
"named George".

2nd. My double barrel shot gun.

3rd. A two thirds undivided interest in and to three certain promissory notes for \$333.60 each, dated Feb. 10th. 1915 and due and payable in twelve, twenty four and thirty six months from date respectively, bearing interest from date. Executed by W. L. Davis to me for land.

I will and bequeath to my wife K. B. Meeks all the residue of my property, real, personal and mixed of what ever kind and character and wherever situated or located.

Having the utmost confidence in my said wife, K. B. Meeks, and believing that she will execute this will equitably and impartially, I hereby nominate and appoint the said K. B. Meeks, executrix, and relieve and excuse her of the necessity of making bond as such executrix.

Witness my hand this 26th day of March, 1915 -
Elijah Meeks.

Signed by the testator in our presence and we sign this as witnesses in the presence of the testator Elijah Meeks and in the presence of each other, on this the 26th day of March, 1915;

S. J. Fuelt,
J. B. Ferguson.

Proven upon oath of S. J. Fuelt and filed for probate July 1, 1915 -
E. C. Shelton clk.

See Min. Book "P" 124