

presence of us, the undersigned, who, at his request and in his sight and presence, and in the sight and presence of each other, have affixed our signatures hereto as attesting witnesses the day and date above written.

Witness:

M. N. Whitaker,
P. H. Thack.

Proven and probated by the Court and ordered to be recorded in the book of wills.

Filed in my office this Oct. 6th 1927
See minute Book "S" page 452.
Chas. W. Smith, Clerk.

Will of Mrs. Annie E. Schaefer.

Will:

I, Annie Emil Schaefer 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 desire that my funeral expenses and all my debts be paid as soon after my death as possible, buying a nice metal casket, and that my body be dressed in my own best clothes.

What money and notes that is left on hand to be divided in equal shares between my four children - E. E. Schaefer, Elsie Thronenberg, W. J. Schaefer and Sol E. Schaefer. The ones that have no notes to be paid first, those that have notes pay as notes are due.

Owing to the age of the children no administrator is required.

If any information is required please go to Mr. Martin Marag to act as administrator.

The extra sheets of paper attached are legal and must be followed out.

Mrs. Annie E. Schaefer. (real)

Signed and published in our presence and we have subscribed our names hereto in the presence of the testator.

This the 18th day of December, 1924.

W. C. Alexander (real)

Mrs. Sam Schild (real)

I have decided for Sol E. Schaefer to act as Administrator.

Mrs. Annie E. Schaefer

September 1924.

Mealie From Mother.

Folding bed. Big vase he gave me, Silver ware butter dish, sugar bowl, cut glass cream pitcher & sugar bowl, 1/2 doz. China pie plates, Silver cream pitcher, silver molasses pitcher, 1 square glass bowl & 6 dishes to match, 5 blue drink saucers with flowers.

1 fruit bowl with reaches in it. 1 celery dish.
6 salt cellar takes China.

Sept. 1924.

Ball from Mother.

Dining room table, big vase in hall with
apples on it 2 big cake plates, 1 silver fruit
stand, 1 silver bread tray & tea pot, 1 silver
shell & butter knife, 1 gravy ladle & berry spoon
1 silver mustard spoon, 1 silver dog desert spoon
1 silver cheese dish, Japanese cups & saucers,
glasses & waiter & bottle, 1 pick up & saucer
6 cut glass salt cellars, 1 big cut glass pickle
dish, water set I give grandma Electric
fixtures & lamps.

Sept. 1924.

Werner from Mother.

Glass waiter he already has. family pictures
writing desk, dining room chairs. Cut glass
vase that Ellen gave me. 6 China pie plates,
1 silver water pitcher, 1 pickle stand & tray
2 silver naphin rings with ferns, 1 pickle fork
with gold prongs, 1 silver cream ladle with
gold hold, 1 glass bowl & 2 saucers to match
6 pie plates pink roses, 1 salad bowl with
grapes in it, 1 celery dish, green fruit bowl
& stand.

Sept. 1924.

Elsa. From Mother.

1 China Statues, China white cups from Mrs
Tonherger, China Cabinet if she away from here
fall with the house.

Bed Linens and my clothes, dresser & 2 single
beds from Grandma, Cracker bowl, all fancy things.
1 set fruit picks, 1 set fruit knives, 6 set silver tea spoon
1 set cold meat forks, 1 set soup ladle, 1 berry spoon
gold hold, 1 chocolate spoon, 1 pickle fork, 1 silver
mustard fork, 6 ice cream spoons, 1 wooden ladle &
fork, 1 knife rest, 1 green flowered cake plate, 6
wooden naphin rings, 1 green flowered salad
bowl, 1 white dishes and odds & odds, 1 cut glass

son Bon dish, shirt waist box.

The ends and odds Elsa can decide out
by the piece or sell and the money be divided.

Proven and probated by the Court and
ordered to be recorded in the book of Wills.
Filed in my office this 14th day of Nov.
1927.

See minute book S. page 477

Chas. W. Smith, Clerk.

Will of W. L. Beard.

I, W. L. Beard of Monticello, Grundy County Tennessee, being of sound ~~sane~~ disposing mind and memory hereby make public and declare this my last will and testament revoking all others by me at any time heretofore made.

Item 1- I desire all my just debts paid as soon as possible after my death-

Item 2- I bequeath and devise to my wife Eva M. Beard all my property of every kind character and description wheresoever situated provided she is living at the time of my death- If my said wife shall have died before me I then bequeath and devise all of my property of every kind character and description to my step-son, William Henry Hindson.

Item 3- Should my wife survive me and then become the sole beneficiary under this will I appoint her executor thereof without bond- Should my wife not survive me and William Henry Hindson therefore become the sole beneficiary I appoint him executor of this will without bond-

In witness whereof I have hereunto set my hand this 24th day of October, 1925.
W. L. Beard

The undersigned hereby certify that W. L. Beard signed the foregoing paper writing in our presence and in the presence of each other acknowledging the same to be his last will and testament, and that we in his presence and in the presence of each other, and at his request have hereunto set our names and subscribing witnesses-

This 24th day of October, 1925.
witnesses: Julius Hassler,
W. O. Parker,
S. G. Alcomb.

Proven and probated by the Court and ordered to be recorded in the book of wills.

Filed in my office this the 4th day of April 1928.

See minute book "S." page, 568
Chas. W. Smith, Clerk.

Will of Rudolph Schild

I, Rudolph Schild, being of sound mind and disposing memory, hereby make and publish this My last will and testament hereby revoking all other wills by me made at any time in the past:

First, I direct that my burial expenses and all just debts be paid as soon as practicable after my death out of any moneys left by me.

Second, I direct that my remains be buried in my family lot in St. Peter's cemetery, St. Louis, Mo., between the graves of my wife and my son who were buried there, using a Rhinhardt burial vault.

Third, I direct that my executors, as soon as practicable after my death and burial, procure a double tombstone, not to exceed four hundred dollars in value and have same placed at the head of my & my wife's graves, and pay for same out of my estate.

Fourth, I give and bequeath to St. Peter's Cemetery Association of St. Louis, Mo., as trustee the sum of four hundred dollars, the interest on same to be used for the perpetual care of my cemetery lot in said St. Peter's Cemetery.

Fifth, I give and bequeath to Leonard Engbers and Ruby Engbers of St. Louis, Mo., the sum of five hundred dollars, said sum to be held in trust by them until their adopted son, Fred Rudolph, becomes twenty-one years of age, and then said five hundred dollars with the accumulated interest shall be turned over to said Fred Rudolph.

Sixth, I hereby name, nominate and appoint Martin Murrugg of Tracy City,

Tenn., and Frank Bolbeck of St. Louis, Mo., as administrators of this my last will and testament, and having confidence in their integrity I absolve them from the necessity of making bond.

Eighth, I direct and desire to be buried under the auspices of St. Louis Lodge No. 5, I. O. O. F.

In witness whereof, I hereunto set my hand, on this 16th day of April, 1928.

Rudolph Schild.

Signed in our presence and in the presence of the testator and at his request as attesting witnesses, on this April 16, 1928.

Jeff. D. Fultz.

Tracy City, Tenn.

Julius Hassler.

Monteagle, Tenn.

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

Filed in my office this the 14th day of May, 1928.

See minute book "S" page.

Chas. W. Smith, Clerk.

Will of R. J. White.

To all whom it may concern
Greetings,

I, R. J. White of the town of Blues,
of the County of Grundy, and State of
Tennessee, being of sound mind
and memory, do make and publish
and declare this to be my last will
and testament.

Already having given to my son
Charley the place where he now lives,
and having given my daughter
Nan one mule, and one cow, I now
bequeath to each of her three children
Beatrice, Edith, Bernice, the sum of
one dollar, and to my son Willie, and
Dock, I have given them the place on
which they now live, and having given
my daughter Alice her place I now
bequeath to her the sum of one dollar.
and having already given my daughters
Mary and Jossie the sum of one hundred
dollars, and one cow each, I now bequeath
to each of them the sum of one dollar
each. Having given to my daughter
Prudie and Ada twenty acres of land,
more or less known as the Womum
place, I now bequeath to each of them
the sum of one dollar. And having
given to my son Robert, the old home
place, and to my daughter Louella the
place where she now lives, I now bequeath
to her the sum of one dollar.

I now give, devise and bequeath all
the rest, residue and remainder of my
estate, both real and personal to my
beloved wife Lorene White, to have and to
hold to her, my said wife, and to her heirs
and assigns forever.

In witness whereof I have hereunto
set my hand and seal, this 26th of February 1924
R. J. White

Signed, Sealed, Published and declared as and
for his last will and testament by the
above named testator, in our presence,
who have, at his request and in his
presence, and in the presence of
each other, signed our names as witnesses
thereto

Witnesses { Byron Land
Will Land

Will of Dr. Henry Lockhart.

The Last Will and Testament of Henry Lockhart. Know all men by these presents, that I, Henry Lockhart, a resident of the County of Broward, State of Florida, being of sound mind and disposing memory, and not acting under duress, fraud or undue influence of any person or persons, whomsoever, do make, publish and declare this my last will and testament hereby revoking all former wills that I may have made; that is to say:

1. It is my will that all my just debts and charges for funeral expenses be paid out of my estate as soon after my decease as is convenient.
2. I give, devise and bequeath to my beloved wife, Cleo Lockhart, all the property, real, personal and mixed, of whatever kind, and wherever situated, of which I may die seized and possessed, and all the property and estate to which I may or might be entitled, and over which I have power of appointment or disposition.
3. Likewise, I make, constitute and appoint my said beloved wife, Cleo Lockhart, to be my executrix of this my last will and testament and that she, as such executrix shall not be required to give any bond, even though so required by the laws of any state in which I may have property, notwithstanding the provisions in that regard of the law of any such state.

In witness whereof I have hereunto subscribed my name and affixed my seal this day of August, 1925.

Henry Lockhart (Seal)

The above written instrument was subscribed by the said Henry Lockhart

in our presence, and acknowledged by him to each of us, he, at the same time, did declare the above written instrument to be his last will and testament and that we, at his request have signed our names as witnesses hereto in his presence and in the presence of each other, and written opposite our names our respective places of residence.

M. A. Speers,
Witness

Fort Lauderdale, Fla
Residence.

Mrs. May B. Lockhart
Witness

Fort Lauderdale, Fla
Residence.

Thos. M. Lockhart
Witness

Fort Lauderdale, Fla
Residence.

Will of John A. Hall.

I, John A. Hall, of Tracy City, Tennessee, being of sound mind and disposing memory, do make and publish this as my last will and testament, hereby revoking and rendering null and void all other wills by me made at any time in the past.

First, I direct that my funeral expenses and all my just debts be paid out of any money that I die possessed of or that first comes into the hands of my executors, and I direct that this be done just as soon as practicable after my decease.

Second, I give, devise and bequeath to my beloved wife, Bessie Hall, all my property, real, personal and mixed, including all money, notes, accounts, lands, household goods and all property of every description remaining after my funeral expenses and just debts are paid as above provided.

Third, I do hereby nominate and appoint my wife, Bessie Hall, my executor, and having the utmost confidence in her integrity, I absolve her from the necessity of making bond as such.

In witness whereof, I hereunto subscribe my name, this the 22nd day of February, 1923.

John A. Hall.

We, the undersigned, at the request of the testator, J. A. Hall, and in his presence and in the presence of each of us, hereby subscribe our names as attesting witnesses to the execution of the foregoing will.

This Feb. 22, 1923.

George F. Lynn,
Tracy City, Tennessee.
J. P. D. Falk,
Tracy City, Tennessee.

Will of Mercer P. Logan.

my will

This is my last will. I leave to my wife an insurance policy for \$3500.00 in the Northwestern Insurance Company, and my U. S. Bonds in the Nashville Trust Co. and the U. S. Postal Note in the same bank, the interest on the above to be paid to her during her life, and after her death to be divided among my Children or in case of the death of any one to the Children of the one deceased. In case of the death of my daughter Mrs. Preston S. Brooks, the amount for her shall be paid to her husband Preston S. Brooks for his life and after his death to be divided among my other Children. I leave to my five daughters all the rest of my estate, namely, a life insurance policy in the New York Life Insurance Company, Certificates of deposit in Chattanooga Savings Bank and Trust Co. Chattanooga, Tenn. Investments with Wegmans and Company, Atlanta, Ga. and all other property of whatsoever character which I may possess at the time of my death. I give my watch to my grandson, John R. Jackson Jr. and to my daughter Mrs. Preston S. Brooks the tribute given by St. Ann's Church. The lot in Mt. Olivet Cemetery, Nashville Tenn. I leave to my wife and my Children. I hereby appoint my wife and my two sons-in-law John R. Jackson and Fred F. Millseps my executors and without bond.

Mercer P. Logan.

Dubose School, Monteagle Tenn.

July 11th 1927.

In case of the death of my daughter Mrs. Preston S. Brooks of Sewanee, Tenn. I leave to her husband for his life, her share and at his death to be divided among my other Children.

Proven and Probated by the Court and ordered to be recorded in the book 7 Wills.

Filed in my office this the 12th day of April, 1928.

see minute Book "T." page 233.
Chas. W. Smith, Clerk.

Will of W. A. Reid.

State of Tennessee,
Grundy County. I, William A. Reid,

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

First, I desire that ~~my~~ funeral expenses and all my just and honest debts be paid as soon after my death as possible out of any moneys that I may be possessed of or may first come into the hand of my executor.

Secondly, I give and bequeath to my sister Maggie Reid Shook all other personal belongings and moneys also 1/2 share of real estate that I became possessed of by the death of brother M. A. Reid and 1/2 share of real estate belonging to me by virtue of birth making a total of (3) shares or 1/2 interest in a tract of land and home place known as the Reid Home Place and Reid tract of land.

Lastly, I do hereby nominate and appoint Alan M. Shook my executor to serve without bond.

In witness whereof I do to this my last will set my hand this the 27 day of April One Thousand Nine Hundred Twenty Nine
W. A. Reid.

Being and Published in our presence and we hereby subscribe our names here in the presence of the testator, this the 27 day of April, One Thousand Nine Hundred Twenty Nine.

Witness
E. C. Howell
John D. Baggert
Proven and Subscribed by the Court and ordered to be recorded in the Book of Wills.

Filed in my office this the 17 day of Sept. 1929
Chas. W. Smith, Clerk
(See minute Book 1 - page 319)

Will of Mary Church.

Last Will and Testament of Mary Church,
I, Mary Church, of the City of Tracy City, County of Grundy, and State of Tennessee, being now in good health, strength of body and mind, but sensible of the uncertainty of life, and desiring to make disposition of my property and affairs while in health and strength, do hereby make, publish and declare the following to be my last will and Testament, hereby revoking and cancelling all other or former Wills by me at any time made.

Article 1.

I direct the payment of my just debts and funeral expenses.

Article 2.

I give and bequeath to my son, Ernest W. Weff, of Louisville, State of Kentucky, the following:

- One Cedar Chest left me by my mother.
- One pink woolen bed blanket.
- One Down Bed Comforter.
- One Stand Lamp.
- One Photograph of Rena R. Weff.

Article 3.

I further give and bequeath to my son, William S. Weff, of St. Augustine, State of Florida, the following:

- Two feather pillows identified by flowered ticking.
- My Wedding Ring.

Article 4.

I give and bequeath to my daughter, Mary Weff Carter, of Jacksonville, State of Florida, the following:

- One gold Brooch pin, designs in letters "M.C." and set in pearls.
- One Large Mirror.
- Pictures in large frames of Grandfather and Grandmother Weff.

One walnut bedstead.

One walnut dresser.

Article 5.

I give and bequeath to my granddaughter, Mary Louise Douglas, of Cowan, State of Tennessee, the following:

One silver butter knife.

One silver sugar shell.

Half dozen silver spoons, half dozen tea spoons.

Photograph in frame of Phil and Louise Douglas family group.

Article 6.

I give and bequeath to my Granddaughter, Eunice Lee Douglas, of Cowan, State of Tennessee, the following:

Six silver table knives.

Six silver table forks.

One wicker basket.

Article 7.

I give and bequeath to my son, Rudolph E. Church, of Tracy City, State of Tennessee, all the rest of my residue of my household goods now in my dwelling house, not mentioned in will as given to others.

I further give and devise to my said son, Rudolph E. Church, the property known as the Sam Werner home place, which was deeded to Mary and L. T. Church, deed dated July 26th, 1901, and now known as Mary Church home, as the same appears in the Blue Print attached hereto.

Article 8.

I further give and bequeath to Everett Church, a Grandson, of Tracy City, State of Tennessee, the following:

One gold watch which belonged to his grandfather, Lucas T. Church.

Article 9.

I further give and bequeath to Mary Elizabeth Church, a Granddaughter, of Tracy City, State of Tennessee, the following:

One Cut Glass vase.

One jewelry box.

Article 10.

I further give and bequeath to my granddaughter, Serena Jane Weff, of St. Augustine, State of Florida, the following:

One Brooch, having in it photo of my husband, Lucas T. Church.

One set of ear rings.

Article 11.

I further give and bequeath to my Granddaughter, Virginia Carter, of Jacksonville, State of Florida, the following:

One Brooch, gold with Onyx setting.

One Cut glass butter dish.

One wall vase.

Article 12.

I further give and bequeath to my Granddaughter, Mary Sue Weff, of Louisville, State of Kentucky, the following:

One gold watch, given to me by my husband, Lucas T. Church.

Article 13.

I further will and direct, that whatever cash I may have at the time of my death, and the stock of the Sam Werner Lumber Company, may be used for the purpose of defraying my funeral expenses, and the overplus, if any, shall be held by my Executor and Trustee, hereinafter named, to be used for the care of the graves of myself, and my two husbands, my son Leroy, and my daughter Louise Weff Douglas, provided, further, that only such part of said stock shall be sold from time to time as may be necessary to carry out the provisions of this paragraph, and provided

further than in the event of the death of the said Sam Werner, who is operating this lumber Company, that the stock remaining in the hands of my said Executor shall be sold and the proceeds re-invested by him.

Article 14.

I further give and bequeath the rest and residue of my estate, share and share alike, to Mary Louise Douglas, Niice Lee Douglas, Ernest Weff, Wm S. Weff, and Mary Carter, Mary Louise Douglas and Eunice Lee Douglas, to have their mothers share.

Article 15.

I hereby make, nominate, constitute and appoint my son, William S. Weff, as the Executor and Trustee, of and under this my last will and testament; and I hereby direct and require that he shall be allowed to qualify as such Executor and Trustee, without giving any bond or security whatever.

In witness whereof I have to this my last will and testament subscribed this my Name and seal, this 21st day of May, A.D. 1929.
Mary Church, (seal)

The foregoing instrument was on this 21st day of May, A.D. 1929, signed, sealed, published and declared by the Testatrix to be her last Will and Testament, in the presence of us) and each of us, the undersigned, who thereupon at her request and in her presence, and in the presence of each other, have hereunto subscribed our names as disinterested attesting witnesses thereof, the day and year above written.

Ella Werner, of Tracy City, Tennessee.
Jeff D. Fulton, of Tracy City, Tennessee.

Proven and probated by the Court and ordered to be recorded in the Book of Wills.
Filed in my office this Oct. 4-29. Chas. W. Smith, Clerk.
(See Minute Book p. 353)

Will of Mary Francis Williams.

Essex, Connecticut, July 4th 1929.

In the name of God, Amen.

I, Mary Francis Williams, at this time a resident of Monticello, Tennessee, being of sound mind and memory, but knowing the uncertainty of human life, do make and publish, my last will and testament.

First,

My body must be cremated, and the ashes cast to the four winds of the earth, the cost to come out of the estate, Second, all my just debts must be paid.

Third,

I desire that my sister, Emma Moore Williams, of St. Petersburg, Florida, shall be the Executrix of my Estate. I desire that the Court in which she shall qualify as such, to permit her to do so without giving any security.

Enclosed find a list of my possessions and indebtedness to date.

1 share in the Jackson, State National Bank, Jackson Mississippi, bought in 80 for \$100. Now paying 12% - \$100.00

2 Shares of Combination Orchard Co. bought for \$50.00 a share, now in an unsettled condition, \$110.00
Winona, Texas.

\$2500.00 Mortgage, Louis Newbold, Athens, Alabama.
W. T. Sanders, Agent, Athens, Ala.

Interest due February 20th, at 8%. Not Collected this year of 1929 - \$2500.00

\$2060.00 loaned Emma Moore Williams, of St. Petersburg, Fla. at 6%. Due semi-annually, Feb. 1st, and Aug. 1st. - \$2060.00

Bonds from P. P. Williams (agent) on Florida Hotel Co., \$1000.00 each at 6%, numbers 47 and 48. Coupons due May and November;

1 Levee Club, Inc. Coupons due May and November at 6%

2 Union Compress Warehouse of Kansas
each, Nos. 477 and 478 at 67¢. Coupons due
January and July. \$500.00
Immolalee, home of M. Frances Williams,
Monteagle, Tennessee. House Cost \$6000.00
in 1914.

Improvements, \$1600.00

Little Cottage, \$ 900.00

Taxes due March 1st. Paid up to date.
1/2 of Kansas City Property Valued at \$200,000.00
Monthly income irregular, brother is
trying to sell.

I owe J. H. Williams, my brother in
Bolton, Miss. the sum of \$300.00. Pay this
without interest. \$300.00

I bequeath in fee simple, to my
niece, Julia Williams Montgomery, the sum
of \$1030.00. The same being one half of the
policy left me by my brother Charlie, that
he had in the Knights of Honor. \$1030.00

I bequeath in fee simple to Charlie
Williams Harris, the sum of \$1030.00. The same
being one half of the policy of the Knights
of Honor, that her father, my brother
Charlie left me. \$1030.00

I bequeath in fee simple, the diamond
ring that I wear, the same being given
me by my brother Charlie, to my niece,
Charlie William Harris. She having his
disposition, looks and character, that so
endeared her to me, I have told her of
this ring and it was to her hers. Valued in
1919 at \$300.00. \$300.00

I bequeath in fee simple to my great
nephew Billie Montgomery, the sum of \$500.00. \$500.00

I bequeath in fee simple, to my great
nephew, Bobby Harris, the sum of \$500.00. \$500.00

I bequeath in fee simple, to Adele
Albert, my niece the sum of \$500.00. \$500.00

I bequeath in fee simple, to my sister

Emma Moore Williams, the sum of one
dollar, she has the same amount that
I have from our brothers, C. D. and
P. P. Williams.

I bequeath in fee simple, to J. B.
O'Neal, M. Frances O'Neal and Belle O'Neal,
the house, known as Immolalee.

Situated in the Chautauqua Grounds
of Monteagle, Tenn.

They must allow Emma Moore
Williams a room at any time
that she may wish to come up.

The house furnishings to go with the
house.

The pictures that I have are to be sold
at auction and money divided equally
between Billie Montgomery and Bobby
Harris. Also my reference books are to
be divided between Billie Montgomery and
Bobby Harris.

The Kansas City Property, given us
by our brother J. P. Williams, and which
Exp. \$200,000.00 is to be divided equally
between J. B. O'Neal, Francis O'Neal and
Belle O'Neal.

Mary Frances Williams,
Monteagle, Tennessee.

The above paper was signed in our presence,
when all of us witnessed the signing at the sometimes
witnesses at Essex, Conn. July 6-1929.

Ida B. Ely,

Emma S. Trath.

Ernest A. Bailey.

Essex, Connecticut, County of Middlesex.
July 6th 1929.

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

Filed in my office, this the 28th day of Oct. 1929.

Thos. W. Smith, Clerk.

(see minute book, page 352)

Will of Jimmie I. Sweeton.

I, Jimmie I. Sweeton, of Grundy County, Tennessee, do make and publish this my last will and testament, hereby revoking all other wills by me at any time heretofore made.

-I-
That all my debts and funeral expenses be paid as soon after my death as practicable.

-II-
I give and bequeath to my wife, Sella Sweeton, all my household goods and effects, together with all articles of personal property used or held for use in our home, or for my personal use, and also the sum of One Thousand (\$1000.00) Dollars in cash.

-III-
All the remainder of my estate, of every kind and character, I give, devise and bequeath in trust to the First National Bank of Chattanooga, as trustee, to be held, controlled and finally disposed of as hereinafter directed.

First: The trustee shall be charged with the duty of keeping the corpus of the estate so invested or loaned on security as, in its judgment, to yield the best income consistent with safety, and shall have full power to sell and convey any property which may, at any time, come to its hands as trustee. And, in the matter of investments or loans as trustees are authorized by present or future laws of Tennessee to make, but shall have as full and ample discretion as I myself would have if living and owning the estate.

Second: Out of the gross income arising from the trust estate, the trustee

will first pay all lawful taxes and assessments and all expenses properly incident to administering the trust, including reasonable compensation to itself. The remainder shall constitute the net income to be disposed of as hereinafter directed.

Third: The Trustee shall not be required to give bond or to make reports to or settlements with any Court. But it shall hold the assets of the trust estate in its name as trustee and keep them separate from its own assets or those of any other trust or estate it may be administering. And it will, at least once a year, upon the request of any beneficiary, render a statement showing the condition of the estate.

Fourth: The Trustee shall permit my wife to occupy my home free of rent, during her life, or so long as she desired to use it as a home, and the Trustee shall as a part of the expenses of the trust, pay the taxes and insurance and upkeep on the same.

Fifth: During the life of my wife, the Trustee will pay over to her such sums as, together with any amounts she may receive from any trust estate created by me in my lifetime, One Thousand Fifty (\$1500.00) Dollars per month. And in the event this amount is not, in the judgment of the Trustee, sufficient to provide her a reasonable support, and to support and educate any of my minor children, the Trustee is authorized from time to time to encroach upon the corpus of the trust estate for that purpose, to the

extent in its judgment reasonably necessary. Provided, however, should she marry, then such monthly payments shall cease and the trustee shall expend only sufficient money each month for the care of the minor children in lieu of said One Hundred Fifty (\$150.00) Dollars per month.

Seventh: Upon the death of my wife, the trust estate, both as to corpus and income, shall inure to the benefit of all my children in equal shares, counting, however, as one child, the descendant per stirpes, if any, of a deceased child. The income then accruing to a minor shall be paid over to a regular Guardian, or used by the Trustee for the support and education of such minor. And each of my children shall be entitled to receive one-half of his or her share of the corpus upon having reached the age of twenty-three (23) years, and the balance, upon having reached the age of twenty-eight (28) years. But they shall be charged with advancements if any made to them after they become twenty-one (21) years old. Any descendant of a child of mine becoming entitled to a share of the trust estate, shall receive the same upon having reached the age of twenty-one (21) years.

-IV-

I nominate and appoint The First National Bank of Chattanooga, to be the executor of this will, and expressly exempt it from giving bond or such, and authorize it to sell and convey any real estate of which I may die the owner, either for the purpose of paying debts, or for the purpose of distribution or investment.

In Testimony whereof witness my hand this 16 day of April, 1930.

James I. Sweeton.
Signed by the said testator, Jim I. Sweeton, 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 and in the sight and presence of each other, have subscribed our names hereto as attesting witnesses on the day and date above written.

N. J. Simmons.
A. G. Stewart.
James M. Adams.

Proven & Probated by the Court and ordered to be recorded in the Book of Wills.

Filed in my office, this June 23rd 1930.

Chas. W. Smith, Clerk.

Will of Lowndes W. Curtis.

Realizing the uncertainty of life, I, Lowndes W. Curtis, of Richmond, Virginia, do hereby make, publish and declare this to be my last will and Testament and do hereby revoke all other wills by me at any time heretofore made.

Article One.

I wish to express my abiding faith in the atoning work of Jesus Christ as He died upon the Cross for sinners. I rejoice in Him as my personal Savior.

Article Two.

I desire that my body receive a decent but simple burial, and I direct my Executors hereinafter named to pay my just debts and funeral expenses as promptly as practicable.

Article Three.

All of my library which my family does not desire to retain I give and bequeath to the Executive Committee of Home Missions of the Presbyterian Church in the United States, a corporation created by and existing under the laws of the State of Georgia, to be used by said corporation for the benefit of the Tittman Theological Seminary at Tuscaloosa, Alabama.

Article Four.

All of my silver which came to me from my Curtis ancestors, ordinarily known to me and my wife as "the Curtis silver," I give and bequeath to my wife, Lillian Johnson Curtis, and if she accepts the same it is my earnest hope that she dispose of it by her own will to our daughter, Lillian Walther Curtis. If, however, my wife does not desire to accept said silver, then I give and bequeath the same to my daughter, Lillian Walther Curtis.

Article Five.

I give and devise my Cottage at

Monteagle, Tennessee, known as the "Rankin Cottage", which is located on the grounds of the Monteagle Sunday School Association, to my son, Ernest Jackson Curtis, to be his in fee simple.

If, however, I have disposed of said Cottage prior to my death, then in place and instead therefore I give to my said son, Ernest Jackson Curtis, the sum of Five Hundred Dollars (\$500.00).

Article Six.

All the rest, residue and remainder of my property, real and personal, whatsoever held, I give, devise and bequeath to my beloved wife, Lillian Johnson Curtis, to be hers in fee simple and absolutely.

Article Seven.

I hereby nominate and appoint my wife, Lillian Johnson Curtis, and the State-Planters Bank and Trust Company, of Richmond, Virginia, as Executors of this my last Will and Testament, and I request that they be allowed to qualify as such without being required to give security.

In witness whereof I have hereunto set my hand and seal this 7th day of November, 1929.

Lowndes W. Curtis. (Sd)

Signed, sealed, published and declared by the said Lowndes W. Curtis, as and for his last Will and Testament, in the presence of us, three competent witnesses, present at the same time, who at his request, in his presence and in the presence of each other, have hereunto subscribed our names as witnesses this 7th day of November, 1929.

William J. Spiller,

A. L. Fischer,

Harvey Colvin, Jr.,

Virginia:

In the Chancery Court of the City of Richmond, the 21st. day of October, 1930.

A paper writing bearing date the 1st day of November, 1929, purporting to be the last will and testament of Lowndes W. Curtis, late of the City of Richmond, Virginia, deceased, was this day produced to the Court and offered for proof.

Two of the subscribing witnesses to said paper writing, to-wit: A. L. Archer and James Coleman, Junior, residents of the City of Richmond, of lawful age, and competent, personally appeared in open Court, and being duly sworn, deposed and said that they were well acquainted with said decedent during his lifetime, that he deposited this life in his home in the City of Richmond, Virginia, on the 1st day of October, 1930, and that neither of them were interested in the subject matter of said paper writing, or the devise or bequests by the decedent of his estate; that the said paper writing was signed, sealed, published and declared by the testator to be his last will and testament in their presence, and that they and each of them, together with William J. Spiller, at the request of the decedent and in his presence and in the presence of each other, subscribed their names as witnesses thereto, and they further testified that the testator was at the time, as well as all other, times, of sound mind and memory, and capable of making a will.

Thereupon the said paper writing bearing date the 1st day of November, 1929, is fully proved, established and ordered to be recorded as and for the true last will

and testament of the said Lowndes W. Curtis, deceased.

On motion of the Executors named in said will they were permitted by the Court to qualify as such; thereupon Lillian Johnson Curtis and the State-Planters Bank and Trust Company of Richmond, Virginia, by E. E. Wilson, its Trust Officer, named in said will as Executor thereof, this day appeared in open Court made oath as the law directs, and entered into and acknowledged separate bonds as such Executors in the penalty of Ten Thousand Dollars each, payable and conditioned according to law, but without security, the said will directing that none should be required of them.

And certificate is granted the said Lillian Johnson Curtis and The State-Planters Bank and Trust Company of Richmond, Virginia, for obtaining a probate of the said will in due form.

Commonwealth of Virginia - to-wit:
In the Clerk's Office of the Chancery Court of the City of Richmond:

I, Charles O. Saville, Clerk of the Chancery Court of the City of Richmond, in the State of Virginia, do hereby certify that the foregoing is a true transcript from the records of said Court, and that the powers of the said personal representative are now in full force and effect.

In testimony whereof I have hereunto set my hand and affixed the Seal of the said Court, this 31st. day of October, 1930.
(Seal.)

Char. O. Saville, Clerk
Commonwealth of Virginia - to-wit:
I, William A. Moncure, only Judge of the Chancery Court of the City of Richmond in the State of Virginia, do hereby

Certify that Charles O. Saville whose name is signed to the foregoing instrument, certificate, is, and was at the time of signing the same, Clerk of said Court, duly qualified; that his attestation is in due form of law; that his signature is genuine, and that all his official acts are entitled to full faith and credit.

Given under my hand this 31st day of October, 1930.

William A. Moncure, Judge.
Commonwealth of Virginia - to wit:

In the Clerk's Office of the Chancery Court of the City of Richmond:

I, Charles O. Saville, Clerk of the Chancery Court of the City of Richmond, in the State of Virginia, do hereby certify that the Honorable William A. Moncure, whose name is signed to the foregoing certificate, is, and was at the time of signing the same, only Judge of the said Court duly qualified.

Given under my hand this 31st day of October, 1930.

Chas. O. Saville, Clerk.

Will of Stephen J. Smith

I, Stephen J. Smith, being of sound mind and disposing memory, and knowing the uncertainty of life and the certainty of death, do hereby make and publish this my last will and testament, hereby revoking and rendering null and void all other wills by me at any time in the past.

First, I direct that my burial expenses and all my just debts be paid as soon as practicable out of any moneys left by me or that comes into the hands of my administrator or executor from any source after my death.

Second, Having heretofore provided in a measure for my children by my first wife, I give and bequeath to my beloved wife Samantha Parker Smith, all my property of every kind, class and description, including my home place particularly described in the deed of Wm. Cox and wife, Venner Cox, dated Nov. 4, 1913, and recorded at Altamont, Tenn., in Deed Book "X", pages 294 & 295, and reference is here had to said deed for a description of said land, my said wife to have the use, possession and enjoyment of said property during her widowhood and in the event she does not marry again, then until her death, but in the event of her marriage then all of said property shall go to my two daughters, Willie Evelyn Smith and Mary Lillian Smith on the date of such marriage, but if my wife does not marry she shall have the use, possession and enjoyment of all of my said property until her death, and then said property shall go to my two daughters, Willie Evelyn Smith and Mary Lillian Smith, share and share alike.

Third. Having full confidence in the integrity of my wife, Samantha Fairbairn Smith, I hereby name her as my Executor, and direct that she be appointed as such without the necessity of making bond.

Signed in the presence of Henry Thompson and Jeff. D. Fultz as subscribing witnesses, at my request, this the 2nd day of February, 1929.

Stephen J. Smith.

Signed in the presence of the testator, Stephen J. Smith, and in the presence of each other, at the request of said Stephen J. Smith, as subscribing witnesses, this Feb. 2 - 1929.

Jeff. D. Fultz.

Henry Thompson.

Will of John Scruggs.

Last Will and Testament of John Scruggs of Altamont, Tenn.

Know all men by these presents that I, John Scruggs, now residing at Altamont, Grundy County, Tennessee, and being of sound mind and discretion and realizing the uncertainty of life and certainty of death, and being desirous to settle my worldly affairs as seems to me best, do hereby publish the following as my last will and testament, hereby making and making void all other will or wills by me at any time heretofore made, to wit:

First: It is my desire that my just debts and funeral expenses be paid as soon as possible after my death out of any money on hand or that may first come into the hands of my executor hereafter named.

Second: Residue of my property of every character both real and personal property I give and bequeath to my beloved wife, Bertha A. Scruggs, for her sole and separate use as long as long as she may live or remain a widow. I vest my said wife with full power to sell any or all of my property both real and personal, and invest the proceeds of sale of same in a home in other locality that she may desire. She is hereby given the power to sell any property for her self and family as a support as long as she lives, and make legal title therefore.

Third: The remainder of property above mentioned, that may be on hand at her death or that may be accumulated during her life by reason of property hereby bequeathed, I desire

that our seven children namely:
 Addie Augusta Scruggs, Ada Mae Scruggs
 Tate, Robert Bryan Scruggs, William
 Clarence Scruggs, Thomas Benton
 Scruggs, Clara Mabel Scruggs Shelton,
 Jimmie Louise Scruggs, shall inherit
 this property equally among them,
 share and share alike, if this property
 cannot be divided among them in
 kind, it will be sold for cash and
 the money equally divided among them.

Fourth: I have four (4) other children
 by former marriage namely, James D.
 Scruggs, Joseph Harris Scruggs, Mary
 Katherine Scruggs Ashworth, Laura
 Ann Scruggs Johnson, I will to each
 of these four children named the sum
 of Five Dollars (\$5.00); the reason I do
 not will them any more is for the reason
 that they have never treated me in a manner
 in which a father should be treated by
 his children, and besides I have heretofore
 made advancements to them perhaps
 as much as the first seven children above
 named will get.

Fifth: Having full faith and confidence
 in my sons, Robert Bryan Scruggs,
 and William Clarence Scruggs I do hereby
 nominate, constitute and appoint them Executors
 of this my last will, and Testament; and
 it is my desire that they serve as such
 Executors, without the necessity of executing
 bond and taking Oath.

Given under my hand this 18th day of
 April, 1925.

John Scruggs

Signed by each one of us, at the request of the
 testator, and in his presence and in the
 presence of each other, not subscribing
 witnesses hereto, on this 18th day of April

1925,

L. V. Woodlee.
 H. L. Livers
 Fred Greter.

Will of Brose Marugg.

Last Will and Testament
 I, Brose ^{Marugg} Marugg, do hereby make and
 declare this as my Last Will and Testament,
 viz:

I wish and bequeath to my sister Elsie
 Schild Marugg all that property, money, of
 which I am possessed at the time of my death.

Brose Schild Marugg
 Testator.

Signed and declared by the said Brose Schild
 Marugg the testator, as and for his last Will
 and Testament, and we, at his request and in his
 presence, and in the presence of each other,
 have hereto subscribed our names as witnesses
 thereto, this 18 day of April A. D. 1925.

Witnessed { Richard R. Clark 320
 H. A. Wise 320

Proven & Probated July 7, 1931 See Minute
 Book "U" page 84.

Will of Lizzie E. Cousar.

State of Tennessee, Grundy County.
I Lizzie E. Cousar a resident of the County of Grundy, and State of Tennessee, residing at Monteagle said County and State, realizing the uncertainty of my earthly existence do hereby make public and declare this my last will and testament.

Item 1. I hereby constitute and appoint my sister Mrs. Nora C. Wreim of Monteagle Tennessee, and my niece Mrs. Sara Leard Rayson of Ashville North Carolina as my two executrix of this my last will and testament. And in case of their failure or inability to serve as such, some one will have to be appointed by the law, these appointed without bond.

Item 2. I desire that all money owing me by any parties be paid into the hands of these two executrix, herein named without delay. But first as soon as possible.

Item 3. I desire that all of my just debts be paid out of the first money coming into the hands of these my two executrix, such as doctor bills, hospital or nurses also a nice substantial casket for body. The shipment of body to Chester South Carolina, and interred in the Cousar and Leard family lot in Evergreen Cemetery situated in the town of Chester South Carolina and a nice substantial marker erected to grave at once.

I give and bequeath \$300.00 (Three hundred dollars) for the upkeep and beautifying the Cousar and Leard lot.

The two executrix to decide on safe plan to invest this money, and the interest used every year for keeping up said lot. Perhaps to put it in

the hands of the officers of the City of Chester with good security, or what ever they think best.

Item 4. After the settlement of the debts mentioned, I give and will to the Woman's Missionary Society of Bethel M. E. Church of Chester South Carolina \$50.00 (Fifty dollars) for the members to use as they think best on some foreign work.

Item 5. The balance of my estate I cannot say how much there will be left. All of my property being in notes loaned out by W. E. Shaped of Ashville North Carolina or present, with the exception of one note by Mr. James Glenn of Chester South Carolina, to the amount of \$506.00 or present, if my brother John L. Cousar of Fort Laven South Carolina is living at the time of my death, I give and will him this amount, either the money it may bring or the land if not sold, then the balance of my estate I want divided equally between my sister Mrs. Nora C. Wreim of Monteagle Tennessee and Mrs. Sara Leard Rayson and her four children. Half of what is left going to Mrs. Nora C. Wreim, and the other half to Mrs. Sara Leard Rayson and children.

I do not know how much there may be at the time. May not be much. If Mr. John C. Cousar should not be living at the time of my death, let his share go to his wife Lizzie Russell Cousar. If Mrs. Nora C. Wreim should not be living at the time of my death, let her portion be divided between the other heirs whom I have not mentioned, not because I did not care for and love them, but because I had so

little left. and I felt that Mrs. Wrenn my sister and my niece Sara Leard RAYSON had done more for me than one living and that I owed this little to them. And my brother John had been nice to me. Item 6. I want it thoroughly understood by all that I appoint my two Executors Mrs. Nora C. Wrenn and Mrs. Sara Leard RAYSON without bond and that they shall immediately upon my death take possession of my estate and settle up as near as possible, they revoking and declaring utterly void all other wills and testaments made by me heretofore. But if I should find it necessary at any time to go to an old ladies home or an institution of some kind to be taken care of, or to have to pay some one to have to take care of me, I reserve the perfect right to use all of my estate for this purpose. I the said Lizzie E. Conner, declare this my last will and testament.

Witness Whereof, I the said Lizzie E. Conner do hereunto set my hand and seal this the 10 day March 1931.

Lizzie E. Conner. (sealed)

Declared by the said Lizzie E. Conner to be her last will and testament in the presence of us who at her request and in her presence (and in the presence of each other) do subscribe our names as witnesses thereto.

S. L. Custer.

Glennie S. Thomas.

Ernest Thomas.

Will of James R. Roddy

In the name of God, Amen.

I, James R. Roddy, being of sound mind and disposing memory, and realizing the uncertainty of life and the certainty of death, do make, publish and declare this to be my last will and testament, hereby revoking any other wills by me at any time made.

First: I direct that all my just debts and funeral expenses be paid by my Executor as soon after my burial as is practical, out of any moneys on hand at that time, or out of the first moneys coming into his hands.

Second: I direct that my Executor take into possession all of my property both real and personal, including the proceeds of any and all insurance policies which I may have at the time of my death, and to pay all taxes legally assessed against any real estate I may own, and to keep the same insured. That my wife, Sallie Roddy and my daughter, Sue Roddy and Carl Roddy, my youngest son may have and occupy my home place in Tracy City, as long as my wife shall live, and upon her death I direct that all real estate and personal property pertaining to the home, such as household goods, etc., be sold by my Executor and the proceeds of the sale to be divided equally between my children. At such sale of real estate after the death of my wife, my Executor is hereby authorized to make and execute a deed to the purchaser of said property conveying the same by good and indefeasible title.

Third: I direct that of any cash on hand at the time of my death or as thereafter arising

from the insurance policies which I am carrying, my Executor, after paying any necessary expenses from said fund, is to keep the remainder of said money on interest and to pay to my wife, during her natural life, for the benefit and support of herself and my daughter Sue Roddy and my son Carl Roddy, a sum not to exceed fifty dollars (\$50.00) per month, except in case of sickness of one of them when it might become necessary to pay doctor's bills in excess of that amount, but he will use his discretion in this matter. Fourth: After the death of my wife, I direct that all the money on hand as well as that arising from the sale of the real estate and household goods, my Executor shall divide the same equally between my children, share and share alike.

Fifth: I further direct, that as soon as money is collected on my insurance policies, and my funeral expenses and other debts, if any, that I may owe, are paid, my Executor will then pay to each of my children, the sum of Twenty Five (\$25.00) dollars, taking their receipt for the same.

Sixth: I further direct, that my insurance policy, No. 14376, in the Mutual Benefit Department of the Order of Railway Conductors of America for \$1000.00, be paid at my death to L. W. Roddy, my son, who is also my Executor of this will, provided he keeps the premium paid on said policy during the balance of my life, and also to look after me during the balance of my life and provide for the necessities of life for me, so that I may have such things as I may need.

Seventh: I direct, that the twenty five (\$25.00) dollars to each of my children above mentioned, shall mean to each of my children then living, and at the time of the final settlement of these matters, after the death of my wife, when the residue of my estate is to be divided among my children, share and share alike, the heirs of any of my children who may be deceased, shall take the interest that my child would have taken had he or she been living.

Eighth: Having full faith and confidence in the integrity of my son, L. W. Roddy, I hereby appoint him as Executor of this my last Will and Testament.

Witness my hand at Tracy City, Tennessee, this 22nd day of August 1931,
James R. Roddy.

Witnesses:

J. R. Charles
W. C. Abernathy

We, J. R. Charles and W. C. Abernathy, subscribing witnesses to the foregoing Will of James R. Roddy, hereby certify that the said James R. Roddy signed the foregoing Will in our presence and declared the same to be his last Will and Testament, and that we signed it as subscribing witnesses in the presence of the Testator and at his request and in the presence of each other. Witness our signatures, this the 22nd day of August, 1931.

J. R. Charles.

W. C. Abernathy.

Proven & Probated by the Court and entered & recorded in the Book of Wills
Filed Nov. 16th 1931.

Chas. W. Smith, Clerk.

Will of John W. Rheuling.

The Last Will and Testament of John W. Rheuling, I, John W. Rheuling, 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 in case of my death before that of my wife Julia C. Rheuling, that my funeral expenses and any debt I may die owing be paid as soon after my death as possible out of any money of which I may die possessed, or that may come into the hands of my Executor.

Secondly: I give and bequeath all my property both real and personal, to my wife Julia C. Rheuling.

Thirdly: I further direct that my wife Julia C. Rheuling act as Executor to this will.

This Aug. 29, 1927.

John W. Rheuling.

Graham (Cliff) Witness.

E. W. Cheek, witness.

Proven and probated by the Court and ordered recorded in the Book of Wills.

Filed Dec. 7th 1931.

Chas. W. Smith, Clerk.

Will of Athelia Cain.

I, Athelia Cain, widow of W. S. Cain deceased, and a resident of Grundy County, Tennessee, do make and publish the following as my last will and Testament, hereby revoking all other wills heretofore made by me.

I am the owner of two farms lying in Grundy County, Tennessee, in the Valley of Collins river, each of which is bounded by said river, on one side, and on one of which I now reside & have my dwelling, one of said farms is known as the Stepp farm on which I reside & have my home, the other farm is known as the James Walker farm.

I am also the owner of four timber tracts of land lying in said County and State, one lying on the side of Cumberland Mountain above the said Stepp and Walker farms, one of about 70 acres lying on the side of Cumberland Mountain above Hull Williams on the Woodlee dispute, and the other about 70 acres lying on the of Cumberland Mountain above Elijah Moffitts, also I am the owner of another timber tract containing 5000 acres more or less, and lying on top of Cumberland Mountain in Grundy & Sequachee Counties, Tennessee, which I received from the estate of my father H. L. W. Hill and conveyed to me by J. S. Biles, Clerk & Master of the Chancery Court at McMinnville, Tennessee; this tract of land is supposed and believed to carry a workable stone coal.

I also own some personal property.

I have one daughter Virginia Cain who now resides with me on the above named Stepp farm; I also have two grand children Bessie and Melba Cain, daughters of my son Hugh Cain, deceased, and are now minors. I hereby dispose of the foregoing

property as follows, to wit:

First. I will, devise and direct that all of my just and bonafide debts be paid as soon after my death as practicable and that the money to pay said debts be raised, if necessary, as hereinafter provided.

Second.

I will and bequeath to my daughter Virginia Cain all that part of the aforesaid Stepp farm lying North of the New turnpike leading from Seersheba Springs to McMinville, including my dwelling house with all the rights title and appurtenances thereto belonging.

I also will and bequeath to my daughter said Virginia Cain the four upper fields on the aforesaid Walker farm including the field of about 18 acres known as the John field, the land hereby bequeathed includes and lies above the said John field and adjoins the land of James Scruggs & W. S. Walker and the center of said Collins river. However I direct, desire and require that said Virginia Cain shall pay to said Boneta and Melba Cain or their Guardian one half of the rents of said John field until they or their Guardian has received the money bequeathed of \$5000⁰⁰ hereinafter made to them, but no longer.

Third.

I will and bequeath to my said two grand daughters Boneta and Melba Cain all the balance of said Walker farm not hereinbefore given to Virginia Cain, that is, the lower part of said farm adjoining and lying below said John field with all the rights, titles and appurtenances thereto belonging, subject however to the supervision and contrall of the Guardian hereinafter until they and each of them are twenty one

years of age.

Fourth.

There is considerable personal property in my dwelling on said Stepp farm, consisting of furniture, beds, bedding, kitchen furniture and utensils, silver ware, Chinaware, pictures, bric a brac, etc. some of which belongs to my daughter Virginia who can and will point out such parts there of that belongs to her. I will and direct that, that part of said household property that belongs to me be divided into parts as nearly equal in value as practicable and I hereby bequeath one of said parts to my daughter Virginia and the other part to my said two grand daughters, Boneta & Melba Cain, the two latter to share and share alike, and that the one half of said household goods given to Boneta and Melba Cain be turned over & delivered to their Mother for the sole use and benefit of said Boneta & Melba Cain.

Fifth.

I give and bequeath to my two grand daughters Boneta & Melba Cain the sum of Five Thousand Dollars in money in addition to the other bequeaths made ^{them} in order to equalize the bequeath herein made them and the bequeath herein made my daughter Virginia Cain believing as I do that there is that difference in the value of said bequeaths. The money to pay said bequeath of \$5000⁰⁰ is to be raised if necessary, as hereinafter provided.

Sixth.

I hereby authorize, empower and direct the Executors of this my last Will and Testament hereinafter appointed and their successors in trust if there be any, to sell, as soon after my death as

practicable, all of the merchant timber on my above described timber tracts of land standing on the land at the time of my death of the kind and quality described as follows: that is, the hickory twelve inches and over twelve inches in diameter at the stump, all the oak of every kind and all the pine, fourteen inches in diameter at the stump. However the black & red oak timber on the timber tracts of land lying on the side of Cumberland Mountain above the Stepp and Walker farms is reserved for farm improvement & repairs and will not be sold.

My Executors in selling said timber will exercise their best discretion and sell the same at such time, on such terms and to such advantage as they may decide to the best interest of all concerned, and they will apply the proceeds arising from said sale to the payment of my bona fide debts, to the payment of all costs and expenses of the administration & winding up of my estate and to the payment of the aforesaid bequest of \$5000.00 to Boneta & Melba Cain.

In case there is any balance of the proceeds of the sale of said timber after discharging the aforesaid liabilities and bequest, I desire and direct that said balance be divided into two equal parts and that one part go to Virginia Cain the other to said Boneta & Melba Cain jointly.

Seventh.
I will and bequeath to my daughter Virginia Cain and to my two grand children, Boneta & Melba Cain the tract of timber land lying on the side of the Mountain above the Stepp and Walker farms. Virginia to take & have one half

of the same in value and Boneta & Melba to have and receive the other half in value. In dividing this tract of land I desire and direct that Virginia have and receive that part of said tract of land that includes the Jew Spring, the woodland and the land through which the water pipes from the spring to my dwelling pass.

I further direct that the said Boneta and Melba Cain have & receive that part of said timber tract of land described as follows: Beginning at the boundary of the W. S. Walker old home place and running so as to include the Sailor orchard and spring and some fenced land. However the bequest of this tract of land last above named to my said daughter and grand daughters is hereby made subject to timber thereon being cut and sold as set out and provided in paragraph Sixth of this will.

Eighth.

I will and bequeath the balance of my timber land, not hereinbefore disposed of, to my daughter Virginia Cain and to my said two grand children. Said Virginia to have one half in value thereof and said Boneta and Melba to have jointly the other half in value, but this bequest is made subject to the cutting and removing therefrom the timber as provided in paragraph Sixth of this will.

Ninth.

I further desire and direct that the timber tract of 5000 acres, more or less and the two to acre timber tracts above mentioned be divided between Virginia Cain and Boneta & Melba Cain, said

Virginia taking one half in value & Boneta & Melba the other one half in value as soon as practicable after the timber is cut and removed therefrom as provided in paragraph sixth of this Will. I desire and direct that the said 5000 acre tract lying on top of Cumberland Mountain be divided into two parts or nearly equal in value as practicable by a line running east & west through said tract of land and the part thereof given to Virginia and also the part thereof given to Boneta & Melba shall be determined by drawing in the usual & customary way. And to this end and to avoid Court Cost & expenses I hereby authorize and direct my Executor to employ a competent surveyor and appoint two other disinterested and competent parties or persons and they and said surveyor acting jointly shall go upon said premises and divide said tract of land as above directed and their report approved by said Executor and the drawing as aforesaid shall fix & determine the respective rights of Virginia Cain and Boneta & Melba Cain in said tracts of land, and I also desire that the aforesaid drawing and as well as that hereinafter provided shall be under the supervision of my Executor.

The two 70 acre tracts of timber land being in my opinion of about equal value after timber is sold, I hereby direct that which of said lots Virginia Cain shall have and which Boneta & Melba Cain shall have, shall be determined by drawing as in the case of the dividing the 5000 acre tract as aforesaid.

Tenth

I hereby nominate and appoint Frank Colville and Clarence D. Walling of McMinnville, Tennessee, the Ex-Executors of this my last will and testament and hereby authorize and empower them to do all things necessary to be done and performed in winding up my estate and carrying out the object and purpose of this Will as herein indicated, and they will sell such personal property of which I may die the owner, not heretofore disposed of, and apply the proceeds of such sale to the payment of my debts and liabilities.

Eleventh

I hereby nominate and appoint said Frank Colville and Clarence D. Walling guardians of my said two grand daughters Boneta & Melba Cain and request them to accept said trust and take charge of all the property and funds herein given to said Boneta & Melba Cain and preserve and take care of the same during their minority and until they and each of them arrive at the age of twenty one years. Said guardians will loan or otherwise invest the money that may come into their hands belonging to said children as they may think best for the interest of said children. The guardians will rear the part of said Walker farm herein given to said children to good & reliable parties.

Said guardians will apply the rents profits and income derived from the estate of said children to the payment of taxes and expenses and to the education and maintenance of said children and in case it should be necessary in the