

A Copy of the last Will & Testament of Merley Ball Dec
 1863 and from July June 1863

I Merley Ball do make this as my last will and tes-
 -ment hereby revoking and making void all former wills, or other
 -wills at any time made by me. First I direct that my fam-
 -al expenses and all 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 executors hereinafter
 -to be appointed,

Secondly I give and bequeath unto my beloved wife Jane Ball
 -and good heirs & to their Heirs that should belong to them & their
 -Heirs for ever Cooking utensils and all other furniture of my
 -house that would be wanted to necessary for house keeping,
 -I give and bequeath that my dear wife Mary, her my said wife and
 -syndicate children in each, I direct that my wife shall have as
 -her saddle and bridle, her choice, and that she shall enjoy and
 -keep possession of my house that I now live in as her own during
 -her life, or widowhood but at her death or marriage then and
 -in that said house is to belong to my son H. Ball, of whom
 -I will hereafter speak, my wife and I direct is that my wife shall
 -have one choice cow, and if she chooses she is to have 3 sheep
 -3 or 4 hogs I will and bequeath to my son John Ball all the land
 -he lives on, it being the land I bought of John Ball Sr, as which
 -he now lives, also all the place as the forks of the road
 -called the old Vining ground, when the John Ball now has
 -a store, and I spare of H. Ball's.

I will and bequeath unto my son Spencer H. Ball, all of my
 -house place, extending to the top of the mountain each side and
 -with the lower and upper end to have full possession of my house
 -after the death or marriage of my wife, but to have full con-
 -trol of all the lands and all buildings, when this will takes ef-
 -fect

I will and bequeath unto my daughter N. Lucas formerly Nancy
 -Ball, all of the place she lives on, and to the mountain top
 -each side as described in the piece I gave Spencer, my wife and
 -I direct is that my daughter Polly Elizabeth who married Jacob
 -Mylcock, and now resides in the State of Missouri, I have paid to
 -her, for the use of her, and her own children, by my Executors, to
 -be appointed hereafter Six hundred dollars in cash, I direct and bequeath
 -to my daughter Polly and her husband Jonathan Bonner all the land

of land that John Smith now lives on which land I bought of John Bonner and
 -also the land joining the same on the side of Sage Mountain to the top of the
 -same, and in addition to this land I direct my daughter Polly Bonner to have
 -paid to her by my Executors, 5 hundred dollars, which I think will make her
 -equal with her sister Jane of Lucas, I direct and direct that my son John Ball
 -coming to his place in my opinion being an Ohio Shaw shall pay to me or
 -to my estate five hundred dollars, and that my son Spencer H. Ball shall make
 -my son pay five hundred dollars, I further enjoin upon my two sons
 -John Spencer Ball, to support my wife, with decent support during her
 -life, or widowhood, the support to be born in equal proportions with both
 -that I do deem this land as valuable, and hence they should sup-
 -port my wife, and finally all other property personal and real
 -estate, money, and every species shall be sold & collected by my exe-
 -cutors and equal down, be equally divided among my five children
 -or their heirs, I do hereby nominate, and appoint my two sons John
 -Ball and Spencer H. Ball my executors of this my last will and tes-
 -ment, in witness whereof I do to this my will set my hand and seal this
 -23rd day of April 1860,

Signed, sealed and published in the presence of (Signed) Merley Ball
 -our friends and witnesses Subscribed
 -our names here in the presence of
 -the testator, this 23rd day of April 1860

Isabel Miller

David Butler

State of Tennessee, I, Jos. R. Shaw Clerk of the County Court of said
 -Hutchinson County, do hereby certify, that the foregoing
 -is a true and perfect copy of the last will and
 -testament of Merley Ball Dec. was on file in my Office
 -Met my hand at Office this the 2nd day of February
 -1863.

Jos. R. Shaw Clerk