

Younger, viz. James attains his majority, should he live to that age and in the event of his death, before that time the other Children having married, shall take the said household property - each, in half.

Fourth. The said land became formerly as the "Harris" Northampton tract now rightly as the "Harris" Northampton tract of land descended to the heirs of Nathaniel Harris, who left him some sons, his Children & heirs at law - of whom I Sarah Carmichael, was one - Executor of the said Children sold their entire interest in the said land & as James Harris died without any lawful issue of his body, he having never married - I purchased one sixth of the original tract and one ninth of the share of the said James Harris, and this is the real estate, herein before written and bequeathed to the said James Carmichael, the same being that is the same whom Nathaniel Carmichael now lives & whom I now live.

It is further my will & desire that the land which has never been divided be partitioned by order of the Chancery Court - and in case it should be thought advisable by the Honorable Court upon hearing proof in the premises - known to be men of experience & practical knowledge of the nature of land, to sell the land herein bequeathed it is my desire that the same be done - and a competent person be appointed as Receiver & Manager of the same, with such bond and security as the Honorable Chancery Court may order. The money arising from such sale, shall accrue to the benefit of the said James Carmichael - especially to his schooling & pecuniary expenses thereon.

Sixth - But it is not intended that anything herein, shall be construed so as to make the sale of the foregoing - but it shall only be taken as to the manner of sale in case it is considered advantageous to sell the same.

Should the said James Carmichael die, before he have lawful issue of his body, then the proceeds of the land in case of sale, is directed to be given to the said James Carmichael, & his Children, but his & his Children to the said James - each taking one half, in the same manner as if no sale is made. And I require mention the fact, that it is my preference that the said land be sold - but that the proceeds

shall accrue to the schooling of James, but if it be deemed more beneficial to the interest of James, the said proceeds may again, then the land should be sold, it may well seem, that it be sold only in the way and manner herein before indicated, and the partition herein before mentioned ought to be made in form as practicable after my death: and the proceeds of sale to the use already set forth, whether the sale be made, as herein before spoken of, or whether the sale, & profits of the money to be so applied - and finally, I require John R. Riley & Dr. R. Wacker without leave to sue to, & have the my last will & testament fully carried out in its particulars - In testimony whereof, I have hereunto affixed my seal & signed my name this 14th day of January, 1871, in the presence of the Subscribing Witnesses.

Attest
Wm. H. Hallenar,
M.B. Hallenar,

Sarah Carmichael (Sd)

Copy of the last will & testament of Jesse Hale dec'd. Given and proven 1st day of May 1871.

"In the name of God Amen."

I, Jesse Hale, in the County of Harris & State of Tennessee, being of sound memory and considering the uncertainty of this frail & transitory life, do hereby for make, ordain, publish and declare this to be my last will and testament, that is to say, First after all my lawful debts are paid & discharged I will & bequeath all my real and personal estate, or the proceeds of the same to my beloved wife, Harriet Hale for her support & the support of my four Children, namely, viz. Hattie Hale, Levisa Hale, James Hale, & William Hale; and also at the death of my wife, I will that my property be equally divided among my four Children above named. I also will & declare that my Children after named I will to keep together & manage by wife Harriet Hale especially the younger ones, whom I appoint Andrew H. Herring to be my Executor of this my last will & testament, and direct that he sell the farm on which I now live & all other property, that my families herein may enjoy, and invest the proceeds in a home for my family as near Antioch Ridge, Greene County, Tenn., as practicable.

In witness whereof I have hereunto Subscribed my name & affixed my seal, This 14th Aug 1869.

Attest
A. H. Wolfe,
James L. Herring

Jesse Hale. (Sd)