

Any contention after my death concerning the few legacies that I am able to bequeath
 my children it is my desire that as soon as convenient after my decease that my
 executors to this my last will & testament (who are hereafter named) shall advertise and sell
 said tract of land to the highest bidder on the following credit (to wit) one half of the
 purchase money to be paid in twelve months after the said sale the other half in two
 years and I request and desire my executors that if there is a news paper printed at
 that time in Fayetteville Swanton County Tennessee that they advertise said land and persons
 to selling at least three months in said paper and longer if thought necessary but not
 to exceed six months the purchase price to be paid out of the first installment of the purchase money
 of said land the residue of the whole purchase money, I desire and desire that it be equally
 divided between my seven children as before mentioned. Thirdly, It is my desire that
 my present wife Elizabeth (rely) live on and enjoy the benefits arising from a certain tract of
 land on which I now live bounded on the south by Ephraim Looke's survey containing one
 hundred & five acres be the same more or less the same I bequeath to my wife Elizabeth
 (rely) during her natural life or widowhood in case that she the said Elizabeth
 marries then & in that case it is my desire that the said tract of land last mentioned be sold
 on a credit of twelve months & the money when collected be divided equally one half of it betw
 -een my wife Elizabeth (rely) & the children she have borne or may bear by me & the other half of the
 money arising from the said land to be equally divided among my seven children
 -as my wife Elizabeth (rely) in this my will to wit, James M. (rely), Martha C. (rely), Samuel D. (rely),
 William S. (rely), Samuel F. (rely), Elizabeth C. (rely) & Malinda (rely), and in case my wife
 Elizabeth (rely) should die without marrying then & in that case I desire that the said one hun
 -dred & five acres of land be sold as aforesaid & that half of the purchase money be equally divided
 between James M. (rely), Martha C. (rely), John S. (rely), William S. (rely), Samuel D. (rely),
 Elizabeth C. (rely) & Malinda (rely), and the other half be equally divided between the
 children that I may have by my wife Elizabeth (rely). - Having gone through the
 distribution of my real estate I next proceed to consider my personal estate and it
 is my will that my daughters Martha C. (rely), Elizabeth C. (rely) & Malinda (rely)
 have and I do hereby bequeath to them the three best beds, bedsteads & furniture that
 I may be disposed of as having been left by their dear father my beloved Polly
 (rely), each to have a bed and to have choice in the order that they are named and to
 prevent any dissatisfaction it is my will that the said beds be valued by three
 discreet disinterested men two of which to be chosen by my seven first named chil
 -dren the girls choosing one the boys the other and that these two discreet persons choose
 a third person of these three persons to value the several beds mentioned above each
 of my daughters to wit, Martha C. (rely), Elizabeth C. (rely) & Malinda (rely) shall then
 take the beds thus valued to them at their valuation. - It is now my desire
 that as soon as convenient after my death that all my other property that I may be disposed of
 not otherwise disposed of in the foregoing bequests & distributions be sold on a credit of twelve
 months out of the proceeds of which I desire that all my just debt be paid & the residue
 to be equally divided between my wife Elizabeth (rely) & all my children as before mentioned
 an equal part except to my daughters Martha C. (rely), Elizabeth C. (rely) & Malinda (rely)
 (rely) from whom the value of each of their beds shall be deducted. - Now it is my will
 further that in case any my children that I had by my first wife my much loved Polly
 that if any of them should die before they arrive at the proper age for making a legal dispo
 -sition of their property or should die without marrying & intestate then & in that case I
 desire that the property that they may die possessed of shall descend to their full brothers
 & sisters equally. - Now I have an interest in my mother's estate to wit, two fifths and it is my
 desire that the proceeds of the same be equally divided between my seven children James M. (rely),
 Martha C. (rely), John S. (rely), William S. (rely), Samuel D. (rely), Elizabeth C. (rely) & Malinda (rely).
 I have now gone through the several bequests and it is my desire that they be attended
 to without contention & in searching for the meaning for the several sentences that my
 executors may not be miscontrived. - Now I proceed to appoint my good friends
 John Clark & David Watson of Swanton county Tennessee my executors to this
 my last will & testament as witness whereof I have hereunto set my hand &
 this 4th day of December 1823.
 Charles (rely)

Allen S. Kennedy's Last Will & Testament.

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 The last will and testa
 -ment of Allen S. Kennedy
 made the 3rd day of June
 in the year of our Lord 1853. I will and devise to my wife Agnes
 Kennedy for and during the term of her natural life or widow
 -ood the two lots of ground upon which I now reside with my
 family known and designated in the plan of the town of Fayetteville
 by numbers of lots 85 and 89 together with all the improvements
 and other appurtenances therunto belonging. I also leave to my
 wife Agnes all my household and kitchen furniture with such
 stock of provisions as may be on hand at my death for and
 during the term aforesaid provided however that said Agnes
 will receive the debts and bequests herein contained for her be
 -nefit as a consideration for the clothing and maintenance of my
 five children until they are twenty one years of age or such
 of them as may so long live. It is my desire that William Kennedy
 a son of Agnes Kennedy which was born before my marriage with
 said Agnes and my five children herein after named should
 be educated to read, write and cipher, and study english
 grammar their education, if they have the capacity to receive it
 in those different branches to be as complete and as perfect as is
 usually obtained in this country. It is my will & desire that my
 house and lot adjoining a lot belonging to the heirs of James
 Brer on the south and adjoining a house and lot belonging
 to William F. Mason & Co on the north lying on the square in
 the town of Fayetteville should be sold by my executors as soon
 as they may be able to do so for the sum of three thousand
 dollars or more. And I hereby authorize them to sell the same
 for the sum above mentioned or as much more as he may be able to
 get for it and make such deeds in fee simple as may be necessary
 to carry into effect such sale. If my executors shall not be able to
 sell said house & lot for the sum above mentioned it is my
 will and desire that it should be rented out yearly until
 such sale can be made the money so raised by the
 sale or rent of said house and lot or the interest thereof
 or so much of either as may be necessary I wish to be

Applied to the education of my children and William Kennedy in the manner above mentioned. I desire my stock of liquors and other groceries to be sold on a credit of twelve months. I give & bequeath to William Kennedy the son of Agnes as above mentioned two hundred and fifty dollars to be paid to him upon his coming to the age of twenty one years. This gift is in addition to such sum as may be necessary to educate him as above mentioned. The money which may be raised by the sale of the property above mentioned or by the rent of the house above mentioned or in any other manner out of any of my property not herein devised to Agnes Kennedy, or so much thereof as may remain after educating all the children as above mentioned, and after paying to William Kennedy two hundred & fifty dollars, I wish to be equally divided between my five children to wit Mary Ann, John & Robert A. Agnes, and Martha Jane and share alike each child, to receive his or her proportion when twenty one years of age. If my house & lot on the square cannot be sold for the sum above mentioned I wish it to be rented until my youngest child is up to ten years of age and then to be sold for the best price that can be obtained for it on a credit of one two & three years equal annual installments. My executors are hereby authorized to make such sale and to make such deeds in person or by proxy as may be necessary to carry into effect the same. I give and bequeath to James Bright, George H. Jones, James Patton, William Simmons, and Samuel H. Carmack, my Negro man Coffey to be held by them in trust that he shall remain with my wife Agnes Kennedy and by his labour aid her in the maintenance of her and her children until the year 1843. or at her election the trustees shall hire said Coffey out from time to time as the said Agnes may wish and appropriate the money so raised by his hire to the educating and maintenance of her & her children. Upon trust also that by the laws of this state, it is my will and desire that he shall be hired out until a sum of money can be obtained which will be sufficient to send him to Liberia or to any other country he may

choose to go to where he can live as a freeman. Upon trust also that by the laws of this state said Coffey cannot be set free and in the year 1843. or during the year 1844. he may be unwilling to leave this state then he is forever after to remain a slave and bind him to remain with my wife Agnes or to be hired out for the purpose above mentioned until my youngest child is twenty one years of age, and then and in that event the above trust to expire and said Coffey to become the joint property of my children. Upon the death of my wife Agnes I desire the two lots upon which I now reside No. 20 and 21 to my five children to them and their heirs forever. I nominate and appoint William Simmons George H. Jones James Bright and Samuel H. Carmack executors of this my last will and testament.

Attest
A. A. Sincannon
Davis Eastland.

Allen S. Kennedy

State of Tennessee

Lincoln County Court July Term 1833.

J. S. Sincannon Clerk of the County Court of the said County do certify that the last will & testament of Allen S. Kennedy Decd. was this day produced in open court for probate whereupon came Davis Eastland & Andrew S. Sincannon subscribing witnesses thereto who being duly sworn say upon their oath that they saw him sign & heard him acknowledge the same to be his last will & testament & that they believed him to be at the time of doing the same of sound mind. Thereupon came William Simmons George H. Jones & Samuel H. Carmack (James Bright being a saint) three of the executors appointed in said will, who entered into bond with J. S. Sincannon Wm. Field & Joel Pinson Securities in the sum of one thousand dollars for the faithful discharge of their duty as executors aforesaid. The court therefore ordered that the letters testamentary issue to them accordingly.

Given under my hand at office this 10th day August 1833.

J. S. Sincannon Clerk