

Constant P. Brewers
Samuel P. Jones
W. D. Blake

Whereas to wit I George Gee a Freeman of Colour
made and published my Will and Testament some
months ago which Will is now in the possession
of one Elijah M. Rengo and cannot be readily got
at or had and whereas to wit since the making
of said will I have purchased my son Miley from
James Sutton Robert Targuhanson & R. A. McDonald
at the price of twelve hundred Dollars and have
paid to said Sutton Targuhanson and McDonald
seven hundred dollars leaving a balance yet unpaid
of five hundred and the 25th Decr 1849. Now my desire
and request is the following disposition may be made
of my property First that my real Estate in the Town
of Fayetteville be sold by my Executors on such credit
as they may think best - Second I want my Executors
to pay the five hundred dollars yet unpaid for Miley
when it becomes due Third I want my Executors to
purchase from Doct William Bonner my two youngest
Children Esther & Cynthia provided they can
purchase them at a Reasonable price Fourth I
want my Executors to keep possession and under
their care and control my son Miley until he make
and pay back to my said Executors the sum of
Eight hundred dollars at which time the said Miley
is to be free my desire and request is that said will
and my two youngest Children Esther & Cynthia
remain in the State of Tennessee provided the
laws of said State will allow and permit
them to do so if the Laws of Tennessee will
not allow them to remain here then and in that
case I want them to be emancipated and moved
to Liberia Fourth I want the Balance of my

property to be equally divided between the
Balance of my Children named in the will now
in the possession of Elijah M. Rengo a person
with my hand and seal this 1st day of November
1848 of Cynthia and Esther or not purchased
I want them to have an equal interest with the
rest

signed sealed and delivered
in the presence of
W. Bonner
C. P. Brewers

his
George X Gee
mark

I James Tool do make and publish this as my last
Will and Testament hereby revoking and making
void all other wills 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
Monies that I may die possessed of or may first come
into the hands of my executor. Secondly I give and
bequeath to my dearly beloved wife Catharine Tool
all the property (both Real and Personal) of which I
may be possessed at the time of my death (should I
survive me) for and during her natural life -
Thirdly it is my Will and desire that the land on
which I now live shall become the property of my
son William P. Tool in manner following that is
to say he shall choose and appoint one man of respect
honesty and sound judgement and my Executor
shall choose another man also of respect honesty
and sound judgement to appraise the value of said
Land exclusively of any and all improvements the
said William P. Tool may have put upon or made
to it at his own expense whether of money or labor and
should the appraisers so chosen and appointed
disagree as to the true value of said land then
they the said appraisers shall choose a third

Man of reputed honesty and sound judgement
to decide upon its true value and should neither
two of said appraisers agree in their judgement
as to the true value of said land then the two that
are nearest agreed shall split or divide the difference
and their decision shall be conclusive and binding
upon the parties and the price so decided upon
shall be paid by the said William P. Toole to the
executor of this my last will and Testament in
three annual instalments of one third in one
year from the date of said decision another third
in two years and the remaining third in three years
from the said date. And should my wife Catharine
Toole survive me (to whom I have given a life
estate in said land) then said appraisers only
to appraise and my executor only to sell the
remainder of said land to the said William
P. Toole in manner aforesaid but should
the said William P. Toole not survive me
or not wish to become the owner of said land
then my Executor after giving due notice to
sell said land or the remainder if my wife survives
me to the highest bidder on a credit of one two or
three years retaining a lien on the land until
the purchase money is paid. It is also my will &
desire and I hereby direct that my Executor
as shortly after my death as is convenient if
I survive my wife (or if my wife survive me
then as shortly after her death as is convenient)
to sell all my personal property on a twelve
months credit taking bond and good security
Fourthly I give and bequeath to my daughter
Ruth Ann Toole two hundred dollars out of
any monies that may first come into his
(my Executor's) hands not otherwise provided
for. Fifthly I give and bequeath to my

Grand daughter Lucinda C. Duwoody a
riding horse of the value of fifty dollars and
a woman's saddle of the value of twenty five
dollars provided the said Lucinda be living
at the time the said Executor shall come
into the possession of the means to pay for the
and if she be not then living he the said executor
shall furnish my grand son Sylvester Duwoody
and brother of Lucinda a horse and a man's saddle
of the above named value. It is my will and desire
that the two hundred dollars given to my daughter
Ruth Ann Toole if she be not living at the time
contemplated but having lawful heirs of her
body living then the said two hundred dollars
to be equally divided amongst or between them.
It is also my will and desire that after the
bequests of two hundred and twenty five
dollars are provided for (if practicable) that the
residue of my Estate that is to say the remainder
of the proceeds of the sale of my lands together
with the proceeds of the sale of my personal property
as well as of all debts and dues whatsoever that
may be owing to me shall be equally divided
between the said Ruth Ann Toole and my other
children their Representatives. Lastly I do hereby nomi-
ate and appoint Horvel Harris for my Executor.
In witness whereof I do to this my will set my
hand and seal. This 2nd day of June 1847

Signed sealed and published James H. Toole Seal
in our presence and we
have subscribed our names
hereto in the presence of the
Testator this 2nd day of June 1847
Joel M. Harris
Nathaniel Bellard