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I Daniel J. Whittington Clerk of the County Court
of said Court hereby Certify that the foregoing last
Will & Testament of Lemuel Brandon died. And the
Codicile to said last Will & Testament were this day
proven in open Court as follows: The original Will
was proven by the Oaths of Daniel Scivalley, John
Scivalley & Richard M. Stephens the subscribing witnesses
thereto, And the first Codicile was proven by the Oath
of Richard M. Stephens Daniel Scivalley & Geo W. Scivalley
the subscribing witnesses thereto, and the second Codicile
was proven by the Oaths of Daniel Scivalley & Geo W. Scivalley
the subscribing witnesses thereto, whereupon it is ordered by
the Court that said last Will & Testament and the Codiciles
thereto be Certified & Recorded as the last Will & Testament
of said Lemuel Brandon died.

Witness Daniel J. Whittington Clerk of our said Court
at Office the first Monday in July 1860

Daniel J. Whittington Clerk.

I Garland B. Miller of Lincoln County Tennessee
being of sound mind & disposing memory do make and
publish this my last will & Testament hereby revoking all
other former Wills.

Item 1st I direct that after my death all my just debts be
paid out of the first money that may come into the hands
of my Executors herein after named.

Item 2nd After my death it is my will & desire that all
my property of every description remain in the possession
of my beloved wife Sarah R. Miller and be subject to
her dominion & control & be used for the support of herself
and the maintenance and Education of my Children, Sarah
Jane Miller, Tho^s W. Miller, Garland B. Miller, Ann W.
Miller & William G. Miller, also of any posthumous child
should my wife be now Eniente - said property to remain
in the hands of my wife & belong to her, so long as she re-
mains a Widow, with full power to give any of my Children
a portion of the same at any time she may think proper
to do so, at which time it is my will that my wife choose
one Commissioner and the Child receiving the portion to
choose another & the Commissioners by them Chosen to choose

a third, all of whom are to be disinterested, which
three Commissioners thus Chosen shall proceed to Value
the whole Estate, except the household & Vestment furniture
and after taking from the aggregate Value one third of
the real estate in Value, and a Childs part of the personal
estate to be set apart for my wife, the balance to be
equally divided by the number of Children then living &
those who have died leaving Children surviving them, if
there should be any such Grand Children as to have
the share the parent would have been entitled to, if
living at the time. And in the event my wife remaining a
widow, I will, that after the first Child has received
his or her portion the balance of the Estate not disposed
of shall remain in Common amongst my wife and the
rest of my Children as before the division. And the
rest of my children as my wife shall choose to give
each one his or her share, shall receive a portion equal
in Value to the share of the first one, to be ascertained
in the same manner, And after all the Children have
received their portion as above directed, it is my will
that my wife shall have, hold & enjoy the balance (which
is intended to be one third of the Value of the real Estate
and a Childs part of the personal estate) during her
natural life and at her death to be equally divided
between the heirs of her body. it is my will however
that the appovintioning of all my Children be subject
to the following provisions. In the event either of my
daughters should marry an improvident man, or
either of my sons should be wild & prodigal at the
time of the appovintment for said daughter or Son, my
wife is hereby appointed & constituted a trustee to hold
such daughters or sons part, for hers or his benefit
& when prudence shall dictate the propriety (and of
this my wife shall be the Judge) she may give off her
or his portion as directed & I further give to my wife
a full power as I now have myself to settle the por-
tion going to any of my daughters upon themselves, that
such portion shall never be subject in any way to the
debt of the husband, & their sole & separate use during
their natural lives & at their death to descend to their

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Item 3rd In the event my wife shall marry before either one or all of my Children are apportioned in the manner and according to the terms of the second clause of my will, it is my will that at the time of her marriage the whole of my property shall be valued as directed above & that she shall receive one third in value of the real estate & a Child's part of the personal estate, to be held by her during her natural life, and at her death to be divided equally between the heirs of her body, and the balance of the property to remain in Common between my Children & each my part be given off upon marriage, or arriving at the age of twenty one years, by a valuation to be made by three disinterested Commissioners, one to be chosen by the Child marrying or arriving at the age of twenty one years, by a valuation to be made, the second by the Guardian of the minor Children & the third by the two Commissioners thus chosen.

Item 4th In the event my wife should not choose to marry again, or while she remaining a Widow, I hereby authorize & empower her to make an investment of any moneys belonging to my estate in any property she may think advisable, but such investment shall inure to reform a part of my estate & in the division of my property mentioned in the second clause of my will, it shall be valued as personal property so far as her portion of the estate is concerned.

Item 5th It is my will that my household & kitchen furniture shall remain in the possession of my wife and to be given of to my Children as she may think proper & at such times as may suit her convenience.

Item 6th I hereby nominate & appoint my wife Sarah R. Miller sole executrix of this my last will & testament & desire that she shall not be required to give bond or security for its execution in any of its provisions.

In witness whereof I do to this my last will set my hand & seal This February 22nd 1860

L. B. Miller
Signed, sealed & published in presence & we have subscribed our names in the presence of the Testator this 22nd day of February 1860
W. J. Wright
M. H. Wright
M. H. Nampton

I Garland B. Miller having heretofore made & published the above as my last will & testament do make & declare this as a Codicil to the same, to wit,

Item 1st I do hereby give my wife Sarah R. Miller as full power as I now have myself (so long as she remains a Widow) to sell & convey any portion or all of my real estate, I may ^{hereafter} be possessed of, at any time & on such terms as she may think best for the interest of my Children & herself.

Item 2nd I give my wife Sarah R. Miller as full power to sell my boy Caddy, aged about 8 years old, as I now have myself, at such time & on such terms as she may think proper to do so.

Item 3rd I further give my wife Sarah R. Miller full power to invest a portion of the proceeds arising from the sale of my real estate, in such a place as she may think suitable for herself & Children to live on, whenever she chooses to do so (so long as she remains a Widow, but if she should marry before the powers given her in this Codicil are executed, then I wish my property to be equally divided according to the provisions of the third clause of my will to which this is intended to be a Codicil. Lastly It is my desire that this Codicil be attached to and constituted a part of my will to all intents and purposes This 3rd day of April 1860

L. B. Miller

Signed Sealed & published in our presence & we have subscribed our names hereto in the presence of the Testator This 3rd day of April 1860

List

W. J. Wright

M. H. Wright

As a second Codicil to my above will I hereby will & direct that my son Thos R. Miller shall account to my estate in the sum of five hundred dollars, before he receives any portion of my said estate & my wife is not to appoint, appoint, or give to my said son Thos R. Miller any portion of my said estate until said Thos R. Miller shall first account for said five hundred dollars This the 14th day of May 1860

L. B. Miller

List

W. J. Wright

M. H. Nampton