

1860
Sole Children of the Choisy to & so.

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 Seal
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
J. J. Barker
J. H. H. H. H.

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 Seal

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 Seal

List

W. J. Wright

M. H. Wright

State of Tennessee
Lincoln County 3 County Court August Term 1860
I Daniel J. Whittington Clerk of the County Court
of said County do hereby certify that the foregoing last
Will & Testament of Garland B. Miller dec'd & the
Codicils to said last Will & Testament were the day
proven in open Court, as follows: The original Will
was proven by the oath of W. N. Wright & Jacob M.
Pomwatt, subscribing witnesses thereto, And the first
Codicil was proven by the oath of W. N. Miller &
W. N. Wright subscribing witnesses thereto, And the
Second Codicil was proven by the oath of W. N.
Wright & M. R. Hampton subscribing witnesses thereto,
Whereupon it is ordered by the Court that said last
Will & Testament & the Codicils thereto be certified
& Recorded as the last Will & Testament of Garland
B. Miller dec'd.

Witness Daniel J. Whittington Clerk of our said
Court at Office the 1st day of August, 1860.
Daniel J. Whittington Clerk.

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Last and testament of Richard Wyatt please
Remember 24th 1855
I Richard Wyatt do make and publish this as my last will and testament
hereby revoking and making void all other wills by me at any other
time made being of sound mind and memory and of full age and
having that it is appointed for all ones to die and after that
the judgment I do therefore at my dissolution recommend my
soul to God who gave it and to the saving grace of the Lord
Jesus Christ the saviour of sinners to be redeemed from in by
the blood of his cross and my body to be buried in a christian
manner then concerning my worldly substance which God has
given me as my portion after paying my funeral expenses and
all my just debts I direct that the balance of my property be
disposed of in the following manner first I give and bequeath
to the reformed Presbyterian Church of North America one
hundred dollars to be divided as follows forty dollars to the
congregation in Lincoln County Tennessee thirty dollars to be
applied for the benefit of the missionary cause in North America
twenty dollars for the benefit of the missionary cause in America
secondly I give and bequeath to Thomas Wyatt my son the
tract of land which he now lives on and the fifteen acres on the
ridge by him passing to Sarah Maston my daughter three hundred
dollars, thirdly I direct that the land I now live on divided to
me by Wilson and Pinson be divided beginning at the north
west corner of a fifty acre tract of land that I sold to John Wyatt
running north to the Creek having the big big spring east of
the line thence with the meandering of the Creek to a sycamore
tree in a northern course to a walnut in a smed hole in
the lot above the house having the spring I now use wally out
of on the west side of said line thence north west to the middle
of the tract thence north to the north boundary line I give and
bequeath all the land east of said line to my son John Wyatt
by him passing to my daughter Elizabeth Maston one hundred and
twenty five dollars, fourthly I give and bequeath to my daughter
Elizabeth Maston two notes of a hundred dollars each I now have
in my possession on Rhoda Maston deceased and a receipt of one
hundred and ten dollars to satisfy a judgment against Rhoda
Maston that I passed to John Lamer, also a deed of trust that I
have against the estate of Rhoda Maston deceased making in
all four hundred and thirty five dollars, fifthly I give and
bequeath to my son John Wyatt one half of