

131
Item 3 I hereby give and bequeath to my beloved wife Mary McElroy during her life the following ether slaves Anthony Polly Jane Mary Patrick and Charby she is hereby authorized to dispose of the same at her death by will or otherwise amongst such of my children as she may deem just and equitable the above intermentations made before signing April 20th 1855 William McElroy (Seal)
Signed sealed & published in our presence
E. M. Ringo
Ans M Bright

Proven in open Court February Term 1856
E. L. Hodge
Clerk

The Last Will and Testament of Richard Earnest deceased
September the seventeenth one thousand Eight hundred and fifty five in the name of God Amen
I Richard Earnest being in a low state of health though of sound mind I do make and publish this as my last will and testament.
The first I Recommend my soul to that God that gave it
I direct that my funeral expenses and all of my just debts as soon after my death as possible out of any money that I may be possessed of or may first come in to the hands of my executor.
Item 3 I give and bequeath to my beloved wife Elizabeth Earnest all of my lands I now live on, and all of the lands may be coming to me for my services in the war of Eighteen hundred and twelve and all of my Stocks of all kinds with the farming tools and all of my household and kitchen furniture all of the above named property that I have bequeath unto my beloved wife to do as she pleases with and at her death the same way lastly I do hereby nominate and appoint my beloved wife Elizabeth Earnest my Executor in witness whereof I do to this my Will set my hand and seal the day and date above written

Richard Earnest (Seal)
mark

Witnessed and sealed in the presence of us

H. M. Blodson
L. Leatherwood
B. W. Merrill

Proven in open Court February Term 1856

E. L. Hodge
Clerk

132
The Last will and testament of Hannah Eddins
I Hannah Eddins of Lincoln County Tennessee being infirm of body but of sound mind do make and publish this my last will and testament hereby revoking all other wills heretofore made by me.

First I direct that after my death all my just debts and funeral Expenses be paid out of any Money that may come into the hands of my Executor
Secondly I direct that my grave and the grave and my Brothers may the crop roads in the County of Madison State of Alabama be enclosed with a stone wall the Expenses of which to be paid out of my Estate

Thirdly I give and bequeath and devise to my niece Ann H. Drake the following property to wit, the Slaves, Neal, Ned Jim, Saxon, Frank, Jack, Mary, William, Henry, Davy, Cate Neal, Eliza Ann, Martha, Andy, Rebecca, Moriah, Rachel, Ziggy, Emaline, Mary, Martha, Caroline, Matilda, Mary Anne, Ann, Rose, and the present and future increase of the above mentioned female Slaves the tract of Land on which I now live with all the appertinances my house hold and kitchen furniture plantation on this is horse mules and and stock of every description whatever

The above named property together with any other which may hereinafter be left to or for the benefit of the said Ann H. Drake is to be held by her son George E. Moody in trust for her separate use and benefit during the Continuance of the said Ann H. Drake with which her present Husband Col Samuel Drake so that he shall in no wise no manner whatever have the benefit of any of it, to be used managed and disposed of by the said George as she shall direct whether by writing in the nature of a last will & testament or otherwise it being my object to give her absolute Control over it but not in such manner that Col Drake shall ever have the benefit of any of it. Should Coverture of the said Ann H. Drake with her present Husband ever cease in his lifetime then the Trust created in this Item is to cease and the said Ann is to have the property herein devised

133
and bequeathed to her absolutely and in fee simple,
Should the said Ann Mc Drake die before the execution with
out Drake shall otherwise determine And without making
a Will or writing in the nature of a Will or should the
said Ann die before I do then I give bequeath and
devise the property real and personal herein bequeathed
and devised to her or for her benefit or do much of
it as may be left to her four children George R
Moody Dorinda Ann H McKae Marcellus Drake
and Adalide Drake to be equally divided between
them but the portion intended for the said Dorinda
to be held by the said George R Moody in trust for the
separate use and benefit of the said Dorinda during her
lifetime with her present husband A S McKae
to be used managed and disposed of by the said
George R Moody as she shall direct but out in
such manner that the said A S McKae shall
derive any benefit or exercise any control over
it, But should the execution of the said
Dorinda with the said A S McKae cease during
the lifetime of the said Dorinda then the trust
in relation to the property intended for her is to
be likewise to cease. And she is to hold it absolutely
and in fee simple. In case of her death
before the determination of her Coverture with A
S McKae otherwise and without disposing
of property herein left to her either by writing in
the nature of a Will or otherwise as above she is authorized
to do then I wish the property designed for her
benefit or do much of it as may be left to be
divided equally between her children in the same
way as if they were a joint sale and had died
intestate should the property or any portion it
herein bequeathed or devised to the said Ann
or Dorinda be sold and other property in it
drawn then the property purchased to be subject
to all the trusts and conditions annexed to the
property sold

Whereof I give and bequeath to Matilda
McKinney of Limestone County Alabama

134
One thousand Dollars in money And two beds and Bedsteads
not subject to the debts of his husband nor to be managed nor
controlled by him in any way whatever
Fifthly I give and bequeath to Abraham Edkins one thousand
Dollars and to his wife Clara Edkins five hundred
Dollars
Sixthly I give and bequeath to Percheron Elliott Eight
hundred Dollars
Seventh I give and bequeath to Thomas Anderson
Eight hundred Dollars
Eighthly After the payment of the money legacies herein contain
ed I leave all my bonds and accounts and if
they all should not be sufficient they must abate
proportionably they may be paid off in bonds or
accounts which may be deemed good within twelve
months after my death
Ninthly after the satisfaction of the foregoing Legacies
I give and bequeath and devise all the rest and
residue of my estate real and personal of every description
Whatever with all the crop of every description to the
said Ann H Drake to be held and disposed of in
the same way in all respects whatever as the property
specifically bequeathed to her in the third item
of this will
Tenth as the said Ann H Drake resides in another state
and at a great distance than the other Legates
I devise that her legacy be paid her immediately
after my death
Eleventh & lastly I appoint my niece Ann H Drake
executrix of this my last will and testament
provided that her husband Drake is to have nothing to
do according to law with my estate And should she
think proper to qualify as such I do not wish any
security to be required of her
Signed sealed and published by me this 17 day of August 1845
in presence of the undersigned witnesses who together signed to the
the word property intended on 3 page before the aforesaid signing and signing
this will
Witnesses W W Petty Richard Petty March Term 1856
Jas P Emory }
Richard Petty }
Eli S George Clerk