

The last Will & Testament of Samuel Brandon

I Samuel Brandon Considering the uncertainty of this mortal life, & being of sound Mind & Memory do make and publish this my last Will & Testament in manner & form as follows.

Item 1st I will that my body shall be interred in a plain & decent manner at my death.

Item 2nd I give & bequeath to my Eldest Son B. B. Brandon a certain tract or parcel of Land containing Sixty Seven Acres more or less whereon he formerly lived, which I have conveyed to A. L. Gray for said B. B. Brandon's benefit.

Item 3rd I give & bequeath to 3rd Son E. L. O. Brandon a certain tract or parcel of Land containing Seventy five Acres more or less, which I also conveyed to A. L. Gray for said E. L. O. Brandon's benefit.

Item 4th I give & bequeath to the heirs of my 3rd Son John M. Brandon dec'd a certain tract or parcel of Land containing Seventy five Acres more or less, on which Spencer Rollman now lives, the husband of John M. Brandon's Widow.

Item 5th I give and bequeath to my 4th Son W. B. Brandon a certain tract or parcel of Land containing Ninety four Acres more or less, which I conveyed to John A. Gray & Mary Gray for said W. B. Brandon's benefit.

Item 6th I give & bequeath to my 5th Son A. H. Brandon a certain tract or parcel of Land containing Ninety six Acres more or less which I have conveyed to said A. H. Brandon for his benefit.

Item 7th I give and bequeath to my 6th Son Josiah O. Brandon One hundred Acres of Land on the North West Corner of my land, to be laid off by disinterested men & vary lines as much to the advantage of the parties concerned as possible.

Item the 8th I will & bequeath to my Wife Mary Brandon all the remainder of my lands after the above named one hundred Acres of Land is laid off, during her natural life & at her death to my two Youngest Sons W. C. & T. Brandon & L. W. B. Brandon, the division to be made by disinterested men, if they should not agree, I furthermore will if my wife should become dissatisfied or wish to sell the

land left her & her children that she shall ^{sell} said land & invest the money arising therefrom in other lands as she may will or think best.

Item 8th I furthermore will that my 3 Youngest Sons have a good English Education & their expenses paid out of the money arising out of ~~the~~ other property not above named, before a division of said property.

Item 9th I will & bequeath to my Eldest daughter Rachel Brainer a negro girl named Ruth & two hundred dollars to make her equal with the above named heirs to be paid at the next division of property hereafter named.

Item 10th I will & bequeath to my two Grand daughters of my 3rd daughter Martha L. Davidson dec'd & to their bodily heirs at their death the amount of One Thousand dollars to be paid in property at valuation or money, as my Executors or Executors may choose to be paid when they are of age.

Item 11th I will & bequeath to my beloved Wife Mary Brandon after all my just debts are paid, all my Negro property amounting to fifteen in number & all perishable property & all such other property as I may be in possession of at my death not before mentioned, to have & to hold during her natural life & at her death to be equally divided among all my children & if any of such Slaves or above named should become disobedient, or she should become dissatisfied with them, she shall have a right to sell or dispose of them as she may choose & I furthermore will that my wife shall give to my three Youngest Sons minor heirs a good Horse Bridle & Saddle, a Cow & Calf, a Sow & pig & a bed of furniture before a division of other property among other older heirs, also one Bed of furniture to my Son E. L. O. Brandon & lastly I here by appoint my beloved Wife Mary Brandon & James O. Norton my Executors & Executor of this my last Will & Testament hereby making all former Wills by me made in witness whereof I have hereunto set my hand & seal this the 1st day of July One Thousand eight hundred & fifty Seven Samuel Brandon Seal

The above instrument consisting of one sheet was here subscribed by Samuel Brandon the Testator, in the presence of each of us & was at the same time declared by him to be his last Will & Testament & we at his request signed our names here to as attesting witnesses
Daniel Sewall
George W. Brown
John Sewall
Richard M. Weston

I Samuel Brandon the within named Testator do hereby make & publish this Codicil to my last will and Testament, bearing date the first day of July one thousand eight hundred & fifty seven in manner following, to wit,

Item 1st I give and bequeath to my beloved wife Mary Brandon my negro woman Polly.

Item 2nd I will that my old negro man Sandy be supported out of my Estate during his life.

Item 3rd I will that my wife have the mare Victoria also 2 of the best worsted mules on the place, all the poultry, 2 Cows 4 Live Sheep, 2 Sows & pigs, one Wagon, one Horse of Oxen, 3 Or yellow Gear, 4 Plows, 2 Chopping Axes.

Item 4th I will that the proceeds of ~~the~~ labor of my negro man Bob be applied to the Education of Board & Clothing my sons Taylor & Samuel until the younger become of age, thence belong to my wife during her life or widowhood, and at her death or marriage to go to my son Taylor.

Item 5th I will that the labor of my negro boy Pinney also be applied to the Education Board & Clothing of my sons Taylor & Samuel until Samuel become of lawful age, at which time I want him sold at public sale, and the proceeds to be equally divided among all of my heirs.

Item 6th I will that my son Howard have my negro boy Sam.

Item 7th I will that my son Taylor have my negro boy Ezekiel.

Item 8th I will that my son Samuel have my negro girl Patsy Caroline.

Item 9th I will that my wife have my negro girl Sylvia at the valuation of disinterested parties & pay the valuation out of her part.

Item 10th I will that the remainder of my negroes be sold at public sale, and the proceeds equally divided among my heirs.

Item 12th My Will is that my Executors have full power and authority to sell all of my property without a decree from any Court and convey right thereto on such time as they may think best, not to exceed 12 months & pay all of my debts, and distribute the balance among my lawful heirs.

Item 13th I will that my Grand daughter Susan Bryant have fifty dollars to be paid out of my son Burgans Estate, also Lear & Lida's said Burgans daughters have each twenty five dollars to be paid out of Burgans Estate.

Item 14th I will that my wife have my mule Annie, a year old mule.

I appoint Simon M. Conger & Mary Brandon my Executors.

The above instrument of one sheet was at the date thereof declared to us by the Testator Samuel Brandon to be a Codicil to be annexed to his last will & Testament, and he acknowledged to each of us that he had subscribed the same, and we at his request sign our names hereto as attesting witnesses

This May the 26th 1860

Witness

N. Whitfield

R. M. Stephens

Daniel Scivalley

E. W. Scivalley

Samuel Brandon

N. B. Item 15th I further will that my negro man Bob & Pinney be left in the hands of my Executors either to hire or work on the farm as they may think best for the benefit of my 2 sons Samuel & Taylor.

Item 16th I will that my hands remain on the farm until the crop is made & gathered.

Item 17th I Samuel Brandon have paid one thousand dollars for a tract of land on which William Norton now lives, if the said Norton pay to my wife one thousand dollars the land shall be his, if not I retain the land. The above said thousand dollars to be equally divided between my wife and my two sons Samuel & Taylor.

I have hereunto set my hand & seal, this 28th day of May 1860

Witness

N. Whitfield

Daniel Scivalley

E. W. Scivalley

State of Tennessee

Lincoln County 3 County Court July Term 1860.