

Henry Lipscomb's Will

I Henry Lipscomb being of sound and disposing mind do publish this as my last will and testament hereby making void all other wills by me made

1st I in my will funeral expenses be first paid and then all my just debt out of any money that may come into the hands of my Executor

2^d It is my will that all of my property both real estate and personalty shall go to my wife Margaret Ann Lipscomb during her life

3rd At the death of my wife Margaret Ann Lipscomb it is my will that all of my property both real and personal shall go to my Daughter India V. Lipscomb and my Granddaughter Mary Frances Andrews to be divided equally between them

4th I have given to Mary D. Perry as much of my estate as I intend for her to have. She is not to have anything more. I boarded her and her husband J. D. Perry about eighteen months free of charge and gave her a Black mare and also about fifty dollars in other property which is her entire interest in my estate

I hereby nominate and appoint David B. Pickens as my Executor to this my last Will and Testament

December 30th 1875

Henry Lipscomb

as known and Subscribed

to in our presence

De Orr Jurat June 4th 1877

James P. Orr " " " "

Robert M. Orr " " " "

State of Tennessee

Marshall County } County Clerk June Term 1877

Personally appeared here in open Court De Orr, Robert M. Orr and James P. Orr the Subscribing witnesses to the foregoing Will, who first being duly sworn proved the due execution of the same as the law directs, which was by the Court ordered to be certified and recorded

Witness my hand, at office, this
4th day of June 1877

W. Bullard, C. M.

William Swainney's Will

I William Swainney do this day make this my last will & testament and do hereby revoke all other wills by me heretofore made.

First I order that my funeral expenses be paid out of any moneys of which I may die possessed or as soon thereafter as the same may be collected.

Second I will and bequeath to my daughter Georgia Ann Stallings, and to my grandson John Stanley Stallings son of my daughter Sonnetta Stallings deceased, the tract of land which I own in Bedford County 19th Civil Dist. and known as the McCutchen place, the same to be equally divided between them. Said land is bounded on the North & East by lands of A M ONeal deceased and Bethiah Nesbitt - on the South by the Jones lands - on the West by the Hamilton lands.

Third I will and bequeath to my son Delphus N Swainney all of my household and kitchen furniture.

Fourth I order that my home place, consisting of about one hundred & sixty acres be sold by my executor on a credit of one and two years, and the proceeds to be equally divided among the following named of my children, or the heirs thereof: Eliza E Cooper, Warren S Swainney, Martha S Cooper, A H Swainney, W A Swainney and Susan Malvina Crook also I will and bequeath to the above last named six children or the heirs thereof, all of the proceeds arising from my personal property. I hereby ~~constitute~~ and appoint R S Montgomery to be the executor of this will and testament, in witness whereof I do hereunto set my hand and seal this day

1876

Witness

R S I change the above as to the third article - which I order to be divided among the all the heirs above mentioned in the fourth article - and A N Swainney not to receive it.

In testimony whereof I hereunto set my hand and seal this 25th June, 1876

W G Bille

Great August 18 1877

J H Fisher

R S Montgomery

W A Swainney

made

State of Tennessee

Marshall County, County Court August Term 1877

Personally appeared here in open court W G Bille and R S Montgomery, subscribing witnesses to the foregoing will, who first being duly sworn stated that they were personally acquainted with W Swainney and that he acknowledged the same to be his last will and testament the day it bears date. Witness my hand at office, this 13th day of August 1877

W P Biddle

Winn Turtley's Will

I, Winn Turtley of the County of Marshall and State of Tennessee, being of sound mind and memory, do make and publish this my last will and testament.

And as to my worldly estate and all the property real and personal of which I shall die seized and possessed or to which I shall be entitled at the time of my decease, I devise, bequeath and dispose thereof in the manner following, to wit:

First My will is that all my just debts and funeral expenses shall, by my executor, hereinafter named, be paid out of my personal estate, as soon after my decease as shall by him be found convenient.

Second The remainder of my personal estate I give and bequeath to my sister Mary Turtley, to wit: All the notes and accounts, corn and wheat, hay and fodder, live stock and farming implements that may be on hand at my decease.

Third I will and bequeath all my real estate to my sister Mary Turtley for her use and support during her lifetime; and after her decease I direct that my real estate be divided into five equal parts and that one of those parts be equally divided among the heirs of Whitfield Turtley, one part be equally divided among the heirs of Leonard H. Turtley, one part equally among the heirs of Sarah Willis, one part divided among the heirs of Rebecca Stowell and one part to be given to Lucy Hopwood, herself if she should survive my sister Mary Turtley, but if my sister Lucy Hopwood should die before my sister Mary Turtley, then I direct that the part intended for her shall be equally divided among her heirs.

Fourth I hereby nominate and appoint Alfred McGahay, Executor of this my last will and testament empowering him to take charge of my estate and manage it for the use and benefit of my sister Mary Turtley during her lifetime and after her decease to sell the real estate and carry out the other provisions of my will.

I purchased the interest of my nephew William Stowell in my tract of land upon which I have paid the sum of eighty dollars leaving a balance of one hundred dollars yet due him and I hereby authorize my executor to pay that amount to him as soon as convenient after my title to his interest is perfected.

In testimony whereof I the said Winn Turtley have to this my last will and testament, contained on one sheet of paper, subscribed my name and affixed my seal this tenth day of January A.D. 1877

Winn Turtley (Seal)
Subscribed in presence of
W J Duckworth Great Oct 1 1877
W A Prasson

State of Tennessee

Marshall County } County Court, October Term 1877

Personally appeared here in open Court W. J. Duckworth and W. H. Pearson, Subscribing witnesses to the foregoing will, who, after first having been duly sworn, proved the due execution of the same as the law directs which will was, by the Court, ordered to be certified and recorded.

Witness my hand, at office, this 1st day of October 1877

W. P. Bullock, Clerk

Lewis B. Lamb's Will

I L. B. Lamb of the County of Marshall and State of Tennessee, being of sound mind and memory, and considering the uncertainty of this frail and transitory life, do therefore make, ordain, and publish, and declare, this to be my last will and testament; that is to say,

First After all my lawful debts are paid and discharged, the residue of my estate both real and personal, I give, bequeath and dispose of as follows, to wit: To my beloved wife I give bequeath and devise all the rest residue and remainder of my estate both real and personal, consisting of about one hundred and sixty five acres of land: about eight hundred dollars worth of notes, together with the farming tools, Smith tools, Carpenter's tools &c. to have and to hold, with the right to sell, make title and dispose of in the same manner as I could if living and after the term of her natural life all the entire estate to be divided equally among my heirs or their heirs. If any of my heirs die living such I also require my wife to give to each of my children as soon as they arrive at the age of fifteen years a good horse saddle & bridle.

Second I make constitute and appoint J. D. Tinsley as executor of my will, both of the County of Bedford and State of Tennessee, and my wife, Sabrina B. Lamb, to be executors of this my last will and testament hereby revoking all former wills by me made. In witness whereof I hereunto subscribe my name. I wish the above described estate held as a common fund for the benefit of my wife and my heirs.

This October 11th 1877.

L. B. Lamb

The above written instrument was subscribed by the said L. B. Lamb in our presence and acknowledged by him to be his last will.

Witness John D. Roberts Jurat Dec 3 1877
Z. W. Wallace

J. M. Patterson

State of Tennessee

Marshall County } County Court, December Term 1877

Personally appeared here in open Court John D. Roberts and Z. W. Wallace, Subscribing witnesses to the foregoing will, who, after first being duly sworn, proved the due execution of the said will as the law directs, and it is therefore ordered by the Court that said will be certified and recorded.

Witness my hand, at office, this 3rd day of December 1877

W. P. Bullock, Clerk

Sabrina Reynolds's Will

I, Sabrina Reynolds do make and publish this my last will and testament hereby revoking all other by me made at any other time. I first I desire that my funeral expenses and all my debts be paid as soon after my death as possible out of any money I may die possessed of or may come into the hands of my executor.

Secondly I give and bequeath to my brother M. C. Reynolds and wife all my interest in the land or tract of land that he now lives on and all my personal property both household and kitchen furniture together with my stock except one Red and white and Cocker span which I bequeath to my niece S. J. Reynolds.

Third I also except two other Cocker span which I bequeath to my other two nieces Sara & Emma Reynolds. I also except one sow and pigs which I give to my nephew Washington Reynolds. Lastly, I do hereby nominate and appoint M. C. Reynolds my Executor - this the 2nd day of November 1877.

Signed, Sealed and published in our presence and we have subscribed our names thereto in the presence of the testator Nov 2 1877. S. B. Edwards Jurat Jan 7 1878

State of Tennessee } County Court, January Term 1878
Marshall County } Personally appeared here in open Court S. B. Edwards and J. L. Miller, the Subscribing witnesses to the foregoing will, who, after first having been duly sworn, proved the due execution of the same as the law directs - which will was ordered by the Court to be certified and recorded.

Witness my hand at office, this 7th day of January 1878

W. P. Bullock, Clerk

William Bills Will

I William Bills of the County of Marshall and State of Tennessee being of sound mind and disposing memory do make and publish this as my last will and testament hereby revoking all other wills by me at any time made.

Item 1st I wish and desire that all my just debts and funeral expenses be paid as soon after my death as possible out of the first money that comes into the hands of my executors herein appointed.

Item 2nd I give and bequeath to my son Florid A Bills the tract of land whereon I now live containing about One hundred acres situated in District No 12 Marshall County Tennessee and bounded on the North South and East by the lands of Spencer M Snell and wife Jane L Snell and on the West by the lands of Eli Bone and S V Givins To have and to hold in fee simple to the said Florid A Bills his heirs and assigns forever - I make this bequest to the said Florid A Bills for work and labor done for me and which may hereafter be done in assisting me and in taking care of my wife Sarah during her lifetime

Item 3rd I give and bequeath to my wife Sarah all my household and kitchen furniture on hand at the time of my death One horse bridle & saddle One cow and calf five head of Sheep and Two hundred dollars out of my Estate to have and use at her own pleasure I also wish her to have the liberty of disposing of all that she brought to my house and of all that she may make of any kind But such of my property conveyed in this item as remains at the death of my wife to go to my son except ten dollars to each of my other heirs

Item 4th My will and desire is and I do so devise that my son Florid have charge possession and full control of Forty nine and a half acres of land I purchased at public sale known as the Shimmers Lower the proceeds of which to go to the use benefit and support of my son Jefferson M Bills during his natural life but at his death my son Florid A Bills is to have said land by paying five hundred dollars on one two and three year time from the death of the said J M Bills Said Florid A Bills shall retain out of said amount pay for the repairs and trouble he may be at for the benefit of said J M Bills and the remainder of said five hundred dollars to be equally ^{divided} between my six grand children now living

Item 5th In as much as my son Norton L Bills died intestate without issue and I as his heir at law have hitherto disposed of his property together with a portion of my own so as to make all my children as near equal as I could taking in consideration what I now bequeath together with the advancements I have already given or conveyed to them by Deeds

including the advancements made for the benefit of my son Jefferson M Bills since his marriage that is to say to H A Bills of the Calshaw tract of land which was paid for by me Norton L Bills and H A Bills I having paid about twelve hundred dollars H A Bills about five hundred dollars and Norton L Bills the remainder of the purchase money the deed to which was by my consent after the death of Norton L Bills made to Florid A Bills alone and and also to my two Daughters Martha E and Jane L to make them equal I have heretofore conveyed to my said Daughters by deeds made to Martha E Bills and since her marriage to Wm E Charleston and wife Martha E - and to Jane L Bills and since her marriage to Spencer M Snell and wife Jane L certain tracts of land described in said deeds to which reference is had in which there was conveyed to each of them about One hundred acres of land in District No 12 of Marshall County Tennessee in which they now reside and which with the personal property I have given them does in my estimation make make all my children about equal

Item 6th My will and desire is that should there remain any of my estate after filling all the foregoing bequest then the remainder shall be held by my son Florid A Bills for the use and benefit of my wife Sarah during her natural life and at her death should there still be a portion left the same shall be my son Florid A Bills & his heirs

Lastly My will and desire is and I do hereby appoint Hager A Bills, my wife Sarah Bills and my friend J F Elliott or any two of them Executors of this my last will and testament with full power to wind up my whole estate of every kind and description and that they have full power to sell either publicly or privately or retain without sale any property as they may in their judgment think best to keep a record of their transactions and make all their settlements of every kind and description without going to or entering in as executor in the County Court in the usual form of law

In testimony whereof I hereunto set my hand this 20 day of May A D 1874

William Bills

The foregoing will assigned and acknowledged by the said Wm Bills the Testator in our presence and we have become witnesses at his request this 20th day of May 1874

J A McRady (Witness) Jurat Jan 8 1878

M B McRady (Witness)

A B Givins (Witness) Jurat Jan 8 1878

Eli Bone (Witness) " " " "

Subscribed and sworn to before me this 27th day of September 1877 I William Bills do this day make and constitute this as a Codicil to this my last will

and Testament. I hereby give to my wife Sarah I in addition to what I have already given her my Cedar Mill. I also give and bequeath to my Grand Son William Newton Bills my Ruffli Gun. I also give to Mrs. Deborah Staten an old Silver watch once owned by her father Daniel Bills, by her coming or sending for the same.

In Witness whereof I hereunto set my hand and Seal day and date above. William Bills

Signed in presence of us and by us
attorned at the request of the Testator

John Norton Attested January 8 1878
James A. Goring Just January 8 1878.

State of Tennessee, County Court January Term 1878
Marshall County. Personally appeared here in open Court John Norton and James A. Goring witnesses to the Codicil of the foregoing will who after first being duly qualified and sworn proved the due execution of the Codicil to said will as the law directs - which will was ordered by the Court to be Certified and recorded.

Witness my hand at office this 8 day
of January 1878
W. P. Buller Clk

State of Tennessee, County Court January
Marshall County Term 1878.

Personally appeared here in open Court J. A. McRady, A. B. Goring and Eli Rane subscribing witnesses to the foregoing will of William Bills, who, after first having been duly sworn proved the due execution of said will as the law directs which was ordered by the Court to be Certified and recorded.

Witness my hand at office this 8
day of January 1878
W. P. Buller Clk

James M. Patterson's Will

In the name of God, Amen.

I James M. Patterson being of sound and disposing mind and memory blessed be God for it, and knowing the uncertainty of life do publish and declare this to be my last will and Testament.

First I will that my Executor pay all my just debts and Burial Expenses out of any Effects. I may die possessed of

Second I will and bequeath that all the Remainder of my Estate Real and Personal be sold, and after all debts and expenses are paid. That my Executor pay the same over to my Brothers and Sisters If living, And If dead, to their Children Representing them dividing the same Equally (Share & Share alike) to my Brothers & Sisters.

Third I having full Faith in the Integrity of Dr. Edward Prosser do hereby nominate and Appoint him my sole Executor to Execute this my Will. And I give and clothe him with full and Complete Power and Authority to Sell any and all my property Real and Personal as he deems best, And empower and authorize him to make deeds of Conveyance to all Real Estate Sold by him or deed to any I have made Sale during my lifetime to the Purchasers under signs or myself.

And I give him Complete Power and Authority to do and Perform all acts he may deem necessary to Execute my Will. And I hereby Release him from giving any Bond or Security as Executor.

Witness my hand this the 25 day of October 1877

J. M. Patterson

Signed & Acknowledged in our Presence on the Day & date above written

E. T. Williams Just January 8 1878
John Street
John Stanner

State of Tennessee, County Court January Term 1878
Marshall County. Personally appeared here in open Court E. T. Williams and John Stanner two of the subscribing witnesses to the foregoing will, who, after first having been duly sworn, proved the due execution of the same as the law directs - which will was, by the Court, ordered to be Certified and recorded.

Witness my hand at office, this 8th
day of January 1878

W. P. Buller Clk

Wm Orr's Nuncupative Will

State of Tennessee

Marshall County

To all whom it may concern;
We, Jas P Orr and M C Orr, do state that the nuncupative will of Wm Orr was made by him on the 19th day of January 1878 in our presence to which we were specially requested to bear witness by the testator himself in the presence of each other, that it was made in his last sickness in his own habitation or dwelling house, and the same is as follows; to wit:

It aco his will and desire that his effects should be disposed of after his decease in the following manner. First, after all debts are paid, the personal property and real estate are to remain for the benefit of the family until after the majority of his youngest daughter, Jennie Orr; After which time the land is to be sold and the proceeds are to be equally divided between the heirs of said Wm Orr, with the exception of a dower to be reserved for his widow Mary A Orr. Further we do state that he desired his son Jas W Orr to take full control of the perishable property, farming utensils, and the control of the farm, and manage the same to the best interest of the estate. Further the widow is to pay the taxes on the land, pay the doctor bills, school bills and expenses of keeping up the farm; and if any lands are rented, the widow is to receive the proceeds accruing therefrom.

The said Jas W Orr is to have so much of the farm for cultivation as he may wish, and the half of what he may make on the farm he shall pay to the said Mary A Orr; the said Jas W Orr to have farming utensils, stock &c furnished free of charge to him.

Jas P Orr Witness
Mary C Orr.

State of Tennessee

Marshall County

County Court, April Term 1878.

Personally appeared here in open Court James P Orr and Mary C Orr the subscribing witnesses to the foregoing will, who, after first being duly sworn, proved the due execution of said will as the law directs, which will was by them signed, my hand at office this 1st day of April 1878.

W P Butler to Clerk

Beverly Huggins's Will

I Beverly Huggins being of sound mind and memory do make and publish this my last will and Testament.

That is to say

1st I desire that all of my just debts be paid and my funeral expenses paid.

2nd After payment of my debts and funeral expenses I give and bequeath the remainder of my estate as follows - To Margaret Rainey my grand daughter, the child of my deceased daughter, Matilda Rainey my entire interest in the effects and estate of my son James B Huggins deceased which was due to and belonged to him in the State of Arkansas when he died and a large portion of which including a gold watch came to the hands of James M Rainey, father of my said grand daughter, this bequest not to include any part of my interest in the estate of said James B Huggins except such personally as he had with him and due him in State of Arkansas or the proceeds of the same, no part of his estate in Tennessee being included in this bequest.

3rd To my son-in-law Jno Chatham and his wife Lydia (my daughter) I give and bequeath a certain note for five hundred dollars payable in Confederate money dated 27th day of August 1863 which debt is due me at this time and for the collection of which I instituted suit in the Circuit Court of Marshall County and subsequently dismissed the same. Also I give to them the entire amount of debts contracted by Jno Chatham in the purchase of property at a sale of property made by J M Patterson trustee under a deed of trust made by me to him on the 26th day of August 1865 which debts have been settled by me with said trustee.

4th To my daughters Martha J Morgan and Margaret Nelson I give & bequeath all the remainder of my estate of whatever character it be to be divided equally between them, when the same shall have been converted into money by my executor my daughter Martha J Morgan to have all the property that I have heretofore given her in consideration of the trouble, care and affection she has bestowed upon me in my old age.

5th Nothing to be charged against any of my children or grand children as advancements for any thing that I have heretofore or may hereafter convey or give them up to the date of my death.

6th I nominate and appoint J J Cunby executor to this my last will and testament.

Signed, sealed and published in our presence the 6th day of September 1872 and we witnessed the same at the request of and in the presence of the testator at same time and place.

Beverly Huggins
Carry W Cunningham Jural April 1 1878
W T Andrews

State of Tennessee

Marshall County } County Court April Term 1878.

Personally appeared here in open court Larry W. Cunningham and W. T. Andrews, the subscribing witnesses to the foregoing Will, who, after first being duly sworn, proved the due execution of said Will as the law requires, which will was by the Court ordered to be certified and recorded.

Witness my hands, at office, this 2nd day of April 1878

W. P. Buller to Clerk

George T. Allman's Will

I, George T. Allman do make this my last Will revoking all other wills that may have been made heretofore.

1. First I direct that all of my claims be collected and my just debts be paid off.

2. After all due allowance has been made for what each child has had spent for their benefit then an equal division shall be made with each one of my heirs.

3. I do also direct and appoint my wife M. V. Allman and my son J. B. Allman my executors and executors to wind up my estate without being required to give bond.

I also request that Dr. A. Jones, Dr. Robbins, W. C. McClelland and Wm. E. Baird advise and direct Mrs. Allman and J. B. Allman in transacting required to wind up my estate.

I direct that my estate be recovered up as practicable and as soon as it can be - April 3rd 1878

G. T. Allman

Commissary

Test:

Jas. D. Look, Junr April 18/78

A. O. Kennedy " " "

State of Tennessee

Marshall County } County Court April Term 1878

Personally appeared here in open Court Jas. D. Look and A. O. Kennedy, subscribing witnesses to the foregoing will, who, after first being duly sworn, proved the due execution of said will as the law directs - which will was by the Court ordered to be certified and recorded.

Witness my hands, at office, this 18th day of April 1878

W. P. Buller to Clerk

R. A. Orr's Will

I, R. A. Orr being conscious of the uncertainty of life, and being in the full possession of my mental powers and in the exercise of my usual bodily vigor, make this my last will and testament,

1. I bequeath to my youngest son William Orr the entire proceeds of my land whereon I now live during mine and my beloved wife Susanah Orr's life in consideration of which said William Orr shall ensure to both of us our subsistence during life and our funeral expenses at death, and at our death, but not until we are both dead, said William Orr he being our youngest son, shall have fifty (50) of the land on which I now reside, and the proceeds of the entire place of one hundred and forty three acres more or less without compensation to the other heirs, said tract of land being and lying in the 5th Civil District of Marshall County Tennessee, and on the waters of what is known as Snake Creek.

2. After the fifty acres hereby bequeathed to William Orr, I direct that the remaining part of my land on which I now live being by estimation left (93) ninety three acres more or less, the same shall be valued at at twenty dollars (\$20) per acre and the proceeds thereof divided among my remaining lawful heirs, John Orr, Samuel Orr, Jos. H. Orr and Margaret B. Davis said value in money to be paid by William Orr to each of the remaining heirs, and he, William Orr, after said settlement with all the remaining heirs, shall be sole possessor of the entire tract of land which now constitute our residence.

3. I bequeath all my personal property, in which I may die possessed to be equally distributed among all my children, or it shall be sold and its value divided equally among them all.

4. I, R. A. Orr, especially direct that the provisions of this my last will and testament shall not be enforced during my or my beloved wife Susanah Orr's life, but only at our death.

In testimony whereof I sign my hands and seal Sept 27th 1878

Robert A. Orr

(Seal)

Witness W. D. McAdams, Junr May 6th 1878

J. L. Orr

State of Tennessee } County Court
Marshall County } May Term 1878

Personally appeared here in open Court W. D. McAdams and J. L. Orr subscribing witnesses to the foregoing will, who, after first being duly sworn, proved the due execution of said will as the law directs - which will was by the Court ordered to be certified and recorded.

Witness my hands, at office this 6th day of May 1878

W. P. Buller to Clerk

Basil Brown's Will

The last Will and Testament of Basil Brown residing in the County of Marshall and State of Tennessee.

I Basil Brown considering the uncertainty of this mortal life and being of sound mind and memory do make and publish this my last Will and Testament in manner and form following (That is to say)

1st I give and bequeath unto my beloved wife Nancy A Brown my tract of land consisting of 57 acres Her lifetime, and it is my will that my two youngest daughters shall have the privilege of living on said farm and receive support from the same, and at the time of Nancy A Brown's death it is my will that the 57 acres of land shall become the property of my two youngest daughters, Nancy Jane, & Sarah E. Brown

2nd I give and bequeath unto my beloved wife Nancy A Brown & daughter Nancy Jane all of my household and kitchen furniture & two horses, which is to be equally between them.

3rd I give unto my beloved wife N A Brown my interest in the wagon belonging to me and J A Brown which said wagon is to be kept for the benefit of said farm

4th I give and bequeath unto my daughter Nancy Jane Brown twenty head of sheep

5th I give and bequeath unto my wife and children, N A Brown, M A Williams, J A Brown, M E Bartlett, N J Brown and S E Brown all the remainder of my property to be equally divided among them

I hereby appoint J A Brown Administrator of this my last Will and Testament hereby revoking all former Will by me made. In witness whereof I have set my hand and seal the 13th day of February in the year of our Lord 1878

Basil Brown *Seal*

The above instrument consisting of one sheet was now here subscribed by Basil Brown the testator in the presence of each of us and at the time declared by him to be his last will and Testament and we at his request sign our names hereto as attesting witnesses

J R Drake

A S McGary

Geo F Brown Junr July 1 1878

Joe A Brown

State of Tennessee } County of Marshall }
Personally appeared here in open Court Geo F Brown and Joe A Brown, two of the subscribing witnesses to the foregoing Will, who first having been duly sworn, proved the due execution of the said Will as the law directs. Which will was ordered by the Court to be Certified and recorded.

Witness my hand, at office this 1st day of July 1878

W P Tucker *Clk*

James V Oving's Will

In the name of God, Amen, I James V Oving, of the County of Marshall and State of Tennessee, being of sound mind and memory, and considering the uncertainty of this frail and transitory life, do therefore make, ordain, publish and declare this to be my last will and Testament; That is to say, all of my estate real and personal, I give bequeath and dispose as follows, to wit;

I give and bequeath to my son John C Oving the tract of land known as the Homestead containing Two hundred and fifty acres, and the tract of land known as the Warrington tract containing Two hundred acres and also fifty acres North of the Homestead and East of the Lewisburg and Franklin Turnpike, said fifty acres commencing in the middle of said Turnpike in the North boundary line of said Homestead tract, then running North with the Center of said Pike. Hence East parallel with said North boundary line of said Homestead tract so as to include said fifty acres, said land to be his absolutely at my death subject however to the following qualifications and conditions. It is my will and desire that my beloved wife Elizabeth E. live on said land jointly with my said son John C during her lifetime and to have a liberal support and allowance from the profits and proceeds of said farm and also that my son John C shall have the money arising from the sale of one Town lot in the Town of Lewisburg, sold by him to J H Davis

Also I give and bequeath to my wife Elizabeth E during her lifetime the rents of all my property in the Town of Lewisburg, and all the interest arising on my Marshall County and first Mortgage Bonds of Duck River Valley Rail Road and all dividends arising from Turnpike stock. All she may see proper to retain of household and kitchen furniture, Two horses and Buggy, Two Cows and Calves, the household and kitchen furniture, Horse and Buggy, Cows and Calves above mentioned to be used and disposed of as she may see proper

3rd I give and bequeath to my son-in-law Joseph A McRady and my daughter Margaret E, his wife, the tract of land which I purchased of Alan B Oving, containing one hundred and seventy two acres, be the same more or less, and all the lands lying between said tract and the lands designated and set apart to my son John C, being about Two hundred and twenty acres more or less, making in all about Three hundred and ninety two acres

4th I give and bequeath to my son Alvin J Oving in addition to what I have already given him Two Thousand Dollars in money

5th I give and bequeath to my grandson James O Oving all of the tract of land known as the Winston tract lying West of the Duck River Valley Rail Road supposed to be about Two hundred and fifty acres, be the same more or less and One Thousand Dollars in money

6th I give and bequeath to my daughter-in-law Elizabeth E Oving

widow of my son James O'Eriney and mother of my grandson James O'Eriney One Thousand Dollars absolutely.

7th I also give and bequeath, to my son John C. and Joseph A. McCady and my daughter Margaret C. McCady, the balance of the tract of land known as the Winston tract lying East of the Duck River Valley Rail Road - my son-in-law Joseph A. McCady and Margaret C. to have that part which is under fence, and the balance to be divided equally between John C. and Joseph A. McCady and wife Margaret C. supposed to be about ninety acres, be the same more or less.

8th It is my will and desire that my son John C. be appointed guardian of my grandson James O'Eriney, and that he rent out the land set apart to my grandson James O'Eriney until he arrives to the age of twenty one years. But if my grandson and his mother Elizabeth D'Eriney should desire to live on said farm, they shall be privileged to do so. And if my grandson James O'Eriney should not live until he should be twenty one years of age, then the land shall be sold and divided, equally amongst my grand children then living, share and share alike.

9th It is my desire that my Executors hereinafter named, sell a tract of land containing about ninety acres, a part of the tract known as the Smith tract which I sold to Catherine Tillman and took back, and my half the horses and mules on farm, and all of farming utensils which my son John C. shall think necessary to keep and the proceeds, with all of my other effects not otherwise disposed of, after paying all my just debts, shall be equally divided between my wife Elizabeth C. and my sons Harvis J. and John C. and Joseph A. McCady and wife Margaret C., and also after the death of my wife Elizabeth C., my Executors hereafter named shall sell or divide all of my town property, Rail Road Bonds and Turnpike Stock, amongst my sons Harvis J., John C., and Joseph A. McCady & wife Margaret C. equally share and share alike.

Likewise I make constitute and appoint my said sons Harvis J., John C., and my son-in-law Joseph A. McCady to be my Executors of this my last will and testament, living bonded without security.

10th It is my will and desire that all of my part of produce of the farm on hands, at my death, shall be for the benefit of my wife Elizabeth and my son John C.

In testimony whereof I hereunto subscribed my name and affixed my seal this January 3^d in year of our Lord One thousand eight hundred and twenty eight

James O'Eriney (Seal)

Signed and sealed in our presence this January 3^d 1878
James O'Eriney Justat July 2^d 1878
Samuel D'Eriney " " " "

State of Tennessee County Court July
Marshall County, Tenn 1878

Personally appeared here in open Court James S. Eriney and Samuel D'Eriney, Subscribing witnesses to the foregoing will, who, after first having been duly sworn, made the due execution of the same as the law directs, which will was by the Court ordered to be certified and recorded.

Witness my hand, at office
this 3rd day of July 1878

W. P. Bullock, C. C.

H. L. Smithson's Will

In the name of God amen - I H. L. Smithson of the County of Marshall and State of Tennessee being of sound mind and memory and considering the uncertainty of this frail and transitory life, do therefore make, ordain, publish and declare this to be my last will and testament, hereby revoking all other wills heretofore made by me.

That is to say first after all my lawful debts are paid and discharged by me Executor, hereafter mentioned, the residue of my estate real and personal I give bequeath and dispose of as follows.

First I give to my beloved wife Mary Roberter Smithson the lands on which I reside or are possessed of and the appurtenances situated thereon in the County and State aforesaid, together with all the stock, tools, implements, household and kitchen furniture of every description, Also all debts and accounts due me or may become due.

Second I also ordain, publish and declare that after the death of my beloved wife Mary Roberter Smithson, all my effects both personal and real shall descend to my nephew, Frank L. Eriney son of James L. and Sallie C. Eriney being my desire that he shall inherit the same.

Likewise I hereby make, constitute and appoint my wife Mary R. Smithson as Executrix to this my last will and testament, Witness my hand and seal this 24th day of February 1878

Signed and sealed in our presence this day and date aforesaid mentioned
H. L. Smithson (Seal)
R. C. Smithson Justat Aug 5 1878
J. D. Childers Justat July 1 1878

State of Tennessee

Marshall County } County Court July Term 1878

Personally appeared here in open Court J D Childers one of the subscribing witnesses to the foregoing will, who being duly sworn, proved the due execution of the same, which was by the Court ordered to be certified.

Witness my hands, at office,
this 1 day of July 1878

W P Bullard, Clerk

State of Tennessee

Marshall County } County Court August Term 1878

Personally appeared here in open Court, P. B. Smithson, the other subscribing witness to the foregoing will, who being duly sworn, proved the due execution of the same as provided by law, and the Court ordered, that the same be certified and recorded.

Witness my hands, at office this
5th day of August 1878

W P Bullard, Clerk

Thomas P Marsh's Will.

I, Thomas P Marsh being of sound mind do make and Publish this as my last will and testament hereby revoking and making void all other will by me heretofore made.

First, As soon after my death as possible I want all my funeral expenses and all my just debts paid by my wife or my agent as I shall hereafter appoint.

Second, I will to my Brother Simeon M Marsh Two Thousand Dollars to be paid to him by my wife Eliza Marsh as I may hereafter designate in this Will.

Third I will to the heirs of my sister - Elizabeth L Edwards Secured One hundred and three acres of Land, it being a part of my lands purchased from Richard Pegg and enough of my other lands adjoining the said Pegg Land to make the amount above specified. To Begin at a corner near my South West Corner and D C Orr South East Corner in the line of B C Houston's tract of land thence to run Eastward with said Houston's line to some point in said line so as to run Strait to D C Orr or S W Corner of said line as will make the One hundred and three acres and if in running said line it should include the fence

now running up and down the creek then the fence is to be moved and put on the line between that tract & the home tract Land. The above tract Land is not to go in possession of said heirs until the time hereafter specified in this will.

Fourth I will to my beloved wife Eliza P Marsh the remainder of my property of every kind, Stock Household & Kitchen furniture, Notes Monies &c &c Also the balance of my Lands including the Homestead containing about two hundred and forty acres more or less in fact every thing to be here except what is expressly mentioned otherwise, and she is to have and to hold as her own and to dispose of it hereafter as she pleases. But to enable my wife to carry out the provision of this will as to paying to Simeon M Marsh the Two Thousand Dollars specified in the Second Section of this will, It is my will that she keep and hold in her possession all of my personal property notes monies & Lands until the said Two Thousand Dollars is paid to said S M Marsh and when she pays said S M Marsh then she delivers also to the Edwards heirs mentioned in 3rd Section of this will the One hundred and three acres Land to be divided equally between them, and my wife E L Marsh is to pay to said S M Marsh the Two Thousand Dollars as soon after my death as she can, but she is to have her own time and not to be sweet or troubled about it in any way, nor is she to pay any interest on said amount or any part thereof nor is she to pay any rents on the Lands while in her possession. It is also my will that my wife Eliza P Marsh give to her niece Eliza P Richerson One horse bridle & saddle, One Bed Stead, Bed and necessary clothing to make a Bed complete to be given to her when it best suits my wife's convenience.

I hereby nominate and appoint and make J W Davis and J P Richardson my agents to assist my wife E L Marsh in carrying out the provisions of this will.

I do not wish my Executors or Administrators appointed, but give them the power & authority to do & act as if they were appointed by Court and this lawful act as binding as if appointed by Court. If my wife or either one of the agents should die the others will carry out this will.

I also wish my agents to advise & assist my wife in collecting up all my debts also to advise and assist her in managing her part of estate when needed by her this February 20th 1878

Witness

Thomas P Marsh

Delia C Orr Just Oct 8 1878
James W Welch " " " "

In making my will above I did not dispose of a tract of Land in Maury County Tennessee in the 6th District of said County and known as the Cheatham Land containing about Seventy nine acres and the reason I did not then dispose of it was I had bargained it to Carson Purdy & Frank Redding & they having failed to comply with said Contract & take said Land I therefore will it to my Brother Simeon M Marsh at the value of Twelve hundred dollars and my wife Eliza L Marsh is to pay him Eight hundred dollars which will make Two Thousand Dollars the amount mentioned in the second Section of my will and this said tract of land and Eight hundred Dollars is his full share in my estate instead of the Two Thousand Dollars willed to him in said 2nd Section and the provision in my will about my wife Eliza L Marsh paying the Two Thousand dollars shall apply to paying the Eight hundred dollars and all other provision made in my will shall remain as they are except 2nd Section which this is made in place of said 2nd Section this September 20 1878
 Will
 Thos P Marsh

D C Orr Jurat Oct 7 1878
 D B Elliott " " " "

State of Tennessee
 Marshall County } County Court October Term 1878
 Personally appeared here in open Court D C Orr and D B Elliott Subscribing witnesses to the "Codicil of the foregoing will who first having been sworn proved the due execution of said Codicil, That was by the Court ordered to be certified and Nathl C Orr and James W Welch Subscribing witnesses to the foregoing will appeared in open Court on the second day of the term and after being duly sworn proved the due execution of said will as the law requires, which will and Codicil there was by the Court ordered to be certified & recorded.
 Witness my hand at office this 8 day of October 1878
 W P Buller to Clerk

James W Fisher's Will

I James W Fisher being of sound mind do publish this as my last will and testament
 1st I will that my Executor after my death pay my funeral expenses and all other debts as soon as convenient
 2nd I will that he sell all the surplus property that my family does not need for their support and maintenance (my wife to select what that may be) on a twelve months credit
 3rd I will that my executor use the money in his hands for the use of my family as they may need it and if they do not need it or any portion of it he shall loan it out at interest taking note or notes with good security for the same
 4th I will that J W Fisher be appointed my Executor for the purpose of carrying out this my last will and testament
 Given under my hand and seal this October 10th 1878

Attest
 E M Fisher Jurat Nov 4th 1878
 N H Long " " " "

State of Tennessee
 Marshall County } County Court November Term 1878
 Personally appeared here in open Court E M Fisher and N H Long Subscribing witnesses to the foregoing will who first being sworn proved the due execution of the same as the law directs, which will was by the Court ordered to be certified and recorded
 Witness my hand at office this 4 day of November 1878
 W P Buller to Clerk

Josiah Walker's Will

In the name of God Amen

I Josiah Walker of the County of Marshall and District No. 9 and State of Tennessee being of sound mind and memory and considering the uncertainty of this frail and transitory life, do therefore make, ordain and publish and declare this to be my last will and testament hereby revoking and making void all others by me at any time made.

First I direct that my funeral expenses and all my just debts be paid as soon after my death as possible out of any moneys that I may die possessed of or may first come into the hands of my Executor or Executors.

Secondly I give to my wife Eugenia C Walker my tract of land on which I now reside containing by Estimation Ninety five acres and a small tract of Cedar land in this district containing by Estimation twenty four acres and all of my personal property of every description that I may die possessed of or of which I may be the lawful or equitable owner to have and hold the same during her natural life or widowhood with the following exceptions, to wit, On the arrival of my Daughter M. B. Walker to the age of eighteen and also on the arrival at eighteen years of my son J. F. Walker my said wife E. C. Walker is to give each of said Children one horse saddle and bridle to be considered equal in value with those I have given my other Children and also that my said wife keep my rifle gun until my son J. F. Walker becomes twenty one years old and then that she give the said gun to said J. F. Walker.

Thirdly I direct that after the death of my wife Eugenia C Walker or at the termination of her widowhood whether it be by death or marriage that all of said property before specified be sold and the proceeds equally divided between all of my Children and my said wife in case she should marry taking a child's part but in case she should die a widow then the division is to be made equally between all of Children.

Fourthly I direct that my three youngest Children be raised and educated by my wife E. C. Walker and the expenses of the same be paid out of the means so devised as above stated without any charge to be made whatever against said Children for the same.

Fifthly if it should be necessary to sell a portion of the personal property that I have given to my wife E. C. Walker for the payment of my debts or funeral expenses or to pay my wife's family expenses after my death or if it should from other cause become necessary to sell personal property my said wife is authorized to sell so much of the same as is necessary for a fair valuation but not to destroy or give away the said

property it being my intention that my said wife shall have the benefit of all of my property both real and personal during her life or widowhood and at the termination of the same that it shall go to the benefit of my children as before stated.

Sixthly I nominate and appoint my son W. C. Walker and my wife Eugenia C Walker my Executor and Executors to qualify and enter upon the duties as such Executor and Executors without giving any bond but otherwise to qualify as the law directs.

In Witness where of I do to this will set my hand this the 9th day of December 1878

Josiah Walker

Signed in our presence this the 9 day of December 1878

E. H. Scott Just April 7/79
James Wallace " " "

State of Tennessee
Marshall County, 3 County Court April Term 1879

Personally appeared here in open Court E. H. Scott and James Wallace, the subscribing witnesses to the foregoing will, who, after first being duly sworn, proved the due execution of the same as the law directs which will was, by the Court, ordered to be certified and recorded.

Witness my hand, at office, this the 7th day of April 1879

W. B. Bullock, Clerk.

Myrick G. Sheham's Will.

At home in the 14th Civil District of Marshall County and State of Tennessee

I Myrick G. Sheham knowing that it is appointed that all who are living shall die; and after death to judgment and being of sound mind and disposing memory, and considering the uncertainty of this frail and transitory life, do make, ordain, publish and declare this to be my last will and testament and hereby making void all other wills by me at any time heretofore made.

That is to say I give and bequeath to my dear wife ^{Myrick G. Sheham} ~~Myrick G. Sheham~~ formerly Amanda M. Sheham and her heirs free from the control of her said husband the said W. C. Burden all of my Estate both Real and Personal after funeral expenses and all just debts are paid by my Executor out of the first moneys that may come into the hands of my estate after my death, and I hereby direct

my Executor with full power to convey my real estate as directed in this will.

And lastly, I hereby nominate and appoint my worthy friends and neighbors Robert McKee to execute this my last Will and Testament, Witness my hand and seal This 9th day of December 1874

W. H. McConnel Jurat July 7th 1879
I b. Osborne " " " "

State of Tennessee
Marshall County, County Court July Term 1879

Personally appeared here in open Court W. H. McConnel and I b. Osborne, subscribing witnesses to the foregoing will, who, after first being duly sworn, proved the due execution of the same as the law requires - which was by the Court ordered to be certified and recorded.

Witness my hand at office, this 7th day of July 1879

W. P. Bullard, Clerk

I James H. Cuthy of the County of Marshall and State of Tennessee, being of sound mind do hereby proclaim this to be my last will and testament.

First, I desire my funeral expenses and all just debts paid out of the first moneys that may come into the hands of my Executor.

Second, I give and bequeath to my beloved wife Martha A. all my landed estate together with as much of my personal property that I may have on hand as would be exempt by the laws at this time from execution and money to buy other families necessities for twelve months but it is understood in this devise that my daughter Lena is to be supported out of the above property, to have and to hold the same to the use of my wife and daughter during the life of my wife Martha, and at her death, then the said land is to be sold on a credit of six, twelve and eighteen months, and the personal property on a credit of twelve months, and when the proceeds of the sale of the above property is collected I will and desire it to be distributed as follows.

First Owing to the feeble health and want of protection of daughter Lena I desire her to have a double portion or one fourth of all the effects arising from the sales of said property to have and to hold the same to her use and benefit during her life, and at her death, distributed

to my other children as I shall hereafter devise to them. Second, I will and desire that the children of my son W. H. Cuthy shall receive one eighth of the proceeds arising from said sale. Third, I will and desire that the children of my son James H. Cuthy receive one eighth of the proceeds arising from said sale. Fourth, I will and desire that my sons Thomas J. John W. and J. N. Cuthy & M. VanBuren One eighth each of the proceeds arising from said sales.

Fifth, I desire my executor as soon as he is qualified to proceed and have the exemptions set apart and expose the remainder to sale in six or twelve months time and after settling all my debts and buying the necessaries for the family, then to distribute the remainder as I have directed above.

I hereby nominate and appoint my son Thomas J. Cuthy my Executor and he is hereby empowered to sell the property, both real and personal and make conveyance and deed to the real property and distribute as directed.

Witness my hand and seal this 26 of March 1879

James H. Cuthy

In the presence of
W. M. Robinson Jurat Aug 4 1879
W. L. Neil

State of Tennessee
Marshall County, County Court August Term 1879

Personally appeared here in open Court W. M. Robinson one of the subscribing witnesses to the foregoing will, who, after being duly sworn, proved the due execution of the same as the law requires - which was by the Court ordered to be certified and recorded.

Witness my hand, at office, this 4 day of August 1879

W. P. Bullard, Clerk

Cowden McCard's Will

Know all men by these Presents that I, Cowden McCard of the County of Marshall and State of Tennessee being of sound and disposing mind but feeble in health, do make and publish this my last will and Testament, hereby revoking and making void all others.

1st I will that my Executors pay all my just debts and burial expenses out of any money coming into their hands

2nd For the love and affection I have for my beloved wife Sallie G. McCard, I will that she have the benefit of one share of my personal estate during her lifetime equal with my children. Her to use what she needs of the proceeds of same for her benefit support. And to live in and control the dwelling house in which we now reside during her life together with all the land I own in District No 8 Marshall County Tennessee except the farm known as the Maston farm. Rest of my dwelling. She and my unmarried children to live together on said farmstead, sharing equally in the proceeds of the farm, my said wife Sallie G. McCard being the head of the family to control. I also will that all the furniture Beds & other fixtures about the house remain and are not to be sold while my wife S. G. McCard lives without her consent, to be used by the family. I also will that my executors leave unsold a sufficiency of stock, tools, waggon & provisions to run the farm & for trading purposes & the buggy to be used by my wife and children.

3rd I will that my Executors if no land on hand to give my daughters Ransie & Cora McCard, by each one a farm worth about Five Thousand Dollars each. And make a deed of same to them for their use & benefit during life and at their death the title of same to be in their children.

4th I will and bequeath that the remainder of my property be divided among my children either by sale or otherwise observing equality in the division. Charging each one with the amount they have received. And as I have advanced to my Della Covington Five Thousand Dollars, to Henry G. McCard Five Thousand Dollars, to David McCard One hundred and seventy five dollars, to Sallie B. Miller and family Three Hundred dollars. They are to be charged up with same for division among my children, but not for the benefit of my wife Sarah G. McCard.

5th I will that, at the death of my beloved wife Sarah G. McCard that my Executors take into possession all the property real & personal left on hand by her and divide the same among my children or those representing them observing equality among all from the beginning to the last. Lastly, I hereby having full confidence in the integrity &

management of my sons Henry G. McCard and R. A. McCard, I appoint them my Executors to carry out my will, and I hereby release them from giving any bond or security as my executors whatever.

And I give & clothe them or either of them with full power and authority to sell any & all of my estate either real or personal, and make deeds of conveyance to the same, as well as deeds to any partitioned among my children, and if it becomes necessary to divide any of my lands, I appoint J. B. Boyd, E. T. Williams, Chesley Williams, J. H. Brittain to divide the same, and should any one or more fail to act or be dead my Executors to choose persons or person in their places.

This the 29th day of July 1879

Cowden McCard

Signed & acknowledged in our presence

Joe P. Ogilvie

Just Sept 1 1879

M. L. Ogilvie

T. M. Smith

Thomas Blackwell

" " " "

State of Tennessee

Marshall County

County Court September Term 1879

Personally appeared here in open Court J. P. Ogilvie, T. M. Smith and Thomas Blackwell, subscribing witnesses to the foregoing will, who, after being duly sworn, proved the due execution of the same as the law directs, which was then upon, by the Court, ordered to be certified and recorded.

Witness my hand, at office, this 1 day of September 1879

W. P. Baileys, C. C. W.

Codicil to Cowden McCard's Will

I Cowden McCard of Marshall County Tennessee having considered over my will made on yesterday July 29th 1879 desire to add the following Codicil to the same.

First I desire to will that when I mention my children I desire & will to mean all my children including Howard Miller, representing his mother as one share, equal with my other children - the same to be paid over to a guardian upon the following conditions: the said share or interest upon same for his use and benefit during life. But in the event that said Howard Miller should die before he comes to be twenty one years of age or without children I will that what is in his guardian's hands shall be paid to my children or their children and be their property, otherwise to be Howard Miller's.

2nd In giving my Executors Power & Authority I intend & mean that they have power and authority to sell any property real or personal privately or publicly as they deem best.

and upon terms deemed best by them, And I give them full Power & Authority to do & perform any act necessary in carrying out my will & intentions

This the 30th day of July 1879

Ernest M. Correll

Witness

Charles P. Morlan Junat Sept 1 1879

Thomas C. Brittain " " " "

E. T. Williams " " " "

State of Tennessee

Marshall County } County Court September Term 1879

Personally appeared here in open Court

Charles P. Morlan, Thomas C. Brittain & E. T. Williams subscribing witnesses to the foregoing Codicil, who, after first being duly sworn, proved the due execution of the same, which was ordered to be certified and recorded

Witness my hand, at office, this 1 day of September 1879

W. P. Bullock, Clerk

Robt L. Kimbrough's Will

I, Robt L. Kimbrough of Marshall County State of Tennessee being of sound mind, and memory, and considering the uncertainty of this life and transitory life, do hereby make and declare this to be my last will and Testament hereby revoking and making void all other will or 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 moneys that I may die possessed of or may first come into the hands of my Executor

Secondly, I give and bequeath to my beloved wife Lemina M. Kimbrough all of my real estate viz, a Tract of land on which I now reside & known as part of the Robt Cox tract containing about ninety five acres, more or less, North of Commerceville in Marshall County Tenn, and all of my personal property that I may die possessed of, so long as she may live, or or remains my widow for her own use and benefit. After her death whatever remains I desire to be equally divided between my three children, D. L. Kimbrough, Emily Kimbrough and Robert L. Kimbrough except a debt due Allen Williams for which I am bound & if my estate has to pay the same, my son D. L. Kimbrough is to have his portion lessened the amount of same, and further I desire and give unto my daughter Emily

L. Kimbrough one horse or the value of one horse more than the equal share of the two sons, D. L. & R. L. Kimbrough & further to have a home so long as she may elect or desire with her mother Lemina M. Kimbrough

I desire that all my effects both real and personal remain unseized and in the hands of my executor

Lastly, I do hereby nominate and appoint my wife Lemina M. Kimbrough my executor to this my last will and Testament,

In witness whereof, I do to this my will set my hands, this the 9th day of June 1879

Robert L. Kimbrough (died)

Executed in our presence and

we have subscribed our names hereunto in the presence of the testator day and date above written

Wm C. Baird Junat Sept 11 1879

John L. Craggin " " " "

State of Tennessee

Marshall County } County Court September Term 1879

Personally appeared here in open Court Wm C. Baird and John L. Craggin, the subscribing witnesses to the foregoing will, who, after being duly sworn, proved the due execution of the same as the law requires. which will was by the Court ordered to be certified and recorded.

Witness my hand, at office, this 14 day of September 1879

W. P. Bullock, Clerk

Samuel Orr Senior Will

I, Samuel Orr, Senior, of the County of Marshall and State of Tennessee, being of sound mind, but infirm & advanced in life, with a full knowledge of the uncertainty of life, do make & publish this as my last will & Testament, hereby revoking & making void all former wills by me at any time made.

First I give and hereby direct that all my just debts be paid, and my funeral expenses discharged, out of any moneys that I may die possessed of, or which may first come into the hands of my executor. I also direct and authorize my executor to have a neat & suitable monument, with proper inscription placed over my remains - and pay for the same out of any moneys of my estate which he may have in his hands, for all of which he shall be credited on a final settlement of his administration

Second I give and bequeath unto my beloved brother, and faithful friend Joseph C. Orr all my personal estate or property of which I may die possessed, after above requisitions have been carried out; and I also give and bequeath unto him a life estate in all the lands of which I may die possessed,

for his own use and maintenance, but especially for the maintenance of my beloved, but aged and infirm sister Catherine Orr, who is now dependant upon us.

Third I give and bequeath unto my nephew Riley L McDaniel, who was early cast upon our care, & by us maintained to the present time, all my landed estate, subject to the life estate of my brother Joseph B Orr, & sister Catherine Orr, as above specified and other expenses herein provided for.

Fourth In the event of the premature death of above mentioned Riley L McDaniel, or in the event of his becoming spendthrift in his habits, or prodigal in his course of life, or debased in his moral & Christian character, of which I authorize and appoint my executor to be the sole judge, I give and bequeath my landed estate subject to above named life estate and other requirements herein recited - to my natural brothers & sisters, if living, or if dead, to their proper representatives, to be equally divided among them.

Fifth. I hereby nominate and appoint my friend & pastor Rev Ed Young, Executor to this my last will and testament. In witness whereof, I have hereunto set my hand, and affixed my seal, the 17th day of September A.D. 1879

Samuel ^{his} Orr, Sen

(Signature)

Signed, sealed, published and delivered by the said Samuel Orr, Sen. to be his last will & testament, in our presence, and we have subscribed our names hereto in the presence of the Testator and at his particular instance and request, this 17th day of September A.D. 1879.

M Bradshaw. Jurat Nov 13 1879
Wm Cummings. Jurat Nov 3 1879

State of Tennessee
Marshall County } County Court November Term 1879.

Personally appeared here in open court, Wm Cummings and M Bradshaw, the subscribing witnesses to the foregoing will, who after having been duly sworn, made the due execution of the same as required by law - which will was by the Court ordered to be certified and recorded.

Witness my hand, at office, this 13 day of November 1879

W P Bullock, Clerk

William M. Duncan's Will

Whereas I, William M. Duncan being of sound mind and knowing the frailty and uncertainty of human life and wishing to dispose of my worldly effects to whatever property I may elect and possessed of both real and personal estate I have strength and capacity of mind to do so. I therefore do make and constitute this my last will and testament

And first it is my desire that so soon after my death as practicable that my executors hereafter named dispose of a sufficiency of my property to pay off my funeral charges and all my just debts - and the remainder of my property if any after all my just debts are paid it is my desire and will that it be equally divided between my beloved wife Fannie J. Duncan and my beloved mother Winnie H. Duncan and my esteemed cousin William B. Phillips. It is also my desire that the portion of my property I have given to my mother Winnie H. Duncan be hers during her natural life and at her death to be divided equally between my brother A. B. Duncan's children. It is my desire that that the land that I may have left after my debts are paid that my beloved wife Fannie J. Duncan shall have one third wherever she may select or locate it and that the houses thereon shall not be taken into consideration in the valuation of the same.

And I hereby nominate and appoint Wm B. Phillips & Riley L. McDaniel my executors to wind up my estate.

In witness whereof I have hereunto set my hand and seal this 10th day of September One thousand eight hundred and seventy nine (1879)

W M Duncan

In presence of us

J B Marshall } Jurat Nov 13 1879
J B Marshall } " " " "

State of Tennessee

Marshall County } County Court November Term 1879

Personally appeared here in open court J B Marshall and J B Marshall, subscribing witnesses to the foregoing will, who, after first being duly sworn, made the due execution of the same as required by law, which will the Court ordered to be certified and recorded.

Witness my hand at office this 13th day of November 1879

W P Bullock, Clerk

John W. Clark's Will

I John W. Clark do this day make and publish this my last will and testament hereby making all other wills before made first I direct that all of my just debts be paid out of my personal estate so soon as circumstances will justify. Second I direct that my beloved wife Almada Clark have the balance of my personal estate so my home tract of land that I am now living on containing by calculation one hundred and sixty acres be the same more or less during her widowhood or natural life time. Third I direct my son John A. Clark shall have my home place above described after the widowhood or natural lifetime of my beloved wife and in case of her death before my wife then the same is to belong to his children and the balance of my personal estate that is on hand at the marriage or death of my beloved wife is to be equally divided between my son John A. Clark and my daughter Susan T. Murray. Fourth I direct that my daughter Susan T. Murray shall have immediate possession of that tract of land that I now own and to be hers to do what she pleases with forever that lies in the civil dist of Lincoln County and State of Tennessee containing by calculation seven hundred and one hundred and twenty four poles be the same more or less and bounded as follows on the south and East by the lands of Mrs Sarah Hots and the west and North by the lands of Henry Sanders Fifth I direct that my son John A. Clark shall in consequence of what I have him pay to my daughter Susan T. Murray the sum of two hundred dollars on or before he becomes in complete possession of the tract of land heretofore described in this instrument that is conveyed to him. Sixth I direct that my beloved wife and my son John A. Clark every in to execution this instrument and they are hereby appointed my Executor for that purpose this the 10th day of June 1879

JWC

R. B. Gano

W. H. Dunning

Geo. H. McGaugh

State of Tennessee County Court January
Marshall County Tenn 1880

Personally appeared here in open Court this day
W. H. Dunning and Geo. H. McGaugh the subscribing
witnesses to the foregoing will who after being first duly
sworn have the due execution of the same as the laws
requires which was ordered

by the Court to be certified and recorded
Witness my hand at office this day
of January 1880

W. P. Bullock Clerk

James H. Miller's Will

I James H. Miller of the County of Marshall and
State of Tennessee being of sound mind and good
memory do make this my last will and testament
hereby revoking all other wills by me at any time made.
First Item I direct that my funeral expenses be paid out
of any moneys of which I may die possessed.

Second Item I devise and bequeath equally to my son
John W. Miller and to two of my daughters viz Margaret
& Miller and Sarah W. Miller the tract of land known
as my home place conveyed to me by Samuel Woods the
tract conveyed to me by Daniel Davis sixty acres to be cut
off the South side of Burgess tract by a line running
East and West and lying seven acres of good land
conveyed to me by Samuel Woods the whole of which
lands is valued to said legacies above named at six
thousand three hundred and thirty dollars or five thousand
one hundred dollars for each one.

Third Item I bequeath to the heirs of Elizabeth Armstrong
decd the tract of lands known as my old place conveyed
to me by Francis H. Woods and Thomas Cummings which
land is valued to said heirs at the sum of three thousand
three hundred dollars.

Fourth Item I bequeath to the heirs of my daughter
Frances L. Woods decd the North side of the Burgess tract
to be divided as directed in Item second and a tract of
cedar land conveyed to me by James W. Bell the bequest
is valued at five thousand five hundred and twenty dollars
to the heirs of said Frances L. Woods decd. Fifth Item

I bequeath to my daughter Mary Ann Miller the sum
of fifteen hundred dollars in money with the
privileges of living and support on the household with
those to whom it has been given till her marriage or
death.

Sixth Item I give and bequeath to my grand daughter
Kitty Miller the sum of twenty five hundred dollars
dollars in money or solvent claims with the privilege
of living on the old household with John W. Murray
& Sarah W. Miller till her marriage or death.

Seventh Item I bequeath to my daughter Eva Jane Miller the
sum of twenty five hundred dollars in money or all

Eighth Item. I bequeath to my daughter Margaret E Miller my New large family Bible and the sum of three hundred \$200.00 dollars in money.

Ninth Item. The Piano and Sewing machines I direct shall remain on the old homestead for the use and benefit of my children and grand children and I also will and direct that my tools all the bed steds beds and bedclothes not owned or claimed by my children living with me shall not be sold but equally divided among all my heirs and that the surplus property on the farm shall be sold as soon as convenient after my death.

Tenth Item. I direct that the first appointment among my legates outside of the special bequest in item eighth and the bequest of fifteen hundred dollars to my daughter Mary Ann Miller which is her share shall be twenty five hundred dollars and to make the shares equal I direct that four hundred \$400.00 dollars be given each to John W. Margaret E and Sarah Miller mentioned in item second to raise their land in value to the appointment of twenty five hundred each and the heirs of Elizabeth Armstrong dead shall account for the sum of five hundred dollars in their bequest a bare a share of twenty five hundred dollars.

Eleventh Item. I will and direct that after all the bequests above mentioned are settled off that the remainder of my personal effects be equally divided among my lawful heirs.

This 20th of June A.D. 1877

James M. Miller

Signed and acknowledged
in our presence the day and
year above written

Robert J. Orr Just Jan 7 1880

Alfred McLaughlin " " "

Codicil

I desire and so direct that the following changes be made in the above will. I hereby will and bequeath the land known as my old place specified above in item third to my grand daughter Mary Miller on same conditions instead of to the heirs of Elizabeth Armstrong dead and the money bequeathed to Kiley Miller in said item I bequeath to the heirs of Elizabeth Armstrong dead. The sum of five hundred \$500.00 dollars I now change to one thousand five hundred \$1500.00 dollars. This November the 21 1877

James M. Miller

Attest

Alfred McLaughlin Just January 7 1880

State of Tennessee 3 County Court
Marshall County January Term 1880

Personally appeared here in open court Robert J Orr and Alfred McLaughlin subscribing witnesses to the foregoing will, who being duly sworn, proved the due execution of the same as the law directs and the said Alfred McLaughlin also the subscribing witness to the codicil of said will being duly sworn in open court proved the due execution of said codicil as the law directs, which will and codicil the Court ordered to be certified and recorded.

Witness my hand at office

this 7th day of January 1880

W. P. Bullitt Clerk

James M. McKnight's will

In the name of God Amen

I James M. McKnight being of sound mind do make and publish this my last will and testament to wit:

1st I desire that after my death all my debt be paid paying my funeral expenses first out any monies that may arise from the sale of my personal or real property and the remainder after the payment of said debts to be divided equally between all my grand children share and share alike said grand children being as follows to wit: William T. Harwell, George L. Harwell, A. H. W. C. Harwell, Robert L. Harwell, Sallie J. Harwell, Samuel R. Harwell, Joseph E. Harwell, Ellen L. Harwell and Blanche B. Bowden.

2nd I desire that my executors of this will, whoever they may be, sell all of my real estate upon a credit of such length of time as my said grand children or a majority of those now of age may deem best, and the proceeds to be divided as mentioned in the first item of this instrument.

3rd I desire that my grand children to wit: Sallie J. Harwell and Blanche B. Bowden have all of my household and kitchen furniture of all descriptions.

Given under my hand, October 14th 1877

James M. McKnight

Attest Henry H. Moss Just Jan 21 1880

Mary Glenn

State of Tennessee } County Court January
Marshall County Term 1880

Personally appeared Joseph open court Henry H. Moss and Mary Glenn, the subscribing witnesses to the foregoing will who after first being duly sworn proved the due execution of the same as the law directs, which will the Court ordered to be certified and recorded.

Witness my hand at office

This 21 day of January 1880

H P Bullock clk

Burrel Wilkes's Will.

I Burrel Wilkes of the State of Tennessee, Marshall County, considering the uncertainty of this life, and being of sound mind and disposing memory and wishing to make certain disposition of my property. Do make and ordain this my last Will & Testament in manner and form as follows, hereby revoking all other wills by me at any time made.

1st It is my desire and I hereby bequeath to my wife, Elizabeth Wilkes all my Property both Real & Personal to own and Possess during her life.

2nd It is my desire and I will that my sons Burrel Allen Wilkes and Wiley Stone Wilkes shall at the death of my wife, Elizabeth Wilkes jointly heir all of my real Estate.

3rd It is my will that should my wife Elizabeth Wilkes and my sons Burrel Allen Wilkes and Wiley Stone Wilkes deem it best to sell said Real Estate, then it shall require the assignment of all of them or so many as may be living at the time to constitute a good title to any purchaser of said real Estate.

4th I desire to assign as a reason for making these bequeaths under my Will that they helped me to make the money with which I paid for said real Estate.

It is my will that my just debts be paid out of my Personal Estate, and also my funeral expenses. Given under my hand and seal this December 31st 1877

Done in the Presence of 2

Wit A. H. McConnell Jurat Feb 2 1880

William N Wilkes

Burrel Wilkes (and)

State of Tennessee } County Court February Term 1880

Marshall County } Personally appeared here in open court A. H. McConnell and William N Wilkes, subscribing witnesses to the foregoing will, who after being duly sworn, proved the due execution of the same as the law directs, which will was ordered by the Court to be certified and recorded.

Witness my hand at office this 2 day of February 1880

H P Bullock clk

William H. Marshall's Will

Whence I William H. Marshall - being of sound mind and memory - and calling to mind the frailty and uncertainty of human life, and being desirous of settling my worldly affairs and dividing how the estate I may die possessed of, shall be disposed of after my decease, while I have strength and capacity to do so.

Do make and publish this my last will and testament revoking all other I have made.

My will is that all the property - real and personal & mixed of which I shall die seized and possessed, or to which I shall be entitled at the time of my decease - I desire bequeath and dispose thereof in the manner following (viz)

And first my will is that all my just debts and funeral charges shall by my Executors hereinafter named be paid out of my estate as soon after my decease as shall be found practicable or convenient.

And first I desire give and bequeath to my beloved wife Delina Marshall forever all my household and kitchen furniture and my farming implements all my sheep and fifteen head of hogs and two choice cows & two choice horses out of the cows and horses that I may die possessed of and I further give and bequeath to my beloved wife Delina Marshall during her natural life the following described piece or parcel of land it being a part of my tract of land situated and located as follows: Beginning at an Oak 93 feet North of the South East Corner of my land, ^{and in the school land lane} and in the south east of the lot of school land which I purchased running thence South 88° West 67 poles to the fence thence South with the fence 44½ poles to a stake. Thence South 70° West 16½ poles to a stake. Thence North 39° West 20½ poles to the fence thence North 54° West 12 Poles Thence South 77½ West 23 Poles Thence North 27° East 48 Poles to a locust Thence South 80° West 31 Poles Thence South 61° West with the fence 34 Poles to a sour oak Thence North 18 Poles Thence South 65° West 78 to a mountain oak & Elm the South East corner of a 60 acre tract I purchased of Daniel Bachman Thence West 60 Poles to the North East corner of a tract I purchased of C. H. Barnes Thence North 5° East 5-9 Poles to a stake. Thence North 35° West 40 Poles to a stake. Thence South 5½ West 20 Poles to the North West corner of the said 60 acre tract I purchased of Daniel Bachman and on the South boundary line of a tract I purchased of C. O. Coaster and near a spring Thence South said line East 84 Poles to the North West corner of a tract I purchased of old man John Bland Thence North 70° 57 poles to an Elm on the bank of a branch Thence East with the branch 19 Poles Thence South 32° East 44 Poles to a gate at the end of a lane. Thence South 72° East with said lane 16 Poles Thence South 40° East with said lane 40 Poles to a stake. Thence North East 80½ Poles to a Cherry tree at a fence Thence 60° East 88½

to the center of the road thence East 9 Poles to the North East Corner of my tract of land thence South $2\frac{1}{2}$ East with the road and with my East boundary line 111 Poles to the beginning. Containing about 110 acres. The above described piece is parcel of land I give to my beloved wife Delina Marshall with all the improvements and appurtenances thereto belonging and all the profits arising therefrom during her natural life and for her sole use benefit and behalf and this bequest is in lieu of dower and homestead.

And to my son James Born Marshall I give devise and bequeath forever to him and his heirs and assigns for his and their use benefit and behalf the following described land (viz) Beginning at the said and the beginning corner of the said piece I have given in this my will to my beloved wife Delina Marshall and running thence with the twelve feet described lines in the will and to the same corners then described until it reaches the North East Corner of the tract of land I purchased of E. H. Barnes thence South 12° West 42 Poles thence South 40° West 60 Poles thence South 84° Poles thence South 60° East 40 Poles to a rock pile thence North 88° East 71 Poles to an Elm thence North 3° East 48 Poles to a stake thence East with Warren's line 112 Poles to a Poplar stump thence North 36 Poles to a stake Timothy Hunter's corner thence North 87° East with Warren's line 200 Poles to the South East Corner of my tract of land thence North $2\frac{1}{2}$ East 92 Poles to the beginning. Containing about 220 acres with all the improvements and appurtenances thereto belonging.

And to my daughter Fannie J. Duncan & to my son John Gilbert Marshall I give devise and bequeath forever to them their heirs and assigns for them and their use benefit and behalf to be equally divided between them. The following described lands (viz) The remainder of my lands that herein bequeathed and also at the death of my beloved wife Delina Marshall the land that I have herein bequeathed to her containing in all about 550 acres with all the improvements and appurtenances thereto belonging and it is further my desire that whenever my daughter Fannie J. Duncan and my son John G. Marshall shall want a division of their lands in the valuation of the same the dwelling house in which I live shall not be valued at its full valuation.

And it is my will and desire that all my personal property not herein bequeathed shall after my decease by my executors hereinafter named be sold either privately or publicly as they may deem best and after my just debts and funeral charges have been paid. If there should be any of the proceeds of such sale left

I desire and direct that it shall be equally divided between my beloved wife Delina Marshall and James B. Marshall Fannie J. Duncan and John G. Marshall.

But in the event that my personal property does not pay my debts and it becomes necessary in order that my debts may be paid. It is my will and desire and I direct that my executors hereinafter named shall sell either privately or publicly as they may deem best and I hereby empower them to sell transfer and convey the following described land (and pay on said indebtedness) (viz) (viz) The lands I purchased of E. H. Barnes containing thirty seven acres and that portion of the 60 acre tract I purchased of Daniel Bachman West of the line described in this will running from the North East Corner of the E. H. Barnes tract to the North West Corner of the Daniel Bachman 60 acre tract and running from thence South 25° West 66 Poles to the South East Corner of John H. Hanning's tract thence East 15 Poles to the North West Corner of the E. H. Barnes tract containing about 70 acres.

And lastly I do nominate and appoint W. H. McDaniel and James B. Marshall to be the executors of this my last will and testament without bond.

In testimony whereof I the said W. H. Marshall have to this my last will and testament subscribed my name and affixed my seal this the 1st day of October in the year of our Lord One Thousand Eight hundred and seventy nine.

W. H. Marshall (S)

In the presence of us

Jacob Bachman Just April 5 - 1880
W. H. Marshall " " " "

State of Tennessee

Marshall County County Clerk April Term 1880

Personally appeared here in open court, Jacob Bachman and W. H. Marshall, subscribing witnesses to the foregoing will who, after being duly sworn, provided the due execution of the same as the law directs, which will was, by the court, ordered to be certified and recorded.

Witness my hand at office this 5th day of April 1880

W. P. Bullock, Clerk

I S H Early's will

I S H Early of the County of Marshall and State of Tennessee being sound in mind and memory do make ordain and declare this to be my last will and Testament:-

That is to say:-

First I order and direct my Executor to collect all the debts that may be owing to me at my death and apply the proceeds thereof first to the payment of all my just and lawful debts. The residue thereof to be paid to my wife Margaret Susan Early to be used by her in the way she may think best for her maintenance and support.

Secondly I give and devise to my wife during her natural life all the Estate both real and personal I may die seized and possessed to be used by her in whatever way she may think best for her maintenance and support, and if she may think necessary to sell a part or all of my personal estate to do so, but not to sell any of the real estate.

Thirdly I order and direct my Executor after the death of my wife to pay her funeral and burial expenses and to erect a suitable head and foot stone at her grave.

Fourthly After the death of my wife I order and direct my Executor to sell all the personal effects my wife may have at her death, and all my real Estate, and divide the proceeds thereof equally between my three children Ann E Moore (formerly Ann E. Early) Lucy M. Smithson (formerly Lucy M. Early) and William I Early.

Fifthly The provisions aforementioned made for my daughter Ann E Moore (formerly Ann E. Early) order and direct my Executor to use in the purchase of a tract of land to be selected by my daughter Ann E. Moore, her husband Alexander H. Moore, and my Executor. The deed to said land to be made to my daughter Ann E. Moore for her maintenance and support during her natural life and at her death to go to the heirs of her body, but should she die without issue, then to be equally divided between my daughter Lucy M. Smithson and my son William I Early, and should they be dead to be given to the heirs of their body.

Sixthly The provisions herein made for my daughter Lucy M. Smithson I order and direct my Executor to use in the purchase of a tract of land to be selected by my daughter Lucy M. Smithson, her husband Samuel C. Smithson, and my Executor. The deed to be made to my daughter Lucy M. Smithson for her maintenance and support during her natural life and at her death to be equally divided between the heirs of her body.

Seventhly I nominate and appoint my son William I Early Executor to this my last will and Testament to

act without giving security, hereby revoking all wills by me made.

In testimony whereof I have hereunto set my hand and seal, this day of 1874

Witness

S. H. Early

E. H. Scott Jurat Aug. 1880

J. M. Reynolds " " "

State of Tennessee, County Court August
Marshall County Term 1880

Personally appeared here in open Court E. H. Scott and J. M. Reynolds subscribing witnesses to the foregoing will, who after first being duly sworn, proved the due execution of the same as the law directs, which will was ordered to be certified and recorded.

Witness my hand at office
this the 11th day of Aug 1880

J. P. Bullock (Clerk)

William O. Rutledge's Will.

I William O. Rutledge of the County of Marshall and State of Tennessee, being now of sound mind and disposing memory but in feeble health, and desiring to make suitable disposition of my effects and provision for my family do hereby make ordain public and declare this to be my last will and Testament, not heretofore having made any other will.

That is to say I desire first that all my just indebtedness if any exist at my death shall together with my burial & funeral expenses be paid by my Executor out of the first money or moneys that shall come to her hands.

Secondly In view of my desire to keep my family together and that they may all get the benefit of my property, I hereby nominate and appoint my beloved wife Amanda C. Rutledge the Executor, to this my last will & Testament and it is my desire that she shall take charge of all my property both personal and real that I may that I may die seized and possessed of that she will use and occupy the same using all for her own and the benefit of my children, as we have heretofore done, during her natural life and at her death the same to be equally divided both personal and real between my children to wit Lorena Rutledge William O. Rutledge Justin Odell Rutledge and Myrtle C. Rutledge.

It is further my will and desire that my wife should upon my said Children arriving at age to marriage give off to them their respective shares of the said property or such of it, as shall be of value sufficient to make them all equal in the final division of my estate, and for the purpose of enabling her to fully carry out the provisions of this will and with as little expense as possible I hereby authorize and empower her to sell any or all of the said property for the purpose of paying indebtedness or dividing the property among my Children and give her the right and power to convey and make deeds to parties who may purchase any of the real estate without the necessity of her going into the Courts of the Country for authority to do so, or if she think it best and a division of the property in kind can be made, she shall have power under this will to do so, and convey & make deeds to the respective shares of each.

And I hereby release my wife from the necessity of giving Bond and require that the Court shall allow her to qualify without doing so.

In testimony whereof I have hereto set my hand and affixed my seal this day of September 1880

William O'Rourke God
By A. N. Miller in his presence
at his request

Signed & acknowledged in
my presence this day of
Sept 1880

Chris C McKinney Just Oct 5 1880

Allen D McClary " " "

State of Tennessee
Marshall County, 3 County Court Oct Term 1880.

Personally appeared here in open Court Chris C McKinney, Allen D McClary subscribing witnesses to the within will, who, after first being duly sworn, joined the due execution of the same as the law directs - which will the Court ordered to be certified and recorded.

Witness my hand at office this the 5th day of Oct. 1880
W. P. Bullard Clerk

Margaret Emily Miller's Will.

I, Margaret Emily Miller of the County of Marshall, and State of Tennessee, being of sound mind and good memory do make this my last Will and Testament.

First, I direct that my funeral expenses, including neat embellements, be paid out of any moneys of which I may die possessed.

Second, I bequeath my household effects as follows, viz: To Mary Ann Miller (sister), I give my large bed, Map, and brook case.

To John W. Miller, my brother, I give my Clock, bedstead, bed and bedclothes, and my interest in the growing crop.

To my sister Sarah M. Miller I give all my furniture in the kitchen and dining room including all the cooking vessels, Chamber & queen ware, knives & forks, Caster & spoons, also my small table and all my chairs.

To my Niece Kitty Miller I give my ward robe and rock chair. I bequeath my interest in my father's books jointly to Mary Ann, John W. and Sarah M. Miller.

Third, I bequeath my gray mare to Kitty Miller, and all my other live stock I give to John W. and Sarah M. Miller equally.

Fourth the remainder of my personal estate I will and direct shall be divided into Seven equal parts, one of which I hereby bequeath to my sister Mary Ann Miller, one part to my brother John W. Miller, one part to my sister Sarah Miller, one to my niece Kitty Miller, one part to the heirs of Elizabeth Armstrong died, one part to the heirs of Frances Woods died and one part to Jennie Mice.

Fifth, I bequeath all my real estate equally to said John W. and Sarah Miller subject to two conditions, viz: If either of them should marry or die, then the land shall belong to the other or if both of them should die or marry then my land shall belong to my sister Mary Ann Miller during her life. Then after the marriage or death of said John W. and Sarah M. Miller and the death or marriage said Mary Ann Miller I direct that my land be sold and the proceeds divided among the heirs abovesaid, I wish to expressly state that I give the above named parties my land during their lifetime or till marriage and that they shall not sell or otherwise dispose of the same.

Sixth, I direct that neat tombstones worth about twenty five dollars be placed over my sister Frances grave and paid for out of my estate, August 4. 1880 Margaret Emily Miller

Witness Ed Woods Jr
Alfred McClary Just Nov. 10 1880

State of Tennessee
Marshall County, 3 County Court November Term 1880

Personally appeared here in open Court Alfred McClary one of the subscribing witnesses to the foregoing will, who, first being duly sworn, joined the due execution of the same as the law directs, which was by the Court ordered to be certified and recorded, Witness my hand at office this the 10th day of November 1880

W. P. Bullard Clerk

James Walker's Will.

Know all men by these presents that I, James Walker, being sound in mind but feeble in health & of good old age, do make and publish this my last will and Testament hereby revoking & making void all others.

First, I bequeath that all my funeral expenses & all just debts that I owe at my death shall be paid out of any personal effects that I may die possessed of.

Secondly, For the love and affection I have for my beloved wife Mary A Walker, I will & bequeath to her for her sole use & benefit during her natural life, the Dwelling House & what is supposed to be Forty Five Acres of land, bounded as follows.

Beginning at the South East Corner of said Mary A Walkers 35 Acre Tract of land running thence West with her death line to O B Haynes Bartoline Thence South with said Haynes line to the North line of his Jennings Tract of land Thence East with said Haynes Jennings line to the North East Corner of of said Jennings Tract. Thence South with the line between Walker & Haynes to a Cross fence the Southern Boundary of the Woods lot South of the house. Thence East with said Offense to a rock Thence North to the South West Corner of said old Orchard Thence East with said Orchard fence to the South East Corner of the meadow field Thence North with said meadow field fence to the beginning. I also will & bequeath that my wife Mary A Walker shall have whatever personal & real timber she may need to keep the place here conveyed in repair during her lifetime off of any other lands I may die possessed of. Thirdly I will and bequeath to my wife Mary A Walker for her use & benefit during her natural life, the following in hand and two horses or mules and the wagon on hand, One cow calf, Eight head of hogs, such as are on hand at my death and one year provisions is to be allotted to my wife out of what is on hand at my death.

Fourthly, I will & bequeath that my wife Mary A Walker shall at my death have all the household furniture that she brought with her when we were married or afterwards to do as she pleases with, and the balance of the Household & Kitchen furniture I will to her for her use & benefit during her lifetime.

Fifthly, I give & bequeath to my Grand Daughter Martha P. Terry formerly Martha P Jennings One hundred dollars to be paid her by my Executor out of any Effects in his hands & to be paid Twelve months after my death.

Sixthly, I will & bequeath that all of the remainder of my Real & personal Estate of every kind shall at my death go to and be the property of my son Josiah Walker if living and if not living to his heirs, And the Effects that I have willed to my wife Mary A Walker for her use & benefit

during her life, I will that at her death what remains the same to go to & be the property of Josiah Walker & his heirs.

Seventh, I hereby appoint & make my son Josiah Walker my Executor with full power to carry out my will and give him power to sell any & all my property, Real & personal, if it becomes necessary, and to make deeds to all lands necessary to be sold, and if not necessary to sell any of the lands the same will be conveyed to him by this instrument after specifications are fulfilled, And I hereby release my son Josiah Walker from giving Bond as required by law having full confidence in him to do what is right, and this will to take effect at my death. In witness whereof I have hereunto set my hand & seal. This the Fifth day of September 1871

James Walker (Ed)

Signed in our presence the day & date above written

E. T. Williams Junr Dec 6th 1880

J. B. Boyd

State of Tennessee - County Court December Term 1880.
Marshall County 3

Personally appeared here in open Court E. T. Williams one of the subscribing witnesses to the foregoing will, who, after first being duly sworn, proved the due execution of said will, on his part, as the law directs; also John T. Shurt & E. T. Williams who first being duly sworn, proved the hand writing of J. B. Boyd the other subscribing witness - which will was by the Court ordered to be certified and recorded, Witness my hand, at office, the 6th day of December 1880,

W. P. Bullcock, Clk

H C Wright's Will.

This being my last will and testimony, I do hereby will and bequeath to my wife L F Wright and daughter M E D Wright after my just debts are paid my entire interest in Robert Wright's estate jointly and if there be any thing more rightfully coming to my estate it is my will that it shall go to my above named wife alone This September 8th 1881

As testimony to the above I hereunto subscribe my name and fix my seal

H C Wright

Witnesses
John D Moore
B F Clarys Great Feb'y 7/81
George Oliver

State of Tennessee
Marshall County 3 County Court February Term 1881
Personally appeared here in open court, this day B F Clarys one of the subscribing witnesses to the foregoing will, who, after being duly sworn, deposed and stated, that the same was acknowledged by the said H C Wright as his last will and testament, in his presence and in the presence of the other subscribing witnesses thereto, and that he became a witness thereto by request of the testator which will was ordered therefore to be certified and recorded.
Witness my hand, at office, this the 7th day of February 1881
W P Buller, C. C.

Ashley Moore's Will

I, Ashley Moore do make and publish this 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 just debts be paid as soon after my death as possible out of any money that I may die possessed of or may first come into the hands of my executor Second I give and bequeath to my wife Nancy S Moore all my lands lying North & East of the road running through my lands known as the Columbia & Cornersville road also all my household and kitchen furniture all my stock of every kind all my farming utensils corn cotton bacon and money (after paying my debts) to have and to hold during her natural life or widowhood. I also have a small tract of Cedar land lying North of Mrs D D Holt's house & it is the place bought from the estate of D D Holt's estate which I wish to remain unsold until the place above mentioned is sold and the timber is to be used in repairing the place my wife live on Third I will that all my lands lying south and West of said Columbia and Cornersville road on which my son Robert H Moore now lives be sold and my son Robert H Moore is to have One Thousand dollars out of the proceeds of the sale of said lands to pay him for the improvements made on the place, and the balance of the money arising from the sale of this place after paying Robert H Moore One Thousand dollars be divided equally between him and my other children, except Martha Ellen who has received all I intend her to have. Fourth I have given off to all my children as they become of age or as I could spare it a certain amount which I have charged to them (some more than others) in a Book kept for that purpose which they must all account for in proportion to what each has received and charged without interest on a final distribution.

Lastly now at the Death or Marriage of my wife Nancy S Moore I will that all my property both real and personal be sold and the proceeds equally divided between all my children each accounting for what they have heretofore received and is charged against them in Book specified above so all will be made equal except my daughter Martha Ellen who has received all I intend her to have.

I do hereby nominate and appoint John A Bryant my Executor. In witness whereof I do to this my last will and testament set my hand and seal, This November 26th 1872

Ashley Moore (and)

signed sealed and published in our presence and we have subscribed our names hereto in presence of Testator.

D O Orr Jurat April 4 1881.

W A Bryant " " " "

State of Tennessee

Marshall County 3 County Court April Term 1881.

Personally appeared here in open Court D O Orr and W A Bryant, subscribing witnesses to the foregoing will, who, after being duly sworn, proved the due execution of the same as the law directs, which will was by the Court, ordered to be certified and recorded.

Witness my hand, at office, this the 4 day of April 1881

Wm P Butler M. C. C.

E E Vernon's Will

In the name of God amen I E E Vernon of the State of Tennessee County of Marshall being of sound mind & disposing memory Make ordain and establish the following as my last will & Testament Revoking & setting aside all wills & parts thereof ever made by me at any former time

and first I will my soul to God who gave it & my body to the grave to be interred by my friends my Executors in hope of a "peacefull & joyfull resurrection that my friends & Brothers in Christ Revd H A Thompson if his service can be procured, conduct my funeral services at the place of my long Residence.

I also will that my Executors pay him ten dollars for said service. I will that my debt if any & personal expenses be paid 2^d that that my beloved wife Cynthia have the remaining personal property she brought here when we were married & the Real Estate decreed to us by decree of the Hon Chancery Court of Marshall County in the Nov Term Centenary forty six acres more or less & being her interest in her father's estate on which George Garbrough now resides bounded East by Cochran Smith & West by Mary Martin & North by Logan I will to her the foregoing property absolutely provided nevertheless that Mary & Margaret A Martin Women shall under any circumstances realize any part or portion thereof they having received more than they ought to have of Cynthia's estate.

I will that after my death the following lands to wit one tract of fifty acres decreed to me by W D McCreary on the 27 August 1829 & one tract of 2 acres 117 poles decreed by the same W D McCreary on the October 1841 also one tract of Sixteen Acres held by grant

from the State of Tennessee also a part of one other tract of better Land granted by the State aforesaid to me that these lands be sold by my Executors, Terms of sale one third cash in hand one third in one year & one third in 2 years the last 2 payments to bear interest & no title made until they are paid but a bond for a title to be given when payment is made

The first grant in the foregoing is No 14114 for 1870⁰⁰ acres & dated 18 day of August 1849, all of which deeds & grants are on hand I will that all my personal property of all sorts not needed for the support of my beloved wife Cynthia be sold the purchaser the purchaser paying ten per cent on all amounts by him bought & give note & good security for the remainder in 12 months from the date of sale but all purchases that do not buy to the amount of five dollars to pay cash in hand - by personal property is meant Horses Cattle Sheep, hogs, Books, House hold & Kitchen Furniture outstanding debts &c &c. I will that all my books on hand not paid for be held subject to the order the Secy to whom they belong my last report will always show the amount

I will to my three beloved Children Esther C McCreary of Pontic County, Mississippi, Mary S Denham of Macon County, Tennessee and William H Vernon of Bryan County, Texas all that they have ever received of my effects & either in substance money or goods or any other valuable thing -

I will that the three before named Children to wit Esther C McCreary, Mary S Denham & William H Vernon have equal shares of all my estate after all my debts & expenses is paid & my said beloved wife Cynthia has a mesuage & comfortable support during her life or widowhood & other items in this will is complied with - my said beloved wife may keep & retain my watch during her life if she desires and at her death give it to my beloved granddaughter Dora Denham & that my executrix to Matie Ellington daughter of my daughter Esther & Jean M Vernon daughter of my son W H Vernon the sum of fifteen dollars each out of the first means on hand after expenses is paid

I will that the County Court of Marshall County require no bond or security of my Executors or Executrix but that she or they take the usual oath well and truly to perform their duties according to law made & provided in such cases

I will that my beloved wife Cynthia McCreary be the Executrix of this my last will & Testament yet if she decesses she may call on either of the following persons to assist in the performance of the business W O Bullen Jr, A W or S H Denham or J W McCreary & which she may select of the four shall be qualified with her & the letter of Administration be returned to them without giving any bond or security & I will that their

no report to the said Court until they please fully
administered - I have written the foregoing will in
my own hand this 10 day of January 1877 it is written
on 5 pages of large letter paper & the pages duly numbered
E & Remer

Test Jas S Ewing June 2 May 2 1881
J D Ewing " " " "

State of Tennessee County Court
Marshall County 3 May Term 1881

Personally appeared here in open Court
Jas S Ewing and J D Ewing, subscribing witnesses
to the foregoing will, who, after being duly sworn,
proved the true execution of the same as the law di-
rects; and the Court thereupon ordered the same to be
certified and recorded.

Witness my hand, as officer, this
the 2nd day of May 1881
Wm P Bullock Clerk

Edward Swanson's Will

Know all men by these presents that I Edward
Swanson of the County of Marshall and State of
Tennessee

Being in feeble health but of sound and dis-
posing mind, do make and publish this my last
will and testament, hereby revoking all others by me
made

First I will and desire that my Executor pay
all my Burial & Funeral Expenses, and all my
just debts out of any effects coming into his hands.

Second I will and bequeath to my beloved wife
Sallie J. Swanson the Two Thousand Dollar benefit coming
from the Knights of Honor to be paid to her, the same
being so ordered in my benefit Certificate.

Third, I will and bequeath to my beloved wife
Sallie J. Swanson, the following Personal Property:
fifty head of sheep, ten head of hogs, Nine hundred
pounds of bacon, or twelve hundred pounds of pork
slaughtered or on foot, sixty Bushels Corn to be put in
the crib for her this fall, Five thousand pounds of
hay or fodder if the same is not on hand my Executor
to pay her its value in money, Thirty Bushels Wheat,
three head Milch Cows & calves such as she may

Select, 1 Two horse wagon & harness for same, two horses or
mares such as she may select. Two sets plow gear three plows
3 Singletrees two plow blades two riding blades, one woman's
saddle, Two preceding hoes. All the kitchen & kitchen fur-
niture on hand, One Barbecue And including the Double
& Single sets of harness and Pole & Shaft, belonging to the same.
Two hundred pounds of sugar twenty five pounds of coffee
Whatever is not on hand mentioned to my wife I desire
my Executor buy the same or give my wife the value of
same in money out of my estate.

Fourth I give and bequeath to my beloved wife Sallie J. Swanson
my half or interest in and to One hundred & sixty four
acres more or less of land we now live upon & being the
same tract of land that Eliza D Putman deeded to myself
& wife Sallie J. Swanson jointly.

Fifth I will & desire that all the remainder of my
Personal Estate be sold by my Executor. Also I desire
that he sell the following real estate My office in
Chapel Hill Marshall County Tennessee & one piece of
Cedar land in Dist No 8 Marshall County Tennessee Con-
taining six acres adjoining the lands of J A Bratcher &
J McEllist. Also 1 piece of Cedar land of 28 1/4 Acres in
Dist No 10 Marshall County Tennessee adjoining the
lands of William Leonard deceased Dr J. H. H. & A.
Thomson. The said Personal & Real Estate to be sold by my
Executor in such terms as he deems best. And I desire
that if the Personal property & Real Estate mentioned to
be sold, should not be sufficient to pay my debts & expenses
that my Executor sell a Sufficiency of my lands (labeled
off of the West side of my lands) to pay the same.

Sixth I will and desire that all the remainder of my
Estate Both Real & Personal be divided Equally between my
Three Children Annie C. Jennie C. and Marietta
Swanson

Seventh I having full faith in the integrity and Judg-
ment of John Hammer I hereby nominate and appoint
him my Executor And clothe him with full Power &
Authority to sell my Property Both Real & Personal as
mentioned and upon terms he deems best And I give
him full Power & Authority to divide the Real Estate I
have to my children, as well as the Personalty, And
give him full Power & Authority to make deeds of
Conveyance to all lands sold by him & to make deeds
of Conveyance to my wife and children of the lands
deeded to them. And give him the discretionary Power
to perform any act necessary in carrying out my will.
I hereby release him from giving any bond or