

Will of Huldah M'Mahan

I Huldah M'Mahan of Advanced
years being Sick ~~and~~ but of Sound
Mind and disposing ~~memory~~
do hereby Make and publish
This my last Will and Testament

First It is my wish and
direction that all my just
debts be paid And that
my Executor out of my
Estate defray my burial
Expenses.

Second I Will and bequeath to my
daughter Rebecca Snapp
1 prep for holding dishes /
Small Walnut Table 1 bed
Head bed and 1 furnishing of
bed clothing, and in addition of
this 1 blanket 1 Coverlet and
1 Comfort and 1 Sheet.

Third I Will and bequeath to my
Grand Children Rebecca
M'Mahan, and Mollie M'Mahan
1 feather bed each and one
furnishing of bed clothes for
each I have raised said
Grand Children from Infancy
and it is my wish and
request that their Guardian
perpet them to remain
with my daughter Nancy J
Chambers

Will of Huldah M'Mahan

fourth All the balance of my property
including all personal property
in my possession and all
owned by me and all debts
or Claims due me, I will
and bequeath to my daughter
Nancy J. Chambers, This
includes the present years
rents on the farm where
I live and the interest accrued
to me in Chancery Court at
Sevierville in the Case of
Stephen R Bradshaw and others
against Huldah M'Mahan
and others

Fifth I Recommend and appoint
W H Houck as Executor of
This my last Will and Testament
In Testimony whereof I have here-
set my hand, This - day of April
1828 Huldah ^{my} M'Mahan

Subscribing Witnesses

R. H. Andes

John W Andes

Admitted to probate
on the 5 August 1828
Richard Page 173

W H Houck etc

Will of Gilbert Gallion
 I Gilbert Gallion being of sound
 mind and disposing memory, do make
 and ordain this my last Will and
 Testament hereby revoking all other
 Wills made by me.
 First - a sufficient
 portion of my personal property be
 sold to pay only funeral & funeral and
 all debts that may be owing at the
 time of my death.
 Second, I will and bequeath
 to my daughter Dorothy Jane Reagan,
 One Bureau, one bedstead, bed and
 furniture, and one set of mill stones
 & cross.
 Third, I will and bequeath to my
 son Anderson Gallion one Bedstead
 bed and furniture and one large chest
 and one Rifle gun.
 Fourth, I will and bequeath
 to my daughter Amanda A. Gallion the
 remainder of my household and
 kitchen furniture.
 Fifth, I will and bequeath
 to my son Anderson Gallion and my
 daughter Amanda A. Gallion a
 tract of land containing seventy nine
 acres, lying on the waters of second
 Creek Creek, in District No 10 joining
 the lands of Jno Garner, Simon
 Johnson, Benjamin Clark & others.
 Said lands to be divided as follows
 Amanda to have forty two acres including
 the building and Anderson the remainder.
 The dividing line to be so run, as to give
 to each their proportional part of cleared
 & timbered lands.

The Will of Gilbert Gallion dead. 253

I Gilbert Gallion being of sound
 mind and disposing memory, do make
 and ordain this my last Will and
 Testament hereby revoking all other
 Wills made by me.

First - a sufficient
 portion of my personal property be
 sold to pay only funeral & funeral and
 all debts that may be owing at the
 time of my death.

Second, I will and bequeath
 to my daughter Dorothy Jane Reagan,
 One Bureau, one bedstead, bed and
 furniture, and one set of mill stones
 & cross.

Third, I will and bequeath to my
 son Anderson Gallion one Bedstead
 bed and furniture and one large chest
 and one Rifle gun.

Fourth, I will and bequeath
 to my daughter Amanda A. Gallion the
 remainder of my household and
 kitchen furniture.

Fifth, I will and bequeath
 to my son Anderson Gallion and my
 daughter Amanda A. Gallion a
 tract of land containing seventy nine
 acres, lying on the waters of second
 Creek Creek, in District No 10 joining
 the lands of Jno Garner, Simon
 Johnson, Benjamin Clark & others.
 Said lands to be divided as follows
 Amanda to have forty two acres including
 the building and Anderson the remainder.
 The dividing line to be so run, as to give
 to each their proportional part of cleared
 & timbered lands.

Sixth

Will of Gilbert Galyean

I appoint W. M. Burnett as
my Exr to carry out this my
last will & testament

Gilbert ^{his} Galyean

The above will was read to and signed
by Gilbert Galyean in our presence

L. Cunningham
Isaac Adams

Admitted to probate September
2nd 1878. D. 200.

W. M. Burnett, Clerk

The Will of Benjamin F. Nipton

I Benjamin F. Nipton being
in feeble health but of sound mind
and disposing memory do make
and publish this my last will
and testament

First I direct that all my just debts
and funeral & expenses be paid out
of the first moneys that may
come to the hands of my Executor
to be hereafter named. McCune &
Butterson have a judgment against ^{me}
the amount of which is not
remembered. I direct that this
judgment be paid without interest.
William Callitt holds a note on me
for fifty dollars borrowed money
which has been paid but by my
own neglect has not been taken
up.

Second. I bequeath to my sister Lurana
McPherson two thirds of all my
property remaining after executing
Clause first. If the said Lurana

The Will of B. F. Lipton Dec 20 1867
 should be living at the death of
 my wife

Third

I bequeath to my sister
 Rebecca Bolin one fourth of the
 remainder of my Estate if she
 should be living at the death of
 my wife

Fourth

I bequeath to my Marion
 Lipton the remaining fourth
 of my estate should he be
 living at the death of my wife

Fifth

I direct in case of the death
 of sister or all of my sisters
 and brother hereinbefore mentioned
 before the death of my wife
 Abigail Lipton that my son
 James Callitt Lipton shall have
 their interest or interests in my
 estate in like manner as if the
 same had been directly willed to
 him, but this bequest to my son
 is on condition he make a
 sober and honest man

Sixth

The Will of B. F. Lipton Dec 20 1867
 I direct that my Executor
 appropriate a sufficient sum of
 money out of my estate to erect
 at my grave and the grave
 of my ~~deceased~~ deceased child
 Laura A. Lipton decent grave
 stones with suitable inscriptions
 Thereon the bequests herein
 before made are intended to
 embrace the full amount of
 the claim whatever the sum
 may be that I owe now having
 prosecuted for military service
 rendered by me for Government
 in the late Civil War if the
 same should be recovered for
 me. If this fund should be
 realized before the death of
 my wife, I that all my debts
 funeral and other expenses be
 out of the same and the remainder
 to pay to my sister, brother and
 son as provided for in the
 several clauses relating to them

The Will of R. J. Tipton dec'd
 I nominate constitute and
 appoint my sole and true friend
 Mr. P. Thomas Executor of this
 my will.

In testimony of all which
 I have hereunto set my hand
 and affixed my signature
 the 13th day of July A.D. 1878
 Signed by the Testator R. J. Tipton
 In our presence the day above
 mentioned

L. A. Rule

Micajah Watson

Admitted to probate the
 7th day of October 1878

W. P. Mitchell
 County Court Clerk

The will of William Ellis dec'd

I William Ellis of the County of Swier
 and State of Tennessee do make and
 execute this my last Will and testament,
 hereby ^{repealing} ^{any other} ^{will} ^{that I have} ^{formerly} ^{made}
 revoking and making void all former
 wills by me heretofore made,

I will and bequeath to my son John
 Ellis the use and benefit of the following
 piece of land for and during his natural
 life for the support and maintenance of
 himself and family to wit:

Bound as follows,
 beginning on a Spanish oak corner
 to the miller Ray on the bank of the
 French Road river above the ferry, thence
 running with the meanders of the river
 North 63 West 130 poles to a stake at the river
 thence with said river South 75 West 24
 poles to a stake at the river thence South
 21 East 5 poles to a locust, thence South
 21 East 59 poles to three ^{decayed} ^{oaks}, thence
 South 64 East 18 poles to a stake at a black
 oak in a hollow, thence up the same South
 22 East 40 poles crossing the road to a
 Hickory, thence South 6 poles to a pine
 opposite or East of a ledge of rocks in the
 road, South 77 East 16 poles to a pine,
 thence North 86 East 40 1/2 poles on the old
 line with said Ray, thence with his line
 North 41 poles to a stake in a sink, thence
 North 54 East 36 poles to the beginning. And at
 the death of my son John Ellis it is my
 will that said land be equally divided
 between the children of my said son or their
 representatives.

I will and bequeath to daughter Jane Lutz
 the use and benefit of the following
 described piece of land for and during her
 natural life to wit: Bound as follows

The Will of William Ellis deceased
 Beginning on a State on French
 Broad river corner to first lot Thence
 with said lot South 21 East 5 poles to
 a locust, South 21 East 58 poles to stone
 Bassapaw; South 64 East 18 poles to a State
 and black oak, in a hollow, thence up the
 same South 22 East 40 poles crossing the road
 to a Hickory, South 6 poles to a pine,
 opposite or East of a ledge of rocks in the
 road, South 74 East 16 poles to a pine,
 thence North 86 East 45 1/2 poles to a State
 on the old line, with the Ray land, thence
 with her line South 19 poles to a State &
 post oak, thence South 88 West 60 poles
 to a post oak on the East side of the
 road, thence North 6 East 3 poles to a
 post oak, thence North 87 West 42
 poles to a double Hickory, thence South
 75 West 24 poles to a State, thence
 North 21 East 106 poles to a State at
 the river, thence up the meanders of the
 river to the beginning, and it is also
 my will that at the death of my
 Daughter Jane Ellis that said lot
 of land be equally divided between
 her children or their representatives.

Thence I will and bequeath to my daughter
 Mary Ellis the following lot of
 land to wit: Bounded as follows,
 Beginning on a State corner to
 the second lot on the bank of
 French Broad river, thence with
 the meanders of said river to the
 mouth of Little Pigeon river, thence
 up the same, 6 poles to an Elm at
 the river, thence North 63 East
 51 1/2 poles to a State corner to second lot

The will of William Ellis deceased 261
 Thence with the same North 21 East
 106 poles to the beginning. I also will
 and bequeath to my said daughter
 Mary Ellis my brick house which
 stands in the yard South of my
 dwelling house to be removed by her
 on to the lot of land which I have
 given to her. I also will and
 bequeath to my said daughter Mary
 Ellis the following lot of wood
 land to wit: Beginning at the
 main road at the Sugar tree
 hollow, thence with the center of
 said hollow, to a hollow that
 leads to the house known as the
 Lipit house, thence up said
 hollow to the Lipit house, thence
 with the line of the ~~Lipit~~ lot to
 the division of my land to the
 beginning. I also will and bequeath
 to my said daughter Mary Ellis
 one hundred dollars worth of
 personal property to be selected
 by her out of any property in the
 house. She is also to have the property
 that she claims as her own.
 I will and bequeath to my son
 James Ellis the following described
 lot of land including my dwelling
 house to wit: Bounded as follows:
 Beginning on an Ironwood opposite
 the Boat landing above Gist creek

The will of William Ellis decd
 on the East bank of Little Pigeon
 river at the mouth of a small
 branch running South 78 East
 22 poles to a stake, thence North
 38 East 26 poles to a double
 Post oak, on the West side of
 the road leading from Swanton
 to the Ferry, thence up the Sugar
 Hill hollow to Widow Ray's line to
 white oak, thence with her line
 North 31 West 46 poles to a stake &
 pointers former to said Ray, thence
 with the same South 72 West 14 1/2
 poles to a stake former to same
 thence South 92 poles to a stake &
 Post oak corner to second lot
 thence with said line South 80
 West 65 poles to a Post oak on
 the East side of the road, thence
 North 6 East 3 poles to a Post oak
 thence North 87 West crossing the
 road 42 poles to a double Hickory
 thence South 75 West 27 poles to a
 little corner to second and third
 lots, thence with the line of the
 third lot South 63 West 51 1/2 poles
 to an Elm corner to third lot
 on Pigeon river, thence up the
 meanders of said river to the
 beginning said lot of land
 being more valuable than the other
 lots of land my son James Ellis
 is therefore required to pay into my

The will of William Ellis decd
 please the executors of said deceased
 to equalize the same and my son
 James is to permit my daughter Mary
 to remove the brick house above
 the dwelling house which I have given
 to her.

Item 5 It is my will that my Executor
 shall sell to the highest bidder or
 at private sale as he may think
 best for my estate the following
 described lot of land being lot
 No 5 in the division of my ~~land~~
 bounded as follows, beginning on a
 double post oak North 86 East 32
 poles to a pine South 70 East 61
 poles to a Hickory. ... South 16 East
 16 1/2 poles to a pine South 41 East
 31 poles to a white oak. South 63
 East 30 poles to a stake & white oak.
 South 75 East 27 poles to a stake
 South 24 East 3 poles to the original
 corner with the Blair land, thence
 with the same South 81 West 176
 poles to a Cypress on Pigeon river,
 thence down with the meanders of the
 river, North 36 West 38 poles to a stake
 then North 15 East 50 poles to the
 beginning, supposed to contain twenty
 acres more or less. Said land to be sold
 on a credit of twelve months and
 eight months one half at each
 payment, my Executor taking
 good security for the purchase money
 and also retaining a Lien on the land
 for the purchased money.

26th

Thurs 8th

The Will of William Ellis deceased

I will and bequeath to my daughter Nancy Goforth the following described lot of land to wit: Bounded as follows, beginning at the mouth of the hollow that leads to the Liffet house and running with said hollow to the Murphy line, then with the line of Murphy to the Ray land then with the line of Ray land to the upper end of the Bhugart's hollow, then down with the line of the fourth lot to the beginning. I also will and bequeath to my said daughter Nancy Goforth a note or the proceeds of the same heretofore given to her on Dr Ellis which was the purchase money for a negro girl which note was for one thousand Dollars.

Thurs 7

I will and bequeath to my daughter Elizabeth Hodges the sum of Two hundred dollars to be paid to her by my Executor out of my personal estate, I also give to her the proceeds of a note heretofore given to her on Robt Evans for eleven hundred dollars which was for a negro girl. I also give to her one hundred dollars heretofore advanced to her by myself during the War.

Thurs 8

Will of William Ellis deceased 26th
I will and bequeath to my daughter Mahala Stockton Three hundred dollars to be paid to her by my Executor out of my Estate

Thurs 9

I will and bequeath to Mary Ellen & James Children of my deceased son Mary each the sum of Three hundred dollars to be paid to them by my Executor

Thurs 10

Should there be a balance left of my personal Estate and the money arising from the land to be sold after paying all the foregoing bequests and liabilities against against my Estate I want it to be equally divided between my five children to wit - Mahala Stockton, Elizabeth Hodges, Nancy Goforth, Mary Ellis, and James Ellis. I hereby appoint my son James Ellis Executor of this my last will and Testament.

It is my desire that my personal property be sold to the highest bidder on a credit of twelve months. Purchasers to be required to give good security and the proceeds applied as heretofore bequeathed in this will.

Given under my hand and seal this 22nd day of August 1871, William Ellis
Signed and sealed in our presence and attested by us at the request of William Ellis
this 22nd August 1871.
M. W. M. Cowan
C. M. Hodges

267 The will of William Ellis deceased

A codicil to the foregoing will
I William Ellis do make and adopt the
following as a codicil to my last will
and Testament. I will and bequeath to
my daughter Elizabeth Hodges all my
undivided interest in a tract of land
lying on Dunsmuir Creek in Davis County
adjoining the lands of W D Hodges & others
it being the tract of land owned by my
father in this life time. this 30 April
1872

Attest

William Ellis

M W McEwan

L M Hodges

Duly admitted to probate the 2nd
day of December 1878

W R Ulrick

clerk

Second to the foregoing will
I have layed on my farm one
acre of land to be used and kept
as a family burying ground which
is bounded as follows beginning
in the ^{road} leading from Swinville to
the ferry on the line of the land
I have bequeathed to John Ellis
then running with his line South
77 East 18 poles to a pine South
13 North west 10 poles to a pine
Knot. Then South 77 East 10 poles

267

The will of William Ellis deceased
to a post oak & sepasfras on the
East of said road, then with said road
to the beginning which piece of land
it is my will, shall forever be and remain
as a family burying ground for all
my family, and to be excluded from
the land mentioned in the second
item of my will but said ~~land~~
item is to remain as heretofore except
the deduction of said one acre of
land.

Witness my hand and seal the 1st
March 1878

Attest

William Ellis

M W McEwan

D P Gap

I William Ellis being in feeble health
but of sound mind and in view of the
uncertainty of life do this day make
this codicil to my will, but I will
that my daughter Mary Ellis shall
have a road sufficient for a farm
road from the gate corner to the lot
I heretofore bequeathed to my daughter
Jane Lusk and my companions. Ellis
said road to run on the present old
road out by my son James Ellis
garden to the road leading from
Swinville to Ellis Ferry where said
road leaves the gate Swinville it
is my will it shall run by the old
Well, this 24 day September 1878
Witness my hand and seal
Witness H. Stetley
High Sheriff

William Ellis
his mark

The Will of William Ellis dec'd
 Duly admitted to probate 2nd day
 of December 1878
 W. D. Mitchell Exr

V

Will of Elizabeth Jeffers dec'd

State of Tennessee
 Swain County

I Elizabeth Jeffers
 In the name of the Lord Jesus Christ
 do on this the 2nd day of February in
 the year of our Lord Jesus Christ
 One thousand eight hundred and seventy-
 nine, do make this my last will and
 Testament.

My will is first that I want my
 bed clothing divided between Lucy and
 Lincy Hodge All but one quilt and
 that I want Little Lucy Stafford
 to have

2nd

I want Lucy or Lincy to have my
 Saddle I also want Lucy and Lincy
 to divide my feather bed between
 them two. Also I want them two to
 divide my wearing clothes between
 them two. Except one dress a worsted
 or Calico I dont care which Let her
 make her choice that I want Little
 Stafford to have.

3rd

Lincy is to have choice of my bedstead
 or chest and Lucy is to have the
 other.

4th

And that money that Calvin owes
 me I want Lucy Lincy and Little &
 Charles to have to divide it, to divide
 it portion equal between them after
 taking out my burial & pines & doctor
 bill. And my little wheat I want
 Lucy & Lincy between them two
 Interlined before I signed

Will of Elizabeth Jeffers decd.
 Witnesses, Elizabeth ^{her} Jeffers

the foregoing
 signatures this day it
 bears date above

Nannah A. ^{her} James
 G. W. L. Hill

The Will of George Wade decd

In the name of God Amen. I George Wade
 being advanced in age. Being of sound mind
 and disposing memory do make - this my
 last will and Testament hereby making void
 all wills heretofore made by me at any
 time do hereby make the following dispo-
 sition of what property it has pleased the
 almighty God to intrust me with.

1st

Will my soul to my Maker & my Body
 to the earth from whence it came and that
 after my death that my funeral & Burial
 Expenses be paid by my Executors out of
 my money that may come to their hands

2nd

I give and bequeath to my beloved wife
 Ann Wade during her natural life all
 of my house Tract of Land and my fifth
 Acre Tract of Land Except the Mill and
 Machinery and the Mill Race and the right
 of way of the water to the Mill from the
 Big Spring and the dwelling House where
 George A Wade Rent & Lived and yard on
 East Arama the House which Existed property
 is under Lease to George A Wade during my &
 my wife Ann Wade lifetime and also I
 give and bequeath to my wife Ann Wade
 during her lifetime all of my personal
 property Including Household and Kitchen
 furniture Except what I make disposition
 of in my will and she is to have the
 Entire contrall of foregoing bequeathed
 Lands & property except George A Wade
 is to have the right to get his firewood
 off of said Lands and at his death the
 aforesaid bequeathed Lands and property
 shall fall back to my Estate

The Will of George Wade dead
and I will direct that my Executors
in a reasonable time sell ^{all} of the personal
property on 6 months time & and at the
death of my wife Ann Wade I will
and bequeath to my son George A
Wade the following described lot or
tract of Land including the dwelling
House and Mill. Beginning at a stake
the corner of the Big Spring then with
Bourne line to Johnsons with Johnsons to
Chillins with the same to A P Hodge
with his to the beginning

And the Balance of my home Tract of
Land not disposed of in this my last
will I direct that after the death of my
wife that my Executors sell the same
at my last residence on a credit of
one & two years with Interest taking
note & Good Security for the same after
giving the notice required by Law.

My Will is that my Executors in a short
time after my death sell my Knob
Tract of Land after giving notice accor-
ding to Law on a credit of 12 and
24 Months with Interest from date.

My Will is that after the notes
I hold at my death is collected
and the proceeds of the sale of the
Knob Land collected and the money
on hand at my death after paying
Expenses is to be equally divided
Between my son James M Wade and
my 2 Daughters Mary A. Burns wife
of E. P. Burn and Nancy Lipton wife

Will of George Wade

of C. L. Lipton and each of them is pay to my
said wife Ann Wade during her life interest
on the amount paid to them by my Executors
in this division at six per cent paid annually
and it is my will and I direct where the money
is collected arising from the sale of my
personal property after the death of my said
wife that there shall be paid to my son G M
Wade and my two daughters Mary A Burns
and Nancy R Lipton, so much each as will
make them six hundred dollars each including
the amount they recd from the sale of the Knob
Land notes & money on hand at my death this
amount of six hundred dollars each makes
them up equal as I have heretofore advanced
to my son J. J. Wade and Emily Hodges my
daughter the sum of six hundred each, and
after all of the foregoing bequeath is paid and
taken out my will is that the balance shall
be equally divided among my six children to wit
J. J. Wade J. M. Wade George A Wade Mary A
Burns Nancy R Lipton & Emily Hodges share
& share alike and I do nominate my sons
J. J. Wade & J. M. Wade my Executors to carry
out this my last Will & Testament and my
Executors is to act without giving any Bond
in the County Court. I having confidence in their
honesty to carry out the will without any Bond
or Security This 14 day of August 1876

George Wade (dead)

Signed sealed & published in our presence and we
have subscribed our names in the presence
of the Testator this 14 day of August 1876

Adam Hagala
S W Randles

The Will of Sarah Butler

In the name of God Amen!

I Sarah Butler being of sound mind and disposing memory, and in view of the uncertainty of life, and the certainty of death. do make and ordain this my last will and Testament.

It is my Will, that after my decease my Nephew Robert Marshall shall have the land willed to me by my Father, it being the upper half of that portion of the land owned by my father on the side Middle Creek on which the house stands with the orchard -

Sarah ^{her} Butler ^{and} ^{mark}

Signed and sealed in
our presence this 22 day
of July 1849 =

Attest

Isaac Trotter
W. H. Trotter

Will of Alexander Sewelling

State of Tennessee I Alexander Sewelling
Senior County } do make and publish
this as 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 debts be paid as soon after my
death as possible out of any monies that
I may die possessed of, or may first come
into the hands of my executor

Secondly - I give and bequeath to Susan
Maney all of my lands except one track now
as the Maney track or Pickens track, the
title calls for one hundred acres more
or less, the title made to me by J. A. Pickens
Administrator of Samuel Pickens dec. and
after the death of said Susan Maney this
track shall pass to John and Leavin
Sewelling heirs of the said Susan Maney
This are the home track that Susan Maney
and John and Leavin Sewelling are to have.

Thirdly I give and bequeath to Elizabeth
Jenkins and to the heirs of John Sewelling dec
and to Leatharine Rollings and to William
Sewelling and to Sarah Lipton and to James
Sewelling and to Ashley Sewelling and to
Nancy Gibson. One track of land the title
calls for one hundred acres more or less
now as the Maney or Pickens track the
title made to me by J. A. Pickens Administrator
of Samuel Pickens dec. the crop that
are now on it shall be excepted

Fourthly - I give and bequeath all of my
personal property to Susan Maney that I
am now possessed of

Fifthly - My will are that Susan
Maney are to pay all of my debts out of

her part on my estate that I will to her
the said Susan Mary

Sixthly - I do hereby nominate and
appoint Susan Mary my executor, and
I will that my executor are not to give
bond nor security.

In witness whereof I do to this my
will set my hand and seal and
publish in our presence, and we have
subscribed our names in the presence
of the testator

Will of Alexander Lewelling ~~decd~~
This May the 6th 1879

Witness Wm A Baker
Joseph Baker

The will of William Fox decd

I, William Fox do make and publish
this my last will and testament here by speaking
and making void all other wills by me at
any other time made

First I direct that my Samuel & James, and
all my debts be paid as soon after my death
or before my death as possible out of any
money that I may be possessed of, or
may first come into the hands of my
Executors.

Secondly I will and bequest to my son George Fox
and my daughter Alexander Fox one half
of my land jointly and ten acres over
half of my home place. Also I give
to my daughter Alexander Fox and my son
George Fox all my house hold and kitchen
furniture, and all my farming tools and
all my stock, I give my wagon to
George and William C. Fox. I have been some
trouble in my afflictions and might be
a great deal more and as George and
Alexander are living with me and is to
take care of me while I live. I desire
to give them a little the advantage
in this bequest. That is as I have just
stated. I have been trouble to wait on
and will be to wait on while I live, which
might be a big debt, and my wish is
to settle this debt while I am living
in land to George and Alexander Fox

Thirdly I give to my son William C. Fox
the bounds of my home place which will
be ten acres less than one half of
the whole tract, which is a consolidated

Barney, and the wood land I desire to be
divided equally between the two shares
that is George Fox and William C. Fox
William C. Fox in consideration of the
above mentioned land will pay the
following amount of money to the follow-
ing named heirs to wit ^{three hundred dollars}

^{three hundred dollars} To Nelson Fox, to
William H. Fox, to Margaret Shroader
three hundred dollars and to Laura McAndrew
three hundred dollars.

My desire is that
William C. Fox pay off to the above mention-
ed heirs as soon as he can conveniently
but I give him two years to pay the
above mentioned amounts, with out interest.

Fourthly I desire that my Executors see the
balance of my debt or Reamson Hason
and pay my debts, and if it over pay my
debts. I want them to divide the remainder
between themselves and if it is not enough
to pay all my debts, they must pay what
may be lacking, also if there ever should be
anything received from the Government
and Rebel debt claims I have proven I want
it equally divided between William C. Fox
and George Fox.

Lastly I do hereby nominate and appoint
my two sons William C. Fox, and George
Fox my Executors to this my last will
& Testament. In witness whereof, I do to
this my will set my hand and seal.
This 16th day of February 1870

William C. Fox ⁱⁿ presence of
Signed sealed and published in our
presence and we have subscribed our
names herunto in the presence of the Testator
This 16th day of February A.D. 1870.

John W. McAndrew
Oranson Fox

The will of John Andes decd.

State of Tennessee
Sevier County

I John Andes of the County of Sevier and State of Tennessee being old and infirm but of sound mind, do make and execute this my last will and Testament on this 18th day of April 1877.

First I will and bequeath to my wife Letty W Andes a bed and clothing, a chest and the necessary articles about the house that she claims as her own, and five hundred dollars in money,

2 I will and bequeath to my daughter Betsy Ann Henderson five hundred dollars in money,

3 I will and bequeath to my daughter Sarah Beaton One hundred dollars in money as I have heretofore given her a portion,

4 I will and bequeath to the three children of my deceased son A. C. Andes the sum of one hundred dollars to be equally divided between them, and paid to them by my executors as they become of age. I had heretofore made advancements to my deceased son near about his share of my estate.

5 It is my will that my executors as soon as practicable after my death to sell all my property both land and personal property, at Public sale to the highest bidder either for cash or upon such credit as they

think best, and to collect what debts may be owing to me, and out of the proceeds of said sales and collections, I want my funeral expenses paid, and also any just debts I might be owing, and also that the foregoing bequests be paid out of the proceeds of my estate,

My will is that the remainder of my estate be equally divided between my wife Letty W. Andes my daughter Betsy Ann Henderson and my three sons R. W. Andes, John W. Andes and J. L. Andes.

Should my wife Letty W. Andes die before the execution of this will by my Executors, then in that event I want the bequests to her to be equally divided between my daughter Betsy Ann Henderson and my sons R. W. Andes, J. W. Andes, & J. L. Andes.

I hereby appoint my three sons R. W. Andes, J. W. Andes & J. L. Andes my Executors to execute this my last will and testament.

Should said Executors differ on any question in the execution of this will, then the two agreeing to control, so that my estate may be wound up peaceably and without any lawing. Witness my hand and seal this 18th day of April 1877.

Attest
M. W. McLeod
E. M. Myers

John Andes (seal)

Admitted to probate 7 June 1880 on
page 500 of the Court Record

The will of Jacob Huber - deed

I Jacob Huber of the County of Sevier and State of Tennessee, do make and execute this my last will and testament on this 5th day of March in the year of our Lord one thousand eight hundred and eighty, hereby revoking and making void any former wills by me at any time heretofore made,

"First" My will is that all my just debts and funeral expenses be paid out of any money that may be on hand or any other personal property at the time of my decease

"Second" My will is that my grand daughters Adeline & 2^d Dianmah & Lawson have one bed and bed clothing each, and my Cupboard and Cupboard furniture and Kitchen furniture jointly.

"Third" My will is that my daughter Evaline & Lawson have during her natural life all my real estate together with all my personal property after the first and second clauses in this will are fully complied with - And the remainder to be equally divided between all my grand children. But this clause is not meant to conflict with the next two clauses in this will.

"Fourth" My will is that if there is any one or more of my grand daughters unmarried at the death of my daughter Evaline & Lawson that they have a sufficient amount, if to the full amount of my home farm to make them a decent respectable and comfortable support so long as they may remain single.

"Fifth" My will is that if my daughter Evaline & Lawson may desire it, expedient and proper she may sell and convey my tract of land known as the John & Susan tract

where Alex^r Perryman now lives and make a deed in fee to the purchaser

"Sixth"

I hereby appoint my daughter Evaline & Lawson and her son & H. Lawson Executors of this my last will and testament

In witness hereof I hereunto set my hand and affix my seal the date above written

Attest

G. P. Leach

W. C. Chandler

Jacob Huber deed

Admitted to probate 2nd day of August 1880

W. P. Thom as Sept 1880

Will of R. S. Atchley dec'd

I Robert S. Atchley of the County of Sevier and State of Tennessee do make and execute this my last will and testament. And being of sound mind and memory

1st I Will that my wife have all my lands for her & my four small children to wit- Mary Ann - Martha P. - Julia A. & Silbert R for their use & benefit and if my wife was to die, it is my will that the four children above named have my land

2nd I will that my wife have all my personal property in & out of the house for her and her childrens use & benefit

3rd It is my request that the County Court of Sevier County appoint some suitable person to carry out the above will

Signed & Sealed in the presence of three witnesses this 5th day of July 1880

Attest
G. L. Murphy
John Murphy

R. S. Atchley (seal)

Admitted to probate 2nd day August 1880
M. P. Thomas Deput

Will of N. A. Sharp dec'd

I Nicholas A. Sharp of the County of Sevier and State of Tennessee, being of sound mind and disposing memory do make and ordain this my last will and Testament, hereby revoking all other wills by me heretofore made, and first I give my body to the tomb, and my soul to God who gave it

2nd That my funeral expences, and all other debts that I may be owing at the time of my death be paid out of the first money that may come into the hands of my Executor

3rd That my four sons John Freeman, Charles Newton, Walter Alexander, & Joseph Nichols be supported or raised on the farm until the youngest becomes twenty one years old, then the farm to be sold, and the proceeds equally divided between the above named sons, and my wife Mary Sharp provided she remains a widow

4th In case she should marry before the youngest son becomes of age, she is to have two hundred dollars as her portion of my estate

5th I appoint James R. Sharp as my Executor,

N. A. Sharp

The above was read to N. A. Sharp before he signed the same and signed it in our presence this 16th day of August 1880.

W. M. Burnett
J. A. Burnett

Admitted to probate 21st day of October 1880
M. P. Thomas Deput

The Will of L. R. Alexander docd

I Lorenzo R. Alexander 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 debts be paid as soon after my death as practicable out of any money that may be on hand at my death or may first come to the hands of my Executor

Secondly I give and bequeath to my beloved wife Alexander for her support and maintenance the sum of one hundred dollars for each year that she may survive me, to be paid to her by my Executor semi-annually or quarterly as her necessities may require, and it is my desire that she make her home with my son in law Thomas Eison, or with the family of Madison Forsely as she may prefer, either of whom I am satisfied will provide her every comfort during her life.

Third I will and bequeath to my son W. S. Alexander of Knoxville for life and remainder to his child or children after his death, the business house and lot on the west side of Market Square in Knoxville Tennessee, which I recently purchased from J. R. Coonick for the sum of twenty nine hundred and fifty dollars, two hundred and thirty odd of which remain unpaid, which amount together with all necessary costs and charges to perfect the title to said property I desire to be paid out of my personal estate

It being my intent to give said property for life to my said son W. S. Alexander free from all incumbrance and the remainder over to his child or children or to their legal representatives, and I value said house and lot to him at twenty nine hundred and fifty dollars.

Fourth I give and bequeath to my daughter Julia Anderson of New Market for life and remainder over to her children or in case of the death of either of her children to their legal representatives the house and lot in New Market whereon she now lives and I value said house and lot to

her at the sum of twelve hundred dollars. I also will to her upon the same limitations and restrictions as above set forth in regard to the New Market property the same whereon Madison Forsely now lives situated on or near the public road leading from Strawberry Plains to Henry's Roads and about two miles distant from Strawberry Plains, which place I value to her at the sum of twelve hundred and sixty dollars

Fifth

I will and bequeath to my Grand daughters Carrie Sellers, Mary, Lizzie and Julia Eison in common the tract of land whereon the last three named reside with their father Thomas Eison, and that they hold the same in common during their life and the remainder over to their children, and in case that either should die without issue then it is my will that her undivided one fourth interest in said tract shall descend to the other three without restrictions or incumbrances. Said tract of land is bounded as follows

Commencing on a pine corner near the Methodist Church on ^{Alley} Bryant's line then with Public road in part to the rock corner near an old Black Smith Shop so as to include the house where Mr. McCravy lived, thence with the Bryant ferry road to a large Red oak near the mouth of the lane, then with Abner Hoff-akers line or the line of the place whereon ^{now} now lives to a pine knot corner, thence with the line of the Bryant heirs to Mr. Brieuds line thence with Brieuds line to the line of W. P. Proabron, thence with his line crossing the Proabron ferry road to the line of Thos. Hickman thence with his line to Keers line, thence with Keers line to Alley Bryant's line thence with her line to the beginning, containing three hundred and one acres more or less, being the same land I heretofore set apart for the Eison family. This tract of land I value to them at the sum of twenty five hundred dollars

Sixth

I have heretofore given to my daughter Caroline Burnham four hundred and twenty five dollars in money and she being a resident of the State of Texas and unable to look after real estate here it is my will and I direct my executor to pay to her out of my personal estate the sum of twenty five hundred and twenty five dollars to make her equal with my son W^h Alexander to whom I have willed in real estate in Knoxville worth twenty nine hundred and fifty dollars

Seventh

I will and bequeath to my Grand daughter Carrie Sellers - Mary, Lizzie and Julia Eison four hundred and fifty dollars which will make them in all twenty nine hundred and fifty dollars, and equal to the bequest to my son W^h Alexander

Eighth

I will and bequeath to my daughter Julia Anderson four hundred and ninety dollars which together with the real estate herein before willed to her will make twenty nine hundred and fifty dollars, equal to the amount herein before willed to my son W^h Alexander

Ninth

In consideration of the services of Mattie Fleming in waiting upon me and my wife in our old age, it is my will and I direct that she be paid one hundred dollars to be invested in a home for her and her child during her life and after her death to descend to her child Jennie,

Tenth

It is my will that all the foregoing money bequests be paid out of my personal estate.

Eleventh

It is my will that the place upon which I now reside deeded to me by my son George containing three hundred and thirty seven acres more or less, and the place known as

the Blue Spring place - and the place known as the river place with the addition of about thirty one acres which I heretofore added to it - and the dwelling house and lot in the city of Knoxville where my son W^h Alexander now lives and also one other house and lot in the city of Knoxville on Pine Street all be sold at public auction upon the following terms viz. the Blue Spring place in twelve and eighteen months time, the house and lot in Knoxville on Pine Street on ~~five~~ and twelve months time. The farm and buildings whereon I now reside and which was deeded to me by my son George and the place known as the river place and the house and lot in the city of Knoxville on which my son George now lives all on twelve eighteen and twenty four months time - ten percent of ~~the~~ purchase being paid down, the balance in equal installments, and in each case notes with approved security will be taken and a lien retained on the land until the purchase money is fully paid. All of said property to be sold by my executor after giving at least sixty days notice of time and place of sale

Twelfth

It is my will and I direct that my executor as soon as practicable proceed to collect all notes accounts and whatever personal assets may be due me together with the proceeds ^{arising} from the sale of the real estate and the sale of personal property which I direct to be sold and after paying the various bequests herein before set forth and all debts and expenses of Administration and after paying to my son W^h Alexander the value or proceeds of the best horse in the place or if he prefers it, he can take the horse in kind it being my wish on account of the hardship he has undergone, to give him the best horse on the place more than the other heirs. It is my will that the remainder be equally divided among my children or their representatives, that is to say to my daughter Caroline Burnham one fourth, to my son W^h Alexander one fourth to my daughter Julia Anderson one fourth and to my

Grand children Carrie Sellers, Mary-Lizzie
and Julia Eason one fourth:

Twelfth It is my will that should any one of my children
go to law with the others of my heirs about my property
or attempt to break my will, that they shall receive
no part of my estate, but that the part herein
before willed ~~the~~ them shall be equally divided
among the others according to the foregoing
provisions of this will

And lastly I hereby nominate and
appoint my Nephew William Fowler my
sole Executor of this my last will and testament

In witness whereof I do to this my will set my
hand this the 15th day of December one thousand
eight hundred and eighty one.

L. H. Alexander

Signed and published in our presence and
we have subscribed our names hereto in
the presence of the testator and each other
and at the request of Testator this 15th day of
December 1881-

A. A. Caldwell

J. M. Duncan

Admitted to probate the 6th day of February 1882
see record page 171-

M. P. Thomas D.C.

Will of Nelson R. Rogers, decd

State of Tennessee

County of Sevier I know all men
by these presents that
I, Nelson R. Rogers do make and
publish this my last will and
Testament hereby revoking and
making void all other wills by
me at any other time made, first
I will that my funeral expenses and
just debts be paid out of any money
that I may die seized or possessed
of or that may first come into the hands
of my Executors or Administrators
I will to my beloved wife Emily
Rogers all my lands during her
natural life or widowhood and to have
the control of the same so long as
she remains a widow, but if she should
marry then she is only to have a
child's part. I desire that my boys
Jesse, John B., James E., George F. and
Asa T. Rogers have the preference of
renting the lands provided they keep
up the fencing and pay their mother
Emily Rogers one fourth of the products.
I will to George F. and Asa T. the
following named tracts of land the
Home Place, the Willson Lease tract run-
ning the top of the Walnut Ridge to the
Coal pit field fence thence with the
fence around to the corner of the Hall
field thence leaving the fence and
running the top of the divide to
Hugh H. Bamblis line also the meadow
tract near H. H. Bamblis, provided
that George and Asa pays to each

to each of the heirs at law one hundred dollars if they fail to pay the heirs the one hundred dollars each, then at the death of the widow, or if she should marry then the heirs to agree and put the land to the highest bidder and proceeds equally divided between ~~them~~ my lawful heirs and I further will that if any my lawful heirs should become dissatisfied and try to break my will then that act shall disinherit him or her and they so attempting will be forever deprived of any interest in my Estate.

I make and appoint George F. Rogers, Jesse Rogers and Anderson Davis my Executors this November the 3 day 1882.
 Attest- Nelson R. Rogers,
 George Rogers,
 L.R. Patty.

Admitted to probate the 1 day of January 1883. See record Page 266

L.B. H. Ernest Clerk.

Will of Peter P. Davis, decd.

State of Tennessee, Sevier County,
 July 1st 1882.

In the name of God Amen.
 I Peter P. Davis of the State and County before mentioned, being entered into my Eighty Eighth year of my life but of sound mind and disposing memory for which I wish to bless God, and in state of mind feeling desirous of disposing of what little God has blessed me with I make this my last will and Testament revoking and setting aside all other wills by made by me. It is my will that after my death my body be buried at Ualba Grave-yard beside my wife Hannah Davis in my common wearing clothes without shroud.

2nd It is my will that all my just debts be paid.

3rd It is my will that Rebecca Peague have all my little estate both real and personal house-hold and kitchen furniture.

4th It is my will that Rebecca Peague have all the cows, sheep, loom and all farming utensils.

5th Now this is not given her as gift but as paying her a debt I owe her for taking care of ~~me~~ when I was not able to take care of myself. I believe she has paid for all the property she got.

Given under my hand and seal day and date above written.

Test. Peter P. Davis.
 Hugh H. Bramble
 James Belozier.

Admitted to probate the 4 day of June 1883.
 See record Page 367. L.B. H. Ernest, Clerk.

Will of Thomas McMahon, decd.

I, Thomas McMahon of Sevier County, do make and execute this my last will and testament.

It is my will and request that my two brothers John and Mitchell take charge of all my property both real and personal out of which I require them to pay all my just debts, and also to support and maintain my Father and Mother for and during their lives, making sales of such property as they may think necessary to pay debts.

It is my will that my said two brothers John & Mitchell have all my property after paying my debts with the incumbrance of the support of my Father and Mother.

Given under my hand this 20th day of July 1883.

Attest
Thomas McMahon
M. W. McClellan
W. E. Sharp.

Admitted to probate Aug 6-1883

See Record Page 325

Leot. Comert Clerk.

Will of Randel Reece, decd. 295

I, Randel Reece being in sound mind and knowing the certainty of death and the uncertainty of life, do make this my last will. I will to Amanda Reece my sister, all the lands that I have own in the 15 District of the County of Sevier and State of Tennessee.

Witnesses

John Branchfield

A. H. Birch

Randel ^{his} x Reece
marks

Admitted to Probate Sept 3-1883.

See Record Page 399.

D. H. Comert
Clerk.

Will of Joshua Williams decd.

State of Tennessee,

Sevier County. I Joshua Williams do make and publish this as 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 debts be paid as soon after my death as possible out of my 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 Martha Williams and her heirs Lucia Williams Joshua Williams, Cordelia Williams, Manda Williams, all the lands that I am possessed of being twenty five acres more or less also I bequeath to my wife Martha and her heirs all my household and kitchen furniture, also my mechanic Tools.

Lastly. I do hereby nominate and appoint Martha Williams my Executrix, property lying in Civil Dist No. 8 of Sevier County.

Witness whereof I do to this my Will set my hand this 4th of November one thousand eight hundred & seventy four

Signed and published in our presence and we have subscribed our names hereto in the presence of the Testator this 5th of November 1884.

Joshua^{his} Williams. (Seal)
made

Attest

N. B. Pate

Sam Henry

Admitted to probate Feb 4 - 1884
See Record Page 400.

L. H. Emert, Clerk

Will of John B. Emert. 297

I John B. Emert a citizen of Sevierville, Sevier County Tenn. of sound mind and memory, but feeble health, do make and publish this my last Will and Testament.

First. All my just debts shall be paid.

Second. In order to afford my wife Mrs Martha J. Emert, a comfortable and secure support during her life, out of my estate, I hereby devise and bequeath to her for the term of her natural life, all my property, real personal and mixed, to have, manage and use for her support during said time.

At her death said property shall be divided among my lawful heirs and distributees according to the laws of inheritance and distribution in Tennessee.

Third. So more effectually provide for my said wife, I hereby invest her with power to sell and convey any of said property for the use aforesaid. This power is given because some of said realty consist of mountain farms, which may fail to sufficiently contribute to my wife's support. My realty in Sevierville my wife shall not sell unless, in her judgment, her support absolutely requires the same.

Any of my other realty my wife may sell if in her judgment, she can then make said property more conducive to her support. In case of sale of any of said realty, the proceeds shall be loaned out with good security or reinvested, the interest or income to be applied to her support, the principal or property so purchased to belong to my estate. But if my wife's comfortable support should in her judgment

298 Will of John B. Ement.

ment, demand an appropriation by her of part or all of said principal or property, she is hereby vested with such power.

Fourth. Only such of my personal property shall be sold by my Executors in administering my estate, as shall meet the approbation of my wife. She shall at once have the possession ^{and sale} of the balance. Any money after paying debts and expenses in administration, my wife may use as provided for as to proceeds of realty.

Fifth. That there may be no mistake I here again direct that, at my wife's death, the realty unsold of my estate or in case my wife exercises the power of sale herein conferred the proceeds of such sale or sales or the property purchased thereby in case of reinvestment or the remainder of the principal, if any of the proceeds in case the principal is diminished, shall belong to my estate, and shall be divided among my lawful heirs and distributees according to the laws of inheritance and distribution in Tennessee.

My intention is to give my wife the use of my entire estate for her support during her life, or, if the profits of my estate are in her judgment, insufficient then to give her the right to convert to her own use so much of my estate as will be sufficient for that purpose, but the balance of any to belong to my estate at her death, in whatever shape it may be found.

Sixth. I hereby nominate and appoint my

Will of John B. Ement. 299

said wife Executrix, and M.W. McCown Executor of this my last will and testament. I especially request said McCown to give his attention to the management of said realty outside of Sevierville, and to the protection of the same.

After my debts have been paid, those due me collected and the administration of the personally completed and my said entire estate is ready to be turned over to the quiet enjoyment of my said wife, the said M.W. McCown may in his discretion, resign & my wife thereafter exempted from settlements.

In testimony of which I hereto subscribe my name.

This January 30th 1884,
John B. Ement,

Witnesses.

P. Stafford
Jerome Pempleton

Attest: 4 April 1884.

W.A. Turner.
J.P. Wynn.

Admitted to probate May 5th 1884.
See Record Page 505
J.B. Ement Clerk.

Will of John S. Protter, dec'd.

I, John S. Protter of the State of Tennessee and the County of Sevier, being of sound mind and disposing memory, do hereby make and publish this my last will and testament to wit:

First: I will that all my debts and funeral expenses be paid by my executor out of the assets of my estate.

Second: I will and bequeath unto my wife, Mary Protter, all the property personal, including money, notes, and all other personally, which may at my death may remain in her possession and which I acquired from her by virtue of my marital rights, to be taken and held by her absolutely; and I also will and bequeath to her for and during her natural life the homestead heretofore laid off to me out of my home farm, reserved and occupied by me as such, including the mansion and out houses thereon with the garden Orchard &c. and with the right to cut and use such wood and timber as she may need for the proper use and enjoyment of said homestead from the wood lands belonging to my said home farm, lying west of the Middle Creek road leading from Sevierville and East of Little Pigeon River; also all household and kitchen furniture, provisions and &c. and such other of my personal property left in her possession on said homestead as may be necessary and proper for its use and enjoyment; also a one fourth undivided interest in and to the mill known as the Pigeon Forge mill,

Will of John S. Protter

including all the machinery & thrusts attached except the Saw Mill.

Third: I will and bequeath unto my son George W. Protter that part of my home farm lying west of the Middle Creek road leading to Sevierville and East and North of the West Fork of Little Pigeon River, including the remainder interest in the homestead, heretofore bequeathed to my wife and subject to her right to use timber off of the same as herein before provided to my son Pleasant H. Protter if he survives me, otherwise to his heirs that part of my home farm consisting of two adjoining tracts lying East of the Middle Creek road leading to Sevierville, and of said Pigeon River, and to my daughter-in-law, Mary R. Protter for life with remainder to the heirs of her body by my deceased son Wm. J. Protter, two adjoining tracts of land now in her possession West of said Little Pigeon River, adjoining lands of Curtis Miller, Joseph Kaffa heirs and others; upon the following conditions respectively, to wit: they shall pay to my executor with interest from June 8th 1876, except said G. W. Protter, who shall pay without interest, the said G. W. Protter the sum of five thousand dollars; the said P. H. Protter or his heirs the sum of two thousand five hundred dollars; the said Mary R. Protter & said heirs of her body the sum of two thousand dollars, and said sums are made express liens and charges upon said several tracts of land respectively.

Fourth: I have heretofore on 8th June 1876, conveyed to my son John M. Protter a certain tract of land situated on mill