

Last Will & Testament

G. G. Goodell Dec'd.

Probated Dec. term 1890.

I G. G. Goodell of the County of Smyth & State of Virginia being of sound mind and disposing memory do make this as my last will & testament hereby revoking all wills heretofore made by me. I desire that all my just debts and funeral expenses be paid as soon after my decease as may be practicable.

I devise to my daughter Ella Coppenhaver wife of Henry P. Coppenhaver for her sole & special use, free from the debts of her husband, the farm & lately purchased of W. D. Dungan, lying about two and a half miles west of Marion, containing about three hundred acres except about ten acres of said tract which I have lately sold to one J. H. Nixson and in the west the sd. Nixson does not pay for the same & it either has to be taken back or sold. I devise the said ten acres or the price for which it sells also to my daughter abov named, in the same way as the other portion of this Dungan tract of land. If at the death of my daughter she should be ~~the~~ ^{have} a child or children living then this child or these children are to have the said property heretofore devised to my daughter Ella Coppenhaver. If my daughter should die without leaving a child or children living at her death, then I devise the property heretofore mentioned to my son in law Henry P. Coppenhaver for his life and then it shall go to my legal heirs, or if there should be a child or children of my said daughter living at her death & they should not reach the age of twenty one years then it is also my will that the said Henry P. Coppenhaver should have this property during his life if he should survive them and at his death it is to go to my legal heirs.

I devise to my son in law Henry P. Coppenhaver absolutely, any stock, farming tools & crops on the said Dungan tract of land, whether harvested or not, that may be on the said tract at the time of my death. I devise to my daughter Ella Coppenhaver, absolutely,

the house & lot where I now live - The lot to be bounded as follows. bounded on the south by the lane leading from Broad way to the M^cAdam Road, on the west by the eastern line of the lot where Shairs now lives known as the Roach lot & by the extension of said eastern line to the Depot Street - On the North by Depot Street and on the east by Stalings Creek.

I devise to her also absolutely the piano & such household furniture, pictures & books as may be in the premises aforesaid at my death - and I devise to her also absolutely my Chestnut pony and my buggy & harness. I devise to Miss Sarah R. Borthin my said up policy in the Aetna Life Insurance Company of Hartford dated May 4th 1875 for fourteen hundred and thirty one dollars, and this legacy is not to be in discharge of any debt that I may owe her at my decease.

But it is to be in addition thereto and if from any cause she does not realize the amount of said said up policy then whatever she may lack of realizing this sum of \$1421 out of this said policy I devise to her in money out of my estate to be paid her by my executors so that she shall receive in money this sum of \$1421 in addition to any sum I may owe her at my decease & I also devise to her the house & lot being immediately west of the house & lot devised to my daughter Ella Coppenhaver being the lot now occupied by William Shairs & embracing what is now fenced in & used as the said lot - and this money & property is given to her in consideration of the kindness she has always shown to my late wife & to my daughter.

I devise to George R. Riden thirty acres of land which I purchased of C. J. Elliott lying about a mile north west of Marion on the road leading from Pook & Linedown Mill to Burgess' Mother's bridge.

I devise to Gaylord Goodell son of R. M. Goodell such a sum as placed at interest at 6 per cent per annum will amount to the sum of one thousand dollars when the said Gaylord Goodell reaches the age of sixteen which sum is then to be expended in his education provided he has then sufficient education to be able to procure a certificate of qualification as a teacher in the district free schools, or if he is

incapable at the age of sixteen to procure such certificate is able to procure it at any time before he reaches the age of twenty then he is to have this sum, which is to be expended as aforesaid in his education, but if from any cause the said Baylord Goodell should not at the age of sixteen or twenty have the qualification aforesaid or if he should die before reaching the age of sixteen then I devise the aforesaid sum to R. M. Goodell to be by him expended in the education of his other children & this sum is devised to the said R. M. Goodell in either event as a Trustee to carry out the purposes aforesaid & for no other purpose.

I devise to Baylord Francis son of W. D. Francis the sum of two hundred and fifty dollars to be held for him by his father as Trustee and it is my desire that he expend it in his education after he arrives at the age of sixteen.

I devise to James H. Edmonson, son of James & Elmon Sen. the sum of two hundred and fifty dollars to be expended for him by his father at his discretion in the purchase of a library.

I devise to my Sister Mrs Margaret E. Fish the dividend of one thousand dollars of my stock in the Bank of Marion for her sole & separate use during her life, free from the debts of her husband and if it shall be necessary at any time for her to use the stock itself for her support it is my desire that she shall have the right to sell and dispose of the same & use it for that purpose, the proceeds of such sale however not to be liable to the debts of her husband. But if it should not become necessary for her to make sale of it for her support then at her death it is my will that the said stock shall become the property of my daughter Ella Coppenhaver.

I devise to my daughter Ella Coppenhaver another thousand dollars of stock held by me in the Bank of Marion to her sole & separate use free from the debts of her husband.

I devise to Clarence Goodell son of my brother Dwight J. Goodell of Montana Territory the sum of one thousand dollars.

I devise to Walter V. Hinman son of George & Julia A. Hinman of the State of Ohio formerly of Onida County New York the sum of one thousand dollars.

The money legacies given by me in this will are not to be paid until twelve months after my decease and if my Executors hereinafter named are not able to pay them then without making a sacrifice of property to meet them, they are to have another year in which to pay the said legacies but they are to pay interest on the same after one year.

I devise all the rest & residue of my property both real and personal to my Executors to sell, and after they shall collect all the debts of every kind due me that can be collected & shall out of this and the sales of the property herein devised to them to sell, pay all my debts and funeral expenses and all the money legacies herein given I devise all that remains from whatever source thus derived as follows. - I devise the one half of it to my daughter

Ella Coppenhaver to her sole and separate use free from the debts of her husband. I devise one fourth of it to Henry D. Coppenhaver and if the one fourth of said residue does not exceed the sum of twenty five thousand dollars then I devise the other fourth to R. M. Goodell but if the said one fourth exceeds the sum of \$2000. then I devise this amount of the one fourth to R. M. Goodell & I devise the excess of this fourth over & above the sum of \$2000. to be divided equally between R. M. Goodell, Clara Goodell son of Dwight J. Goodell & Baylord Goodell son of Edwin Goodell & brother of R. M. Goodell. one third of said excess to each.

If in the opinion of my Executors it shall not be deemed judicious to sell the real estate herein devised to them to sell if it can be so arranged that the parties who would be entitled to the residue of the proceeds can pay off in their proper proportions the balance due on debts & legacies, then the real estate may be divided in kind amongst the said parties, as the proceeds of sale would be and if it should so be deemed advisable to divide the real estate in kind I authorize the Circuit Court of Smyth County to appoint a suitable person

to ask for my daughter in said division so that it may be made without the expense of a suit. I appoint Henry D. Coppenhaver, R.M. Goodell Executors of this my last will. In witness whereof I have affixed my name & seal this 26th day of August 1875.

G.G. Goodell. *Seal*

This paper is signed, sealed and acknowledged by G.G. Goodell as his last will & Testament in our presence & in the presence of each other & at his request we witness the same. The creases & interlineations were made before the signing & sealing. Witness Aug. 26th 1875.

C. A. Bitting

James H. Gilman

Virginia: At a circuit Court held for Smyth County, 25th Sept. 1886. The last will and Testament of G.G. Goodell, died, was proved in Court by the oath of James H. Gilman one of the subscribing witnesses thereto, and C. A. Bitting the other subscribing witness thereto being dead, the signature of the said C. A. Bitting to the said will was proven by the said James H. Gilman to be in the hand writing of the said C. A. Bitting, and that the said James H. Gilman & the said C. A. Bitting subscribed their names to the said will as witnesses at the request of the Testator and in his presence & in the presence of each other, and the said will is ordered to be recorded.

Virginia: At a circuit Court continued and held for Smyth County, 29th Sept 1886. On the motion of H. D. Coppenhaver & R.M. Goodell, Executors named in the last will & Testament of G.G. Goodell died, admitted to record in this Court on yesterday, who made oath thereto, and together with John Coppenhaver & John M. Luther their security entered into and acknowledged their bond in the penalty of \$20,000⁰⁰. Conditions according to law. Certificate is granted them for obtaining a probate of the said will in due form.

Just. J. H. Gilman Deputy
for W.C. Sexton, Clerk
Smyth County Court.

Virginia: Circuit Court Smyth County, to wit:

J. W. C. Sexton Clerk of the Circuit Court in and for said County, bring a Court of record, certify that the foregoing last will and Testament of G.G. Goodell, died, with the certificates of proof and probate thereto attached, are true copies from the records of said Circuit Court.

In witness whereof I have hereunto set my hand and affixed the seal of said Circuit Court, at office in the town of Marion, this 7th day of October 1887.

W.C. Sexton, Clerk

Smyth Circuit Court



Virginia, Smyth County, to wit:

J. A. Kelly Judge of the Circuit Court in said County, do certify that W.C. Sexton whose genuine ^{signature} signed to the foregoing certificate is Clerk of the said Court and that his ^{oath} certificate is due from J. A. Kelly.

State of Tennessee

Sullivan County. E. D. Baumgardner Register for the County & State of Tennessee do certify that the foregoing will & certificates thereto was received & registered on the 7th day of Nov. 1887, at 11 O.C. P.M. entered in note book 3 and recorded in P. Book, Vol 40 pages 171-172-173-174-175 & 176. Witness my hand at office in Blountville Tenn. this 11th day of Nov. 1887.

E.D. Baumgardner, Register

Last Will & Testament

George Seruggs, Deed.

Probated Jan'y Term 1891

In the name of God Amen, I George Seruggs of Bristol Tenn. do make this my last will and testament as follows.

I desire that my body may be decently buried without needless expense in a manner corresponding to my estate and situation in life.

I will and bequeath unto my dear wife in testimony of my affection for her for her use and absolute use a certain part of the lot on which I now live in