

bid in by Sarah E. Rhoads, and afterward resold in said cause for unpaid purchase money, and bid in by me.

Seventhly, I will and direct that my son, John B. Sells, pay to my daughter, Elizabeth Ann Jenkins, wife of D. B. Jenkins, the sum of four hundred (\$400.⁰⁰) dollars; said sum to be paid in two instalments, of \$200.⁰⁰ each, in one and two years after my death, and to constitute a lien upon the tract of land hereinafore devised to him, the said John B. Sells, until fully paid.

Eighthly, I will and direct that my son, James B. Sells, pay to my daughter Sarah E. Rhoads, provided she survives me, the sum of three hundred (\$300.⁰⁰) dollars; said sum to be paid in two equal instalments, in one and two years after my death. If said Sarah E. Rhoads should die before I do, then said sum of \$300.⁰⁰ is to be paid, at the times stated, to my remaining six children, or their legal representatives, share and share alike; the legal representatives of any that may die before I do taking the share of their deceased parent. Said \$300.⁰⁰ is to constitute a lien on the lands devised to said James B. Sells until fully paid.

Ninthly, no provision is herein made for my daughter Frances B. Sells, except insofar as is herein before provided, for the reason that I have herebefore conveyed to her the interest I intend her to have in my estate, real and personal.

Tenthly, It is my will, and I so direct, that the road running over and through the tract of land devised to John B. Sells, now B. Sells and Cornelia C. Barrett, beginning at the trestle on the V. & W. Railway and intersecting the public road near the old Jenkins tanyard, shall remain and be kept permanently open, for the convenience of said devisees.

Eleventhly, Should any of the parties to whom I have made bequests of personal property or devisees of real estate seek to contest my will or make any attempt to break same, or disturb my executors, by suit or otherwise, in the lawful execution of their trust, such party shall thereby forfeit any and all claims to the bequest or devise herein made to such one,

and to any interest in my estate, real or personal; and that part of my estate herein bequeathed or devised to such one shall be equally divided among his or her brothers and sisters, or their legal representatives.

Twelfthly, I hereby nominate and appoint John B. Sells and Wm. R. Sells executors of this my last will and testament, and direct that they shall not be required to execute bond as such executors.

All erasures and interlineations in the foregoing will were made before same was signed.

In witness whereof, I have hereunto set my hand, this the 13 day of January, 1904.

John W. Sells

Signed by the said John W. Sells, as and for his last will and testament, in the presence of us, the undersigned, who, at his request, and in his sight and presence have subscribed our names hereto as attesting witnesses, the day and date above written. (13 Jan'y, 1904)

H. H. Seay
H. J. Phillips
C. A. Brown

The foregoing written instrument was produced in open court by the oath of H. H. Smith, H. J. Phillips and C. A. Brown, subscribing witnesses thereto, on this the 1 day of Feb'y, 1904, and thereupon said written instrument was adjudged, declared and decreed by the court to be the last will and testament of John W. Sells deceased, and ordered to be recorded in the Book of Wills.

Attest.

S. J. Kyles Clerk,
By W. A. Barger, C.

Last will & testament. Probated & approved
of 1904.

Jennie Dutshaw, deceased

In the Name of God, Amen.

I Jennie Dutshaw, being of sound mind, and disposing memory, do make and publish this my last will and testament, hereby revoking all other wills heretofore made by me,

I commend my soul to God who gave it, and

My body is the dust from whence it came.
2712

I have an undivided interest in a tract of land situated in Washington County, Tennessee, known as the Glenn farm. Now in litigation in the Chancery Court at Jonesboro, Tennessee in the cause of Isaac Cutshaw and wife Jennie Cutshaw vs. Rufus Magg Stale, which said tract may be sold for distribution, or may be partitioned in kind.

Inasmuch the land is sold for distribution, it is my will, and I direct that whatever I may get from the proceeds of the sale of said land, the same shall be paid to my husband Isaac Cutshaw, to be held by him in trust for himself and my children, Walter Cutshaw, Jennie Cutshaw, John W. Cutshaw and Lena Cutshaw, and to be invested by my husband Isaac Cutshaw in a home for himself and my children aforesaid, taking title to himself and my children aforesaid. My said husband Isaac Cutshaw intend to be only for and during his natural life. My son Jennie Cutshaw to have one half interest in excess of my other children, giving him one and one half interest. In case the land should be partitioned in kind then my husband to take by the County will attach thereto, and it is my will that my four children aforesaid shall take the land subject to my husband's life estate, in the same proportion that they would take the proceeds of the sale of the land.
(3)

I appoint my beloved husband Isaac Cutshaw Testamentary Guardian for my minor children, Lena Cutshaw, Jennie Cutshaw, J. W. Cutshaw.

H.

I nominate and appoint R. E. W. Russell my executor of this my last will and testament.

S'

I call W. A. Ray Esq. and William Barnett to witness this my last will and testament. Given under my hand this 22nd day of February 1908.

Witnesses

W. A. Ray
William Barnett.

Jennie Cutshaw
Jennie Cutshaw

The foregoing written instrument was pronounced in open Court by the oath of W. A. Ray and William Barnett subscribing witnesses thereto, on this

the 16 day of April 1908, and thereupon said written instrument was adjudged, declared and decreed by the Court to be the last will and testament of Jennie Cutshaw, deceased, and ordered to be recorded in the Book of wills.

Attest.

J. J. Doyle Clerk
By R. A. Raper, D.C.

Last will and testament

of
Elizabeth Smith dec'd
1908

I Elizabeth H. Smith of Sullivan County, Tennessee, being of sound mind and disposing memory, do make and publish this my last will and testament, hereby revoking and making void all former wills by me at any time made.

First.

I direct that all my just debts, including my funeral expenses, be paid as soon after my death as may be convenient, out of any moneys or other personal property that I may be possessed of.

Second.

I will and devise to my son, Carl B. Smith, the dwelling house in which I now reside, together with the small enclosed lot or parcel of land on which it stands, and the parcel lot adjoining, and attached thereto; also one third of the lot of adjoining the lot upon which said dwelling house is located, and running East to the C. & N. Southern Railway. Said house and lots fronting on Sulby Street, in the town of Bristol, Tennessee, in the 17th Civil District of Sullivan County, but this devise is not to include any lot or lots adjoining the lots here in devised to my said son, Carl B. Smith. I would prefer that my said son should not sell or dispose of said house and lot while he lives, but should occupy same as a home. But this is only the expression of my personal preference, and is not intended to bind him as to be construed as being imperative and binding upon him. I devise said property to him in fee simple, and without any conditions or restrictions imposed upon him.

I also will and devise to my said son, Carl B. Smith, one lot or parcel of land, upon which is located two small buildings, on Tenth Street and Grimes Alley, in the town of Bristol, Tennessee, 17th Civil District of Sullivan County, Tennessee, adjoining Hunterson on the North and East.