

Last Will & Testament
of
Daniel Love died

Probated January Term 1905

In the Name of God Amen

In view of the uncertainty of life and certainty of death, I Daniel Love, of the County of Sullivan and State of Tennessee, being of sound and disposing mind and memory, do make, ordain and publish this to be my last will and testament, hereby revoking all other wills by me heretofore made.

1st. I will and direct that my burial expenses and all the just debts I may owe at my death shall be paid out of any money that may be on hand at my death, and if there should not be sufficient money on hand, then out of the personal property of which I may die seized and possessed.

2nd. It is my will and desire that, in the event my present wife, Catherine M. Love, shall survive me, she shall have all my personal property of every kind consisting of household & kitchen furniture, farming utensils and implements of every description including wheat drill, mowers, hay rakes, &c. & live stock of all kinds, and all debts and accounts that I may owe at the time of my decease. My said wife to have and hold the personal property only during her natural life, and shall have no power to dispose of same.

3rd. I do also give and bequeath to her, my said wife, one clear rounded sum of fifty dollars (\$50) to be paid to her at the end of each year, during her natural life. This sum is to be paid out of money derived from the products of the farm, and is to be paid by that one of my sons or by that person whomsoever he may be, that shall manage the farm for my said wife as hereinafter provided for.

4th. I will and direct that my said wife Catherine M. shall have all the real estate, consisting of the farm on which I now reside, situated in the 2nd civil district of Sullivan County, of which I shall die seized and possessed, during the term of her natural life, and to be managed and cultivated for her as I shall hereinafter direct.

5th. I will and desire that my wife shall take no greater estate in my realty than a life interest

and that it shall be farmed and managed for her by one of my three sons, Alfred P. or Luther P. or Abel J. Love. My wife shall select that one of the three whom she wishes to cultivate and manage the farm for her. But should no one of my three sons be willing to attend to the farm, then & in that event my three sons shall select some competent and reliable person to run the farm for my wife, whoever cultivates and manages the farm for my said wife shall be paid such remuneration for his work and management as shall be agreed upon by my said three sons or any two of them, and this shall be so whether he who manages the farm is aforesaid shall be one of my sons or some one else selected by them.

6th. It is my will and desire that whoever shall manage the farm, whether one of my sons or a stranger, shall keep in repair all the farming implements and utensils including the mowers, hayrakes, and drill &c. at his own expense, the ordinary wear and tear of such things excepted.

7th. I further will and direct that, during the life time of my said wife, the farm shall be kept up and not allowed to go down, that no timber shall be cut except for the purpose of selling firewood for family use and keeping up the fencing on the place, and that no wood shall be sold off the farm except such as would otherwise go to waste; and that no land shall, in any event, be cleared during her life.

8th. I am bound by contract to pay to B. M. Hunt the sum of thirty dollars (\$30.00) every year so long as she shall live. Should she survive me, it is my will and desire that the said sum of \$30.00 as paid to her yearly out of money derived from the products of the farm, and shall be paid by him who shall manage the farm. I further direct that the yearly taxes shall be paid in the same way and by the one who manages the farm for my wife.

9th. If there shall remain over anything, arising out of the products of the land, after paying the taxes, paying him who manages the farm, paying the fifty dollars (\$50) yearly to my wife, the thirty dollars (\$30.00) yearly to B. M. Hunt, and furnishing my wife a liberal support out of same, then and in that event such surplus shall be distributed, at the end of every two years, among my five children, Alfred P. Luther P., Abel J., Martha A., and Francis E. Love, and my grand daughter, Hattie A. Stone equally.

10th. I will and direct that my daughter Alice S. Love, if she survive me, shall have one dollar and

Money to be paid to her by the ~~rest~~ of my ~~deceased~~ Executors of this will, and that the same shall remain a charge on my property till paid. And said Alice Stone shall take no other interest whatever, in real or personal property, under this will.

11th I will and bequeath to my two daughters, Martha A. Stone and Francis E. Stone, one hundred dollars (\$100.00) each, to be paid to them by my Executors hereinafter named, out of any money that may be on my hands at the time of my death, or if there be not sufficient on hands, then out of the first money they shall collect on notes and accounts due my estate, and, if they should not be able to collect enough money, then the sd. two hundred dollars, (one hundred to each of my said two daughters) shall be a charge on my personal and real estate & shall be paid ~~resid-~~ after the death of my wife, by my three sons Alfred P., Luther P. and Abel J. Stone, and my grand-daughter, Hancey A. Stone.

I have heretofore given to each of my three sons a horse apiece, and the one hundred dollars apiece by this Clause given to my two daughters is intended to make them equal with the sons. But should I at any time during my life, make a gift or gift to any of my daughters, such gift or gift shall not be considered as an advancement to such daughter, nor required, after my death, to be brought in to ~~be~~ set off as an advancement or advancements.

12th I further will and direct that the house hold & kitchen furniture and farming utensils and implements and all the personalty of every description heretofore devised to my wife during her natural life, except the live, shall not in any way or manner be sold or disposed of during my wife's life time. But should my Executors deem it for the best interest of my estate, they shall from time to time, in the exercise of a sound discretion, sell or otherwise dispose of live stock, being careful, however, always to keep sufficient on hand to work and stock the farm.

13th I will and desire that, after the death of my wife, my two daughters, Martha A. and Francis E. Stone, shall have all my household & kitchen furniture, such as beds & bedding, tables, cook stove, and all furniture of that kind, to be equally divided between them.

14th I will and desire that, after the death of my wife, all the rest of my personal property, not

given by the 13th Clause of this will, to my two daughters, consisting of farming implements & utensils and live stock of all kinds shall be equally distributed among my five children, Alfred P., Luther P., Abel J., Martha A. and Francis E. Stone and my grand-daughter, Hancey A. Stone, should said property not admit of an equal division in kind, it shall be sold and the proceeds distributed equally among said five children & one grandchild.

15th I will and direct that, after the death of my wife, all my real estate shall be equally divided, or if it should not admit of division or if my devisees or a majority of them should deem it best to sell said estate, then and in that event it shall be sold and the proceeds equally divided among my five children Alfred P. Stone, Luther P. Stone, Abel J. Stone, Martha A. Stone, Francis E. Stone and my grand-daughter, Hancey A. Stone. It is my will that my grand-daughter, Hancey A. Stone, shall share equally with my five children in the realty or the money derived from a sale of same.

16th But it is further my will and desire that, if my two daughters, Martha A. & Francis E. Stone, so desire, they shall, after the death of my wife, have their shares of the realty laid off to themselves or any part of the same they may desire, and even should the majority of my sd. devisees think best to have the realty sold, this shall not prevent my two daughters from having their shares laid off from whatever part of the same they may prefer, if they do not consent to have it all sold and the proceeds divided.

17th It is my will and desire that after my death no property, real or personal, shall be sold at public sale.

18th I appoint my three sons, Alfred P., Luther P. and Abel J. Stone, Executors of this will & testament. They shall not be required to give bond as executors. If all will not serve then any one or two of them that will serve shall be executor or executors they shall collect my notes & accounts that may be due me at my death, and otherwise carry out this my last will and testament. All rumors and insinuations that are in this will were made before it was signed and witnessed. In witness whereof I have subscribed my name, this 31st day of August, 1886.

Signed,
Signed and published in our presence
and we have subscribed our names hereto in
presence of the testator

A. J. Brown } witnesses
C. R. Brown }

I Daniel Love having heretofore made and published my last will and Testament do make and declare this as a Codicil thereto to wit:

It is my will, and I so direct, that my granddaughter, Haney A. Stone, shall take an estate for life only in the property real and personal devised and bequeathed to her in my said will, and at her death, it shall go to any children she may leave and grand-children by deceased child or children. Such grand-children taking such part as this deceased parent would have taken if alive. Her first husband, or any future husband of said Haney A. Stone, is to have any interest whatever in, or control over, the property devised & bequeathed to said Haney A. Stone, & her children. It is my desire that this Codicil be attached to and constitute a part of my will to all intents and purposes this... day of 1893

Signed Daniel Love

Signed and published in our presence and we have subscribed our names hereto in the presence of the testator this... day of 1893

E. H. Hicks
D. H. Hicks

I Daniel Love, having heretofore made and published my last will and Testament dated 21 day of August, 1896, do make and declare this as a Codicil thereto, to wit:

It is my will, and I so direct, that all those parts of my said will and all those provisions therein in and by which I have bequeathed personal property and devised real estate, or any interest in personal and real estate, to my son, Alfred P. Love, be and the same are hereby revoked and made void and no effect, and I hereby give, bequeath and devise into my son, Abel J. Love, all the personal property and real estate, or interest therein, that were in and by said will given to my son, Alfred P. Love, it being my will that my said son, Alfred P. Love, shall take no interest whatever in any real or personal property of which I shall die seized and possessed. It is my desire that this Codicil be attached

to, and constitute a part of my will to all intents and purposes.

This 10th day of October 1900

Signed
 Signed and published in our presence and we have subscribed our names hereto in the presence of the testator and by his request.
 This 10 October 1900

H. J. Maunel
M. L. Flemer

The foregoing written instrument was partially proved in open Court by the oath of *A. J. Brown*, one of the subscribing witnesses thereto; on this the 20th day of January, 1905 and was continued for further proof.

Teste
W. R. Snow, Clerk

The foregoing written instrument was further proved in open Court by the oaths of *D. H. Hicks* and *M. L. Flemer*, subscribing witnesses thereto, on this the 20th day of January, 1905, in open Court; and thereupon said written instrument was adjudged, declared and decreed by the Court to be the last will and Testament of Daniel Love, deceased, and ordered to be recorded in the book of wills.

Teste
W. R. Snow, Clerk

Last Will & Testament

Sarah E. Ector Decd *Witnessed March Term 1900*

I Sarah E. Ector of the County and Sullivan County State of Tennessee being of sound mind disposing of my property do make and publish this my last will and Testament in manner and form, given below.

1st I give devise and bequeath to *W. C. Sells* all my personal effects and property of every kind, consisting of Bed, Bedstead, Bed Clothing, &c. and all house hold goods and kitchen furniture, consisting of dishes, Pew, Kitchens, Tools, &c.

2nd I give devise and bequeath to *W. C. Sells*