

Will of John W. Garland

I John W. Garland of ^{County of} Union County
and State of Tennessee being weak of body,
but of sound mind and memory do
hereby make known and publish this
my last will and testament hereby revo-
king all former wills heretofore at any time
made by me.

First

It is my will that after my death that
my body shall be decently buried in
a Christian www.southeasterngenealogy.com the graveyard
on my farm near the town of Union known
as the Garland graveyard and I charge
my executor herein after named to see that
the above provision be formally carried
into effect.

2^d

It is my will, that after my death
my executor herein after named shall pay
all my just debts paid out of my
personal property, notes, accounts and
Judgment rights and credits that may
be due me at the time of my death if

the same is sufficient to pay the same
and if not sufficient to pay the residue
out of any other effects that may come
into his hands as my executor or as
a legatee of my estate.

3d

I will Cynthia Ann White who has been
keeping house for me the last eight or nine
years a portion of my land including
the dwelling house and garden where I
now live. Beginning on a stake in the
road where the branch is drawn
crosses the said road near the house
of B. F. O'Brien running thence down said
branch with its meanders to the place
where it meets or joins the branch
down that runs by the dwelling house
where I now live, thence with the course
to a marked spruce pine standing
in the lower corner not far from the
south of the land. Thence a straight line
from thence to S. D. South, north east
corner a digwood road down with white
oak and boxelias. Thence with

Scott's line to my corner on Mc Nabb's or
 Tucker's line thence with line of J. T. Brown
 tract and and Tucker or Mc Nabb tract and
 O'Brien tract to the beginning.

4th

I will and bequeath to John W. Higgins
 of Yancey County North Carolina all the
 residue of my lands lying in the State of
 Tennessee and the State of North Carolina.
 The lands in State of Tennessee hereby devised
 to said John W. Higgins includes what is
 known as the Job tract adjoining W. J.
 Mc Evin Stephen Mc Loughlin and Robert
 Brookfield containing something over
 one hundred acres and the William
 Longmire tract adjoining the lands of W. H.
 Kiser and P. H. Johnson and others and
 containing about one hundred and seventy
 acres. Also the lands known as the Edwards
 tract and the tract bought of E. S. Miller
 and wife, and the part of the Brown
 tract not included in the devise to
 P. H. Johnson.

Cynthia Ann White), and a mountain
tract lying on the Unoka mountain
bought of W. T. Erwin known as the Edwards
entry of five thousand acres five hundred
acres. All of said lands are lying
in the 5th civil district of Union
County State of Tennessee I also will
and bequeath to said J. M. Higgins the
brick house stone house barn and lot
or lots that I own in the town of
Erwin Union County Tennessee and the
small house and lot I bought of
Melvinia Armstrong lying in said town
lying lying between J. F. Jones stone
house and the stone house now
owned by Ephraim Skid Also the 1/2
acres of land I bought of Stephen
McSweeney adjoining the said town
of Erwin also all the interest I have
in an entry made by me of lands
lying on the Unoka mountain in
said district County and State
not yet run out or surveyed. The
lands here devised to said John

It is Mr. W. H. Sherrards will (continued)
Mr. Higgins' lying in Jones County, North
Carolina are known and includes the
following tracts: one known as the home
tract where I formerly lived near Bismar-
ville containing something over one hundred
acres adjoining the lands of J. W. Williams
Garrett Ray and others. One tract known
as the mountain tract lying on the Green
mountain adjoining the lands of Mr.
Johnson and Ervin Ray and others -
I also will www.southeasterngenealogy.com for David
John W. Higgins my interest into tracts
of land lying in Calhoun County, North
Carolina. Containing six hundred and
forty acres each lying on the ground faster
mountain two thirds of David lands of
David two tracts belong to Dr. A. Job and
one third interest in the same belong
to me.

5-4

I will and bequeath to the aforesaid
John W. Higgins all notes accounts and
judgments that I have paid that is

and me, both in the state of North Carolina and Tennessee if any are left after my just debts are paid

6th

I will and bequeath to said John W. Higgins and Legatha Ann White jointly all my household and kitchen furniture cooking utensils & and silver ware glass ware knives and forks &c to be equally divided between them I also will and bequeath to the said Legatha Ann White one quilt and bed covers one red and four pigs and two barrel stoves and one hundred pounds of bacon and all the poultry on hand and all the wheat now on hand and fifty bushels of corn.

7th

I will and bequeath to said Higgins one mare and two mules three small cows and nine head of stock cattle and all the residue of any of my personal

property I have not hitherto devised in
this will including farming interests &c.

84

I hereby nominate constitute and appoint
the said John W. Higgins the executor of
this my last will and testament and
charge him to see that the same is
fully executed

This 25th day of January 1886,
All interlineations and crosses made before
signing.

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Attest

W. C. Ennart
H. C. Bannister

State of Tennessee } Personally appeared
Union County } before me B. W. Woodward
} Chairman of the county
Court of said County, appeared W. C. Ennart
& H. C. Bannister subscribing witnesses, to the
foregoing will being first sworn deposed
and said that they were acquainted with
J. W. Higgins & that he was of sound mind &c.

This 25th day of January 1886,
All interdications and crosses made before
signing.
Attest
John W. Garland (Seal)

W. C. Emmet
H. C. Banner.

State of Tennessee Personally appeared
Uriah Counts, Chairman of the County
Court of said County, appeared W. C. Emmet
& H. C. Banner, subscribing witnesses, to the
forgoing will being first sworn deposed
and said that they were acquainted with
John W. Garland the maker of the foregoing will
and that he signed and acknowledged
the same in their presence to be his act and
deed for the purpose therein contained,
upon the day its venue state and witnessed at his home
Given under my hand this 16th August 1887

D. W. Woodward Chairman
County Court acting as clerk.