

John Phillips will.

I John Phillips being of sound and disposing mind and memory do make and constitute this my last will and Testament.

First

It is my will that all my funeral expenses be paid out of the first moneys coming to the hands of my Executor, then all my just debts.

Second

It is my will that, if my beloved wife Sarah Phillips survives me and waives her right to dower that my Executor set apart for her use and that of Elizabeth Miller during the life of the former and during the time while the latter, shall enjoy the use of any remainder of my real estate as hereinafter provided for personal property as in his judgment is indispensable for their use.

Third

It is my will that my Executor sell all my personal estate at private or public sale or both at his option, not appropriate as in the above second Article, and appropriate the same to the debts mentioned in the above 1st Article. And for the payment of the remaining debts he shall sell so much of my real estate as shall be necessary for that purpose, keeping in view my will as developed in the next, or fourth Article.

Fourth

It is my will and I hereby devise to my beloved wife during her life, and to our widowed daughter Elizabeth Miller jointly the use and possession of the foreverly set apart to them as in Article second. And after the use and possession of all the remainder of my real estate after payment of debts as herein before provided, provided my wife relinquishes dower as aforesaid, the same to be used and enjoyed by ^{my} wife for life and the said Elizabeth Miller for eight years after my death ^{whether} my wife's life estate fall in the meantime or not.

Fifth

It is my will that, if in the opinion of my Executor a part of my real estate cannot be disposed of to pay said debts - so as to leave a sufficiency thereof for the use and enjoyment of my wife and Elizabeth Miller as aforesaid, that he sell the whole of it, and after all my debts are paid, he shall purchase a tract of land with the remainder of said fund and the same shall be used possessed and enjoyed by my said wife and Elizabeth Miller as provided in Article fourth.

Sixth

John Phillips Will Continued

If there shall not be enough of said fund to buy a tract of land, as contemplated in said fifth Article, but by selling the remainder of said fund after sale of my land with any fund owned by Elizabeth Miller then a tract of land shall be bought as provided in said fifth Article.

Seventh

If part of my real estate shall be set apart as provided in the above fourth Article, or if, or if provision shall be made for my wife and said Elizabeth as provided in the above fifth Article. In the former event when my wife's life estate shall have ended and said Elizabeth's said term of eight years shall have expired my Executor shall sell said lands and distribute the proceeds as provided in the next Article. In the latter event the said purchase tract shall be sold and the said Elizabeth Millers interest therein with interest be paid her, and the remainder shall be distributed as provided in the next Article. All the sales of real or personal property herein provided for, shall be made by my Executor at private or public sale or both at his option, and at the same periods and in either of above contingencies all of my personal estate set apart for use of my wife and Elizabeth Miller or what remains of it, shall be sold and the proceeds applied as in the next Article.

Eighth

When the sales provided for after the lapse of my wife's life estate and expiration of said Elizabeth Millers term shall have been made it is my will that the proceeds shall be distributed, among my children, and their representatives as follows. To Isaac Phillips Nancy wife of Alexander Moore, Urias Phillips, Elizabeth Miller the children of Augusta wife of James M. Moore, the children of Malinda Johnson wife of Wm Johnson each one sixth, so as that the children of each child of mine shall represent one share.

Ninth

I will and bequeath to Pimanda wife of Capt. Martin Moore one dollar and no more of my estate, because her husband borrowed a considerable sum of money of me & never paid it back.

Tenth

I do constitute and appoint my trusted friend James C. Dwyer my Executor of this my last will & Testament, & hereby revoke all other wills by me made, this 11th March 1870.

Signed and attested in my presence.

In reading this will over I wish to make this change in it

John Philips will continued

wording, that is if Martin Morris will come forward and arrange or satisfy, such a portion of the debt due from me to Mrs Boster ^{as may be just} then his wife Lemanda may come in as one of the heirs of my estate to fare in exact proportion with the other children.

It is also my will, and I wish it so construed that at the death of my wife that all my ^{unpaid} personal property be sold to be invested as herein before provided - Signed sealed and delivered in the presence of ^(as may be just) "before signing" witnesses

J. D. Simmons

John P. Cloude

[Signature]

John ^{his} Philips ^{mark} *[Signature]*

The foregoing will of John Philips was presented in open Court at the June term 1840 for probate and proven by the oath of J. D. Simmons & John Cloude the two subscribing witnesses thereto, and ordered to be recorded, and James H. Baper the Executor therein named appeared in open Court and gave bond and security and was duly qualified as the law directs.

J. H. Husham Clerk

Samuel Cornthers will

In the name of God amen.
I Samuel Cornthers of the State of Tennessee County of Washington being of sound mind and memory moving the unsustainability of life and the certainty of death do make ordain and declare this to be my last will and Testament revoking all wills here to fore by me made - First. After my death I wish to be buried in a christian like manner. Secondly, my will and desire is that my just debts shall all be paid. Thirdly I give and bequeath to my beloved wife Catharine my entire estate both real and personal during her natural life or her widowhood after the death of my beloved wife Catharine. The personal property of my estate is to be sold to the highest bidder by my Executor here in after mentioned.

My Executor pay to my daughter Liza Whelby one dollar in money which is to be her or her heirs entire part of my estate furthermore I have deeded unto my daughter Manerva and her husband Phelley Duncan the amount of land I intended them to have and that is their entire interest of my estate both real and personal. After the death of my beloved wife the remaining proceeds of the personal estate ^{and land} is to be equally divided between my two sons David Andrew Jackson and Jonathan Lajayett Winfield if either of my sons shall before such division have died leaving lawful issue such issue to receive the parents share but if there be no issue then such deceased share to fall into the general fund. To be divided among the survivors in the manner here to fore directed if in case both my sons should die leaving no heirs then in that case the heirs of the body of my daughter Liza Whelby ^{my estate} to be equally divided among them.

But in no other case they to come in as heirs of my estate only as heirs above mentioned. But in no case is Manerva Duncan or her heirs to have any part of my estate. Lastly I make constitute and appoint John White my Executor of this my last will and Testament in witness whereof I have here unto subscribed my name and affixed my seal.