

John P. Walters Will

The last will and Testament of J. P. Walters of
The county of Washington and State of Tennessee

I J. P. Walters considering the
uncertainty of this mortal life and being of sound mind
and memory do make and publish this my last will
and Testament in manner and form following
1st I give and bequeath to my beloved wife Catharine
Walters the control of all my personal and real estate
so long as she retains my name or until my daughter
Mary E. Walters marries. In case my wife Catharine Walters
should marry again this shall cut her off from having
control or deriving any benefit from my estate unless
she should marry a man who would not provide a support
for her. Then I will & desire that some person or persons
be appointed to see that she does not suffer for the
common comforts of life and that she be supplied
from the proceeds of my farm. I also desire that when
my daughter Mary E. Walters marries that she have control
of one half of my real estate or more if her mother
shall see fit to let her have it and at the
death of my wife Catharine Walters or at her second
marriage my entire estate shall fall into the hands
of my daughter Mary E. Walters. The same to be hers as
long as she lives and should she die without an heir
to inherit it then I will & desire if there
be any thing left the same to fall back to my brothers
and sisters or their heirs. ^{Wm} Elizabeth Painter Jane
Painter Amos Walters George W. Walters Robert Walters
The estate to be equally divided between my above
named brothers & sisters or their heirs I also will
to my to my sister Sarah Wansley five dollars in
case my daughter Mary E. Walters should leave no
heir. I will and desire that all the surplus
going and property that I have or may be made on
my farm shall be sold either public or private
and that the proceeds be taken to pay all my
debts and funeral expenses so soon as possible
without adding cost to the same and should
any thing remain after the debts are paid

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a guardian may be appointed for my daughter Mary E.
Walters who shall take charge of all surplus that may
arise from the farm I also will and desire that in case
the proceeds of my farm should not be sufficient to pay
the money due the heirs of Robert Walters dec'd and it become
necessary to take any part or portion of my land I desire
that a tract lying between Mr John Dotter and E. B. Denters
be sold to pay said debt I also desire that that James
Hughes be appointed as guardian of the minor heirs of
Robert Walters dec'd and that he see to sending out my
farm to the best advantage of the land. And I
hereby appoint my wife Catharine Walters Executor
and W. D. Capps Executor of this my last will and
Testament provided the law requires an Executor
or Executor if it does not then E. Catharine Walters
& W. D. Capps are ^{to be} chosen in witness whereof I have
hereunto set my hand and seal the 23 day of June
in the year of our lord Eighteen hundred and seven
th

John P. Walters

The above instrument consisting of one sheet was now
here subscribed by John P. Walters the testator in the
presence of each of us and was at the same time
declared by him to be his last will and Testament
and we by request sign our names as attesting witnesses
witnessing in Washington County, State of
Tenn

George Capps
James Freeman

The foregoing will was proven in open Court August
1871 by the oaths of George Capps & James Freeman
the subscribing witnesses there and that W. D. Capps
Executor & Catharine Walters therein named appeared
in open court and entered into bona approba security
and was duly qualified as the law directs the same
as ordered to be recorded

J. F. Brisham
Clerk