

WILLIAM MCCLAIN WILL
Will Book B- 329
Will Book D - 88

Contributed by Charlene McClain
1362 Putnam Dr., Cookeville, TN 38501
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Transcribed as written:

In the Name God Amen

I William McClain being of sound mind and disposing memory, in View of the certainty of death & the uncertainty of life, do made and publish this my last will & testament in the words & figure following to wit

Item 1st My will is that all my just debts shall be paid out of the proceeds of my estate

Item 2nd I will & bequeath to my granddaughter, Anna D. McClain & her heirs for ever, My Negroe girl Martha, but if by death of S^d girl, or any other cause this legacy should fail before my S^d grand daughter arives to the age twelve years, then my will is, that my S^d grand daughter shall receive three hundred dollars in the _____stead of S^d girl Martha. I also give & bequeath to my S^d grand daughter Anna D. one bedstead, 4 bed, with a full suit of clothing. My traveling trunk, one beauro, tea spoons with her grand ma^s name on them, also they bay colt I lately bought for her together with thirty dollars to purchase a sadle & bridle for her. All to be hers & her hiers for ever.

Item 3rd I will & bequeath to my grand Son W^m McClain son of my son John T. McClain one hundred dollars.

Item 4th I will & bequeath to my grand son W^m McClain son of my son W^m McClain one hundred dollars.

Item 5th the remainder and ballance of My estate both real & Personal, Not disposed of as above, My will is shall be equally divided between all of My children John T. James, William A. Jesse T. McClain & Loucy, & Andrew McClain, those that have receive advancements without interest being computed, the sums advanced to Andrew to defray his expences at College. My will is shall not be accounted for, horses mules & small sums under fifty dollars to my will is shall be regarded as gratuties & not advancements.

Item 6th My Executors may sell my real estate at public & or private sale on terms and in portions, as they may think best for the interest of all the legatees, & if it shall become necessary to sell any of my negroes in order to make equal distributions, my will is they shall not be sold at publick sale, but m executors will in that case sell at private sale, & to persons that they may have cause to believe will keep them & treat them humanely & in making such sale they shall not be responable for any excep they might have sold for at publick sale or to uncertain & inhumane purchasers

Item 7th I nominate & constitute my two sons Jesse & Andrew McClain my Executors to this my last will & testament In testimony whereof I hereunto set my hand 7 seal this 19th of October 1863

William McClain (seal)

Witness in presence of the testators:

John Buckner
Harold Faruell
John H. Campbell

State of Tennessee
Smith County

I E. W. Turner Clerk of the County Court of said country to hereby certify the within will was duly proven in court. At the February term 1869 of said court by John Buckner Harold Faruell and John H. Cambell and ordered by the court to be recorded and filed.

Test E. W. Turner
Clerk County court
Of Smith County

<http://www.ajlambert.com>