

and appoint them my executors with full and joenery powers to sell and convey real estate, and to do and perform all acts needful to carry out the true intent and meaning of this will. I desire no security shall be required by the Court granting administration; Witness my hand and sesk, seventh day of December, 1857 (fifty seven).

S. Garland Sr.

In the Court of Hustings for the city of Lynchburg, December term 1861.

This paper writing purporting to be the last will and testament of Samuel Garland Sen's. dec'd. was produced in court, and the same being proved by the oath of Henry Dunnington and James Garland to be wholly in the proper handwriting of said Samuel Garland, Senior dec'd. is ordered to be recorded.

Teste: J.C. Didlake, Ck.

WILL OF SAMUEL GARLAND, Sr.

Died November 10, 1861

I, Samuel Garland, Senior of Lynchburg Virginia, do make and declare this to be my true last will and testament, wholly in my own handwriting, that is to say:-

1. I direct all my just and lawful debts to be paid, if any, out of money on hand, and debts due me, if need be, by sales of stocks, corporate bonds and outside lands, houses and lots not specifically devised.
2. I devise to my beloved wife, Mary L. Garland, my dwelling house and lott, with all the appartenences thereto belonging, for and during her natural life, and at her death to pass and belong to my nephew,

Samuel Garland, jr., son of my late brother, M.H. Garland deceased, and his heirs forever; hoping and desiring he may pass it to his own son, S. Garland; this is a mere request, wishing the property to be kept in my family.

3. I give to my wife absolutely, all my plate, household and kitchen furniture, carriage and pair of horses, wood wagon, provender and provisions for a year next after my death, also two milch cows, no inventory need to be taken; - this devise is intended to cover my missellaneous library, etc.

4. I likewise devise to my wife my favorite servant Green, and all his children by his last wife, Ellen deceased and grand-children, old Charlotte and Tom Daniel a carpenter, and his tools, with power of disposing of them by her last will to any child or children of our adopted daughter, P.B. Morriss. In default of her making such will, after the termination of her life estate, all these slaves with the increase of the females to pass to all Paulina B. Morriss' children.

5. I will and direct my executors to set apart fifty thousand dollars worth (at par value) of my bank and other paying stocks and corporate bonds,

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paying at least six per cent per annum, the interest as dividends whereof, must be paid to my wife half yearly during her natural life to be used as her own, without accountability on her part -- at her death, the stocks, bonds, etc. to pass to Charles G. Morris in trust, for the use of his wife, our adopted daughter, P.B. Morriss, and her children, as a separate estate. The slaves in the fourth clause to pass in the same way, as separate estate, and to the same trustee.

6. Like my late brother, M. H. Garland, I give to my brother Nicholas N. Garland, the balance of his debt to S. and M. H. Garland already sunk by Profit and Loss, as well as any private debt due to me, and in addition, one thousand dollars, to be paid by my executors. This is all he is to have of my estate. I commend him to my brother James, who raised him.

7. I give to Charles R. Slaughter, S. Garland, Jr., and John F. Slaughter jointly, my law library.

8. I wish my Missi. estates to be kept up a few years after my death, and cultivated under the personal superintendence of my brother, B. Garland (now residing at Barren's estate) and the annual profits

vested in good six per cent stocks, to the use of my estate, but if he, B. Garland cannot attend to them, then they are left to be disposed of by sale or otherwise, at the discretion of my executors.

9. My favorit brother B. Garland, raised by me, and long a resident of Mississippi is, and has for a long time past been embarrassed in debt, by losses of trade in 1837, and liabilities as surety for others, it might be unsafe to devise property to him absolutely; I therefore set apart in trust, in the hands of my executors, for the benefit of my said brother, either of my plantations in Hinds county, called "Barrens" or "Tudor Hall", whichever he may chuse, and forty slaves in families, say about twenty five hands, balance heads of families, children and house servants, to be selected out

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of the stocks in both places, mules, horses, stock, etc., sufficient for the cultivation of the place so selected by him, with provisions, house and kitchen furniture, plantation tools, etc., oxen, hogs, etc., to make a complete estate. The profits of the estate is set apart for his B. Garland's use, under his superintendence. But neither the estate or profits shall be bound for his past debts or liabilities, or for future debts and liabilities, other than decent and comfortable support. At his death, all the property in this clause is to pass to Charles G. Morriss in trust, to the separate use of his wife, Pauline B. Morriss, and her children.

10. After the fulfilment of all the above and foregoing devises, then I give to John F. Slaughter, the houses and lots now occupied by him, S. W. Shelton, Burch, and garden on Seventh Street and the adjoining three tenements on 8th Street, all in the same square, and ten thousand dollars of my Southside railroad bonds, and no more of my estate; - the well called Jacob's well, is to remain a common to my other property, now owned or heretofore deaded to the use of his sisters and S. Garland jr., and my residence.

11. I give to my sister, Mary R. Slaughter, five thousand dollars in Va. and Tenn. railroad bonds this, with what I have heretofore given her, is all she is to have of my estate.

12. I give to my neper Samuel G. White, of Albemarle, any debt he may owe me, and twenty-five thousand dollars of my Orange and Alexandria railroad and Southside railroad bonds. This is all giving him; except so far as relates to Caroline and Bob, two of Green's children, now an incumbrance to me, and which I wish him to take this fall. With the consent of my wife, I design this as a charge in disposing of Green's family; - should she not consent, then my executors will pay their value in an increase amount of S.S. railroad bond, say two thousand dollars more.

13. I give to Charles R. Slaughter, in trust to the use of his sisters, six thousand five hundred dollars, each, which, with what I have heretofore given in houses and lots, Citizens' Saving Bank Stock, etc. I estimate at ten thousand dollars each, as much as I design to give. I have confidence C. R. Slaughter the trustee will prevent waste, and will pay over the profits thereof to them and their descendants, and finally, and at his discretion change the trust property, and settle it in such manner as he may deem best, without responsibility upon him.

14. I likewise give to said, Charles R. Slaughter, five thousand dollars of my Va. and Tenn. or East Tenn and Virginia bonds, in trust for the benefit of his brother, Sam'l. M. Garland, the interest to be paid him, and when he shall think it safe and prudent to do so, he may hand over the principle, without responsibility.

15. I give to each of my namesakes, Samuel G. Slaughter, son of Charles R. Slaughter, Samuel G. White, son of Samuel G. White, Samuel, son of S. Garland, jr., and Sam'l. G., son of Captain John F. Slaughter, a bond of one thousand dollars of S. S. Railroad. I also give to each of my brother's, Nicholas A. Garland's children of Illinois, one thousand dollars of my East Tenn. and Va. railroad bonds or others of equal value.

16. The house and lot now occupied by Maj. James Garland and family and the Phaux (Phaup) ? lot I wish them to hold during their joint and separate lives, rent free, and should the wife survive her husband, she may devise the same, but this must be held liable to Maj. Garland's debts to me, secured by deeds of trust upon slaves, etc, money, advanced, etc.

17. I do not intent to die intestate as to any part of my estate, now held or hereafter acquired, and hereby make and declare, Charles R. Slaughter and Samuel Garland Jr., jointly and equally my residuary legatees entitled till the estate or estates, real, personal or mixed, of which I amy die seized and possessed, not herein disposed \_\_ by this my will, (as items one to seventeen) and I constitute