

In the name of God Amen. I John Cawood of Sullivan County & State of Tennessee do make and publish this my last will & testament in manner following viz I order and direct that all debts that shall be justly due and owing by me at the time of my demise be paid and discharged out of my personal property by my executors hereafter named or one of them.

I give and bequeath unto my wife Agatha my dwelling house grist mill and saw mill together with seven hundred acres of land part of my plantation to be laid off in any manner my said wife shall direct so as to contain the quantity of seven hundred in one survey, the said tract to be laid off including the mills dwelling house and orchard and all buildings and improvements now made or hereafter to be made on the said seven hundred acres to be onure[?] to my said wife to the use and behoof of my said wife and my children by her for and during her natural life and after her decease I order and direct that the whole of the premises hereby bequeathed to her as aforesaid shall be appraised and valued by men to be indifferently chosen by such of my children by the said Agatha shall be then living of lawfull age and if not by their guardian or guardians or by executors hereafter named which said men so to be appointed shall value the said land and premises and divide the whole equally awarding to the best of their judgments between such of my children by the said Agatha as shall be then living share and share alike allowing to quantity and quality and said children shall abide by such division as shall be then made and any child or children who may refuse to abide by such division is or are to forfeit their share to the use of the other children, and to be divided among them share and share alike. I give and bequeath unto my son John Cawood two hundred acres of land part of my plantation including the bottom land on the south side of Holston river & the Island in said river and so much up land bounded in front by said river by Major Pemberton's line on one side and by a strait line to be run beginning on the North bank of said river and extending to the back line of my plantation thence along said back line to the line of Major Pimberton's land so as with the said bottom land and Island aforesaid the whole shall contain two hundred acres of land and no more the same to be to the use & behove of the said John Cawood his heirs & assigns for ever! But in case the John Cawood shall make any attempt hereafter either by law or otherwise to broke or set aside this my last will and testament then and in such case I order and direct that out of my personal estate the said John Cawood shall reserve the sum of three hundred and thirty three dollars & one third of one dollar which shall be in full a bar of any demands which the said John might hereafter have against my estate real or personal or any part thereof and the lands hereby divided to the said John Cawood to go to my said wife and my children by her and to be applied as the said seven hundred acres therein before mentioned.

I give and bequeath unto my grand son Thomas the son of my daughter Charity one hundred and sixty six dollars and sixty six cents and no more. I give and bequeathe to my daughter Ann Pemberton, wife of William Pemberton one hundred and sixty six dollars sixty six cents & no more to be paid out of my personal estate as also the above.

I give and bequeath unto my grand son Thomas Cawood son of Thomas Cawood one hundred and sixty six dollars & sixty six cents to be paid out of my personal estate as aforesaid and no more. I give and bequeath unto my grand son Thomas Smallwood son of my daughter Mary Smallwood dec'd one dollar and no more. I give and bequeath one hundred acres of land to my daughter Elisa ___th wife of Stephen Majors the land beginning at my beginning tru and laid off along Catrons line and up the river so far as by running a straight line as will make just one hundred acres & no more to be laid off by my executors to be hereafter named & the bounds to be made by them no where hereafter to be altered the said one hundred acres to be by the use of my said daughter Elizabeth & her heirs for ever. I give and bequeath to my grandson Tobia Smith son of my daughter Rebecca dec'd one hundred & sixty six dollars & sixty six cents, I order that the several sums of money herein bequeathed be paid within one year after my decease by my executors out of my personal estate.

I order and direct that after the payment of all debts funeral expenses and the several legatees herein before mentioned all the residue and remainder of my estate real & personal shall be the property of my said wife to the use of herself and my children by her in the same manner as the other part divided to her & I do hereby appoint my said wife and my friend William Dulany esqr my executors but in case the said William shall decline acting then my said wife shall be at liberty with the approbations of the court to chose any person she may think fit to join her in the executorship which person is hereby as fully authorized to act as of his name was herein inserted. In witness whereof I have hereunto affixed my mark (?) my seal with twenty eighth day of January one thousand eight hundred & three.

his
John  Cawood Seal
mark

Signed Sealed and declared by the testator as his last will & testament in (?) person.

We have subscribed our names as witness hereto.

William Delany James Offill

William Owin Isaac Brownlow