

ter his death then in fee simple to his children if he die leaving children his surviving; but if he die without children his surviving, then I give and devise said interest and estate as in this clause mentioned to my daughter Hepsa E. Etchison.

I give and devise to my son-in-law Richard Estep all the estate and interest which I have by the provisions of my father's will, in lands devised by said will to my sister Miranda Berger for her life and upon which by a codicil to said will of my father the husband of my said sister is to have a home; this devise to Richard Estep to be in fee simple provided and upon the express condition that said Richard Estep remain unmarried, but if said Richard Estep should marry again I then give and devise the interest and estate herein mentioned to my son Joab Davis should he be alive at the time of my death and also at time of said marriage of Richard Estep should this marriage ever occur; but in the event of the death of my son Joab Davis before my death or before the marriage of said Richard Estep, should such marriage again ever occur, then I give and devise said estate and interest in this clause mentioned to my daughter Hepsa E. Smith.

I give, devise and bequeath to my daughter Hepsa E. Smith my carriage, my phaeton, my horse Fly, all my harness, my parlor furniture and all my silver ware of every description plated as well as solid.

I give, devise and bequeath all my cows and my sitting room furniture to my son William Kindly Davis.

I give devise and bequeath all my beds, bed clothing and bedding to be equally divided between my two children Hepsa E. Smith and William Kindly Davis.

I give devise and bequeath to sum of \$25 to my faithful servant Reuben Fosman in case he be living at my death but in case he be not then living then I give and bequeath said sum of \$25 to my grandson Walter Smith.

I give and devise and bequeath all my other articles of household and kitchen furniture to my husband Joab W. Davis for and during his natural life and at his death to be divided as is provided for the residue of my estate in the next clause hereof.

I give devise and bequeath to Grover Cleveland Davis, and Alfred Davis, children of my son Vernon Davis the sum of \$50 each and all the rest and residue of my estate of every kind I give, devise and bequeath to be equally divided between my three children, Hepsa E. Smith, William Kindly Davis and Joab Davis, provided the said Joab Davis be living at my death, but in the event of the death of my son Joab Davis before my death then said residue I give devise and bequeath to be equally divided between the said Hepsa E. Smith, and William K. Davis, my children.

And lastly I do hereby appoint Richard Estep sole executor of this my last will and testament, providing the said Richard be living and have not married again at my death, but if he marry again or die before my death then I appoint my daughter Hepsa E. Smith, Executrix, of this my last will and testament, hereby revoking all former wills by me made and proclaiming this and none as my true last will and testament.

As witness whereof I have hereunto set my hand and affixed my seal this 17th day of November in the year 1868.

Elvity W. Davis (seal)

Signed, sealed, published and declared by the above named testatrix as and for her last will and testament in the presence of us, who at her request, and in her presence and in the presence of each other have hereunto subscribed our names as witnesses thereto.

William P. Maulsby Jr.
Jonathan Biser
Lewis A. Shook