

Henry S. Catlett & H.L. Andes, of Sevier County. Subsequent of March 1839 Anthony Lawson departed this life, having first made last will and testament on record in Sevier County. His wife Catherine Lawson have use of estate until youngest child was 21 years of age; then a division should take place and she to have one third of lands and personal property during her life and sell the other two thirds and distribute proceeds equally to his children. And at her death the one third also to be sold and proceeds divided equally. Further provided that son John Lawson live on place and manage for mother and he to have his living off place. If either of children at death of wife able to buy lands two or three good neighbors be called and value the lands and the proceeds to be divided equally.

Testator left ten children as follows: John Lawson, "who died and left a widow Margaret Lawson & nine children, John Lawson, Elizabeth Lawson, Catharine Lawson, James U. Or H. Lawson, Andrew Lawson, Samuel A. Lawson, Margaret Lawson, Rachel M. Lawson & Mary Ann Lawson, all of whom reside in the state of Arkansas & a portion of them are presumed to be minors, the date of said John Lawson's death is supposed to be about the month of 18 ."

Andrew Lawson who lives in Sevier County.

Alexander P. Lawson who died in Sevier county about the month of 18 leaving a widow Lucinda Lawson & an minor child Nancy Lawson.

Malinda Lawson of Sevier County

Polly Lawson now the wife of George W. Seaton both of Sevier County.

Minerva Lawson now the wife of Samuel Cook who live in the state of Arkansas.

Margaret Lawson now the wife of West J. Trotter who live in the state of Missouri.

Sarah Lawson of Sevier County.

Nancy Lawson of the same county.

Washington Lawson of the said county who is the testator's youngest child & is now more than twenty one years of age.

Widow Catharine still living and lands still undivided except parts that have been used and enjoyed by several of the children.

In 1854 Catlett and Andes purchased six shares from W.J. Trotter who had bought same from G.W. Seaton & wife, John Lawson, Andrew Lawson, Saml Cook & wife & A.P. Lawson. Now Catlett & Andes asked that court divide lands and set their portion aside.

Waynard sol

Certified before John T. Havis, J.P., 9 Jan. 1856.

Anthony Lawson's Will:

In the name of God amen.

I Anthony Lawson of the county of Sevier and State of Tennessee being at this time weak and feeble in body but of sound and disposing mind and memory and calling to mind that it is appointed for all men once to die and also the uncertainty at what time this mortal life will cease and being desirous of making disposition of what it has pleased a beneficent providence to bless me with of this worlds goods, do make and ordain this my last will and testament hereby revoking all former wills and testaments by me heretofere made. After recommending my Soul to God who gave it and my body to a decent and Christian burrial. I bequeath as follows: to wit First it is my will and desire that my beloved wife Catharine Lawson have the control and keeping of the whole of

my estate both real and personal (except what is hereafter excepted) until our youngest child becomes twenty one years of age if She Shall live that long and at that time that a division take place and one third part of the lands and of the personal property then on hand to be given to her during her natural life and at the time the youngest child becomes of age for the two thirds of the Estate after laying out the third to my wife above mentioned be Sold and the proceeds equally divided between all of my children, and at the death of wife the third laid out to her or whatever may remain of it to be Sold and divided equally between my children, but if my wife should die before the youngest child comes of age it is then my will that my Executors hereafter named Should manage the estate for the use of raising and Schooling my children until the youngest child becomes twenty one years of age, and the Said Executors are hereby Solemnly charged (in the event of my wifes death) with the duty of raising and Schooling my children with fatherly care and protection. It is also my will and desire that my son John Lawson live on the place and manage and assist his mother in making a living for the family and raising and Schooling the children and that herhave his lifing off of the place. It is also my will that he Should have my waring cloths.

Secondly. It is my will and desire that my children both Sons and Daughters as they grow up be apportioned off in the Same way with good horses and Saddles and of as much value as those that have heretofore been apportioned off by me as it is my will and desire that equal and impartial justice be done between all my children. I charge my Executors to discharge this duty to their brothers and sisters. Thirdly I have a quantity of fine books that I wish to remain with my wife until her death and that all my children have the use of reading them when they chose and it is my desire that my children read and Study them well and after the death of my wife I do not want the books sold but that they be divided between my children.

Fourthly. A new Saddle which is on hand I intended and desire that my Son Alexander Preston Lawson have it for his use. I also desire that he have my rifle gun.

Fifth. It is my desire if either of my childrn at the death of my wife Should be able to buy the land that two or three of the good neighbors and disinterested be called on and value the lands and if one of the children is able and wishes that the one pay the rest of the children their equal portion of the said valuation and that one have the lands this would keep the land in the family and would Save a Sale of it and deviding the land amongst all would be to little to do either much good. Sixthly It is my desire that all my just and honest debts be paid out of my property. Seventh and last. I do hereby appoint two beloved Sons John Lawson and Andrew Lawson Executors of this my last will and Testament charging them with the due and proper execution of it. In Testimony whereof I Anthony Lawson have hereunto Set my hand and Seal this twelfth day of March Anno Domini 1839.

Anthony Lawson (seal)

The foregoing Will was read to the testator & signed by him in our presence and we witnessed and Signed it at his request in his presence.
Peter Rambo, Isaac A. Miller

True copy in my office, 8 Oct. 1855, B.M. Chandler Clk., by Dept. M.W. McCown.

Answer of Andrew Lawson & Catharine Lawson:

Andrew Lawson Jr. as executor stated he saw conflict between first and fifth clauses of father's will and sought counsel and was advised that fifth clause must prevail over the first and that his duty was to execute will that way. Believed that Catharine "was entitled to life estate in said lands all the transactions of the family were made upon that basis." Andrew "purchased from his brother John Lawson with the distinct understanding that possession could not be demanded during the life of Respt Catherine, and Respt Andrew sold his three shares to West J. Trotter the vendor of complainants with a like understanding." Principal tract land was "the tract on which he resided consisting of about 170 acres the ballance being smaller entries of knob land, valuable mainly as appendages of the home tract." Small amount of land and large number children was reason Anthony Lawson did not want land divided during widow's life.

There is one tract of 44 acres which belonged to Anthony Lawson which is not included in conveyances from Trotter to Compts. Catlett & Andes. Admitted that parts of lands cultivated by members of family with widow's permission. Lawson owed about \$300 at time of death and Respt. Andrew paid this for estate, and Catharine set apart about 28 acres of land to Andrew which he cultivated in part for several years, but "not since compts become possessed of any interest in said lands." Denied that Compts have right of possession or any right to rents on any of lands, but Catlett & Andes "took possession of a portion of said lands about two years ago and have received the rents thereof ever since." Asked for an accounting on rents for this land. Admitted that children of Anthony Lawson were correctly named.

O.P. Temple sol.

Certified before J.M. Evins, J.P., Sevier County, 19 Nov. 1856

A. Lawson
her
Catharine X Lawson
mark

Bill of Revision, filed 14 Oct. 1856:

To Seth W. J.W. Lucky, Chancellor Eastern Division of Tennessee. Compts Henry Catlett and wife Martha Catlett "formerly Martha Andes, Elbert Snapp and wife Rebecca Snapp "formerly Rebecca Andes," Mary Andes and Stewart O. Andes "minor under the age of twenty one years" all citizens of said county of Sevier. On 4 Feb. 1856 Hopkins L. Andes and Henry Catlett filed bill of complaint in regard to will and estate of Anthony Lawson. About 15 Sept. 1856 Hopkins L. Andes departed this life in said county of Sevier intestate "leaving your compt. Mary his widow, and your compts Martha Catlett formerly Martha Andes, who intermarried with said Henry Catlett, Rebecca Snapp formerly Rebecca Andes who intermarried with Elbert Snapp, and your compt Stewart O. Andes his only children and heirs at law." Compts. pray that the said "Catharine Lawson Sr., Margaret Lawson Sr., John Lawson, Elizabeth Lawson, Catharine Lawson Jr., James N. Lawson, Andrew Lawson Jr., Samuel A. Lawson, Margaret Lawson Jr., Rachel A. Lawson, Mary Ann Lawson, Andrew Lawson Sr., who is the executor in Said Will (sole surviving), Lucinda Lawson, Nancy Lawson, Washington Lawson, George W. Seaton and his wife Polly Seaton, Saml Cook and his wife Niverva Cook, West J. Trotter and his wife Margaret Trotter, Sarah Lawson, Nancy Lawson and Malinda Lawson" be made parties to suit. Swann sol for compts.

Certified by Henry Catlett before R. Lanning, C. & M., office Sevierville,
14 Oct. 1856.

Deed, 3 Dec. 1849; Jacob Huber sold to West J. Trotter, \$300.00, three undivided Int. in lands belonging estate of Anthony Lawson decd., Sevier County, dist. 5; five tracts. Tract I, 170 $\frac{1}{2}$ A., being tract purchased by Anthony Lawson from John Prentice. Tract II, 50 A. granted by State to sd. Lawson, No. 11585. Tract III, 31 A., granted by State to sd. Lawson, No. 13196. Tract IV 150 A. granted by State being No. _____. Tract V, joint grant to sd. Lawson & Jacob Kifer for 150 A, No. 20755, all tracts lying waters of West fork of little Pigeon River. To give possession as seen as "Thomas Edmunson" who has rented part of land for one year.

Test, J. Stafford, Asa Derrick Jacob Huber (seal)
Ack., by Jacob Huber before M.W. McCown, Dept. Clk., 3 Dec. 1849
Regis., 3 Dec. 1849; Jas McNelly, Regr., By John Catlett. Dep. Regr.

Deed, 14 Oct. 1848; A. Lawson Jr., for \$500.00 paid to him by Jacob Huber, "hereby quit claim" "my undivided Interest in the lands that Anthony Lawson" owned; on west Fork of little Pigeon River, "adjoining the lands of the heirs of Peter Hambe deceased, Phillip Seaton, Wiley M Walker," being tract land on which Katherine Lawson now lives.

Test P.H. Toomey, J.M. Lanning A. Lawson Jr. (Seal)
Ack., before W.S.J. Ford, Clk., 23 Oct. 1848; Reg., 23 Oct. 1848, Jas. McNelly,
Regr., By John Catlett, Dept.

Deed: "We West J. Trotter and Margaret Trotter formerly Lawson have bargained and sold and do hereby Transfer convey and confirm unto H.S. Catlett and H. L. Andes their heirs and assigns forever for the consideration of Nine Hundred and Eighty Dollars to us in hand paid the receipt where of is hereby acknowledged all the interest that six of the heirs of Anthonly Lawson Decd had has may or will have to all the lands that the said Lawson had either as legal or Equitable title to at his death to include six undivided interest as now held by us and six undivided interest in the Widows Dower to have possession of it at her death said lands lying in Dist No 5th of Sevier County in Five Tracts viz Tract No 1st containing by estimation one Hundred and Seventy one one half Acres more or less it being the tract purchased from John Prentice by the sd Anthony Lawson Decd. Tract No 2 containing by estimation Fifty Acres granted to sd Lawson by the State of Tennessee Tract No 3 containing by estimation Thirty One Acres granted by the state of Tennessee to sd Lawson Tract No 4th containing by estimation One Hundred and Seventy Five Acres granted by the State of Tennessee to the sd Lawson Tract No 5th containing by estimation One Hundred and Fifty acres granted by the State of Tennessee to the sd Lawson and Jacob Kifer One half of which belongs to the heirs of the sd Lawson decd and six undivided interest in said half is hereby conveyed. We do hereby covenant with the sd H.S. Catlett and H.L. Andes that we are lawfully seized of sd lands have a good right to convey it and that the same is unencumbered.."
Attest E. Brown, Isaac Trotter West J. Trotter (seal)
Margaret Trotter (seal)

Regr., Regis., 29 Dec. 1854, Jas. McNelly Regr., by Dept. M.W. McCown.

Answer of Nancy Lawson dau. of Alexander P. Lawson decd & John Lawson, Elizabeth Lawson, Catherine Lawson, James H. Lawson, Andrew Lawson, Samuel A. Lawson, Margaret Lawson, Rachel M. Lawson and Mary Ann Lawson children of John Lawson decd all of whom are infants under the age of twenty one years by their guardian ad litum Andrew Lawson Jr to the bill of complaint filed in said court against them and others by Henry S. Catlett & others." Filed 14 April 1857.

Decree: Oct. 12, 1857; "that the children are now entitled to two thirds of the said lands and that the provision in the fifth clause of the Will is not effected to confer any legal rights upon any of children. Wherefore the chancellor doth order and judge and decree that Wellington McMahan, Henry M. Thomas, and John T. McNutt be, and they afee hereby appointed commissioners to go upon the lands of which the said Anthony Lawson died, seized and possessed and to divide them by mores and bounds so as to sep apart, the one third thereof, regard being had to the quantity and quality and report to the next term of this court." Master to report next term of court on following: What lands Anthony Lawson owned. How many children and the youngest. How many shares have plaintiffs. Are any of Lawson's lands omitted from deeds obtained by Catlett & Andes. Can two thirds be divided between children. Wellington McMahan to rent two thirds for children for next year.

Report of Master, 8 April 1858: Lawson owned about 495½ acres at time of death. Left ten children: 1st John Lawson, 2nd Andrew Lawson, 3rd Alex. P. Lawson, 4. Malinda Lawson, 5. Polly Lawson, 6. Minerva Lawson 7. Margaret Lawson 8. Aancy Lawson 9. Sarah Lawson & 10th Washington Lawson "and the said Washington Lawson is the youngest of the above a named children, and of twenty one years about the year 1853." Complainants claim to have purchased six shares and deed exhibited. This deed "embraces all the lands in the said six undivided shares, and also six undivided interests in the Widows Dower at her death, but by inspection it will be seen that one of said six tracts was omitted to be numbered in said conveyance, which said tract contains forty four (44) acres, and the number of acres in said tract was not given in said Deed of conveyance." Lands cannot be divided among the ten children without "impairing the general value of the whole." Latter based on testimony of Philip Seaten and Wellington McMahan.

Depositions , 6 April 1858, before R. Lanning, C & M, office, Sevierville. Wellington McMahan said two thirds could be "advantagiously be divided without impairing the value of the whole and further this depenten saith not." Philip Seaten said "I am Acquainted with the farm and I do not be lieve that it can be divided with out impairing the value of the whole or ther respective Shares."

Commissioners Report of Dower:

"The undersigned being unconnected with the parties either by affinity or consanguinity and entirely disinterested, having been summoned and duly sworn as a jury to allet and Set off to Catharine Lawson her dower out of the real estate of Anthony Lawson her deceased husband, understood the whole matter, do hereby assign to the said Catharine Lawson for her dower the following described lands with the erections and improvements thereon et wit, 1st Tract containing twenty five acres being cleared lying on the West fork of little Pigeon river in Sevier county including the dwelling house and out buildings beginning on a Stake on the river at Rambo's line, then with Rambo line North 83 West 48 poles to a Stake on the bank of a ditch, the up Said Ditch South 10½ West 8 poles to a stake, south 11 East 3¼ poles to a Stake, South 28½ East 16 poles to a Stake. South 3¼ East 32 pales to a Stake & Sycamore, south 13½ West 15 poles to an apple tree. South 5½ West 28 poles to a walnut Stump, North 85 East 18 poles to a stake on the river thence with the meanders of the river to be beginning." 2d Tract containing thirty five & ½ acres lying on the waters of the little pigeon river joining the lands belonging to the Estate of Peter Rambo.

Beginning on a hickory at the north west end of a field, north 57 East 17 poles to a Stake & white oak South 47 East 20 poles to a Stake, south 15½ East 20 poles to a black gum near the field, south 8½ East 5½ poles to a Stake on the bank of the ditch thence with the ditch North 3½ West 36 poles to a Stake on Rambo's line, then with Said line north 8½ West 7½ poles to a Stake. South 58 West 2½ poles to a Stake South 19 East 16 poles to a red oak, north 67 West 76 poles to a white oak, thence with Rambo's line South 32 West 20 poles to a hickory. North 89 west 40 poles to a Stake, South 30½ East 10 poles to a Stake ~~South 5½ East 5½ poles~~ South 7½ East 120 poles to a hickory a corner of one of the old surveys, south 71 West 20 poles to a Stake South 5½ East 5½ poles to a stake, north 7 West 60 poles to a Stake, north 35 West 27 poles to the beginning.

3 Tract containing Sixty two and a half acres lying on Matsens branch being timber land beginning on a Stake and hickory corner to an old Survey running with the same north 50 East 140 poles to a stake, South 33 East 162 poles to a pine, South 60 East 62 poles to a stake, south 32 West 7 poles to a Stake north 69 West 276 poles to be beginning. Which in our opinion constitute one third of the real estate of the said Anthony Lawson Decd taking in to view the quantity and quality. Given under our hands and Seals this 29th day of March 1858."

Wellington McMahan (seal)

H.M. Thomas (seal)

Jno. S. McNutt (seal)

Rent of Land: Wellington McMahan rented to A W Lawson about 60 acres, 12 or 15 acres to be planted in corn and rest in wheat "for which is to pay one third of the grain raised, the corn to be paid in the field when gathered, the rest wheat to be paid when harvested and cleaned." Also rented sd. Lawson small piece meadow about two acres for which he to pay \$10.00. Also rented A.W. Rose about 7 acres for corn and he to pay one third. Rented sd Rose 10 or 15 acres for wheat and oats and to pay one third. Rented to M Clabough about 3 acres to be cultivated in corn "for which he is to pay one third of the corn raised to be delivered at Catharine Lawsons." 5 April 1858.