

since remain in my heirs as already stated
 or be disposed of by them when and as they
 choose In witness whereof I have hereunto set
 my hand and affixed my seal this the 27th
 day of July 1880, in presence of
 W. H. Linn John Phillips
 John Phillips

Last will of James Gilliland

I James Gilliland do make and publish
 this my last will and Testament hereby re-
 voicing and making void all other wills
 heretofore made by me

I desire first that my funeral expenses and
 any just debts be paid as soon as practica-
 ble out of any moneys I may be possessed
 of or may first come to the hands of my
 Executor after my death

2nd It is my will and desire that my wife
 Lily Gilliland have the use and control and
 benefit of the following named lands
 my home tract - the Brown tract - the
 John Gardner's tract - the common tract on
 the south side of the Alley Gardner's lower
 tract as divided between me and my son
 Frank and all the lands I own adjoining
 my home stead & vicinity by deeds or grant
 and also the tract at the mouth of Hal
 in Calaveras county except the store house and
 lots adjoining same and the house and
 lots occupied by my son Allen for her
 support - during her natural life and
 after her death to be disposed of as I have
 after set forth, I also will and bequeath
 all my personal property of every descrip-
 tion - moneys notes accounts household
 and kitchen furniture farming tools
 and live stock together with all provisions
 and supplies to use and dispose of
 as she chooses

3rd It is my will and desire that my
 daughter Emma have more of my estate
 than would be an equal share on
 account of her having given me when
 mother a great deal of attention in our infir-
 mities and waiting upon us at the sacrifice

of her time and comfort - I therefore will convey
 to my said daughter the tract known as the Allen
 Galloway tract that I derived from my father and
 the following description part of the said Galloway tract
 and common tract beginning at a Hickory and cedar
 joint a corner between me and my son Frank running
 thence west to a large gate near where William Loring
 show wood lines on the dividing line between me and
 my said son running thence west to an old river
 then south to a big gate, at an old place then west to
 a small white Walnut at a limestone bluff at
 the head of a hollow then south to Mr Peases land
 on the south boundary of my land then west and
 Peases line to the southwest corner of the said Allen
 Galloway two hundred acre tract then west the
 line of said tract to the southwest corner of same
 then north to a corner of my tract and a tract owned
 by Mr R Garden line then with the line of said Gar-
 den line tract west to or near the end of a cross
 fence then north with said cross fence to the big road
 then east with the big road to a corner of said two
 hundred acre tract then north to the north east
 corner of said two hundred acre tract then east to
 the old Long common tract and with the line of
 said common tract do as to include the same
 Except the houses and lot and spring which are
 herein after willow to my son Frank to said Frank
 line and with same to the beginning I also
 desire my daughter Emma to have out of the
 proceeds of my estate two hundred dollars in
 money one horse worth one hundred dollars
 two cows and an organ

4th I will convey to my son Lee Galloway the
 following described land beginning at the end of the
 cross fence next to Mr Galloways running thence to the
 corner in the road near the end of Nelsons line and
 Mr Galloways shop then north crossing the road
 and with my sisters boundary line and Miss Anne
 Korman's line to a corner near the road leading to Mr
 Broys place then east to the foot of a hill and on
 the line between me and John Pittrey thence contin-
 uing east and with a dividing fence between me and
 said John Pittrey to said Pittreys corner in my line
 then north to my extreme northern corner then east to
 the corner in the road near hollow the extreme eastern
 corner of the School land tract then south with my
 line to a fence then to the beginning in such manner
 as will be sufficient to be worth two thousand dollars

on equal with my other children should there be example
of land in said boundary to do so In valuing said land
to my son I say the buildings are not to be considered as
he put them on it - and he is entitled to the benefit of
said buildings

5th It is my will and desire that my son
Frank have a piece of land adjoining him to begin
at a chequing piece corner below the Alley Green in
tract and Brown tract running north to the north
the boundary line of my land and running south
to include the spring or fountains on the bottom
tract - I have heretofore advanced and possessed
up to my son Frank together with this piece of
land herein devised to him to make him equal
with what I will be able to do for my other children

6th It is my will and desire that the children
of Eliza Wells by my deceased daughter Tom
Florence, Alice, Purvance who is married to what
Gardner's son, Erica Hooley and Mary, Mary
have the tract of land known as the John
Gardner's tract and also a thirty seven acre
tract of timbered land on the side of the mountain
I have a deed setting forth the meet and
boundaries of said land or that they have a suff
iciency of said land to make them equal in
value to the lands devised to my son John
I desire Eliza Wells to have a home and support
out from said land as long as she remains
widowed

7th I will make bequest to my sons Allen
and J R Purvance two thousand dollars
each of the land at the mouth of Wolf Allen
to have his two thousand dollars worth land
and if so as to include the buildings and
improvements where he lives the buildings to be
valued at two hundred and fifty dollars
the two thousand dollars worth to my son John
is to be given of so as to include a spring
and building site near the river I also in
addition to the above named gift desire and
will that my sons Allen and J R have the
store house and lot adjoining same jointly
between them

8th I will make bequest to my daughter Lily
High two thousand dollars worth of ~~land~~
said tract of Wolf tract provided there
be enough left to be worth that
amount after the shares of Allen & J R

were laid off & should there not being
 to be worth two thousand dollars, then enough
 of the undivided part of the Alley Garden
 down track is to be laid off to her to make
 the defect or make them equal with the rest
 got I desire a track of land I own known as
 the bob beson track to be sold since the pro-
 ceeds equally divided among all my children
 unless it becomes necessary to apply the pro-
 ceeds to some of my children to make them sha-
 re alike, and should there be a portion of the
 Alley Garden down track on account of it left
 after each ones part is laid off I desire that
 the same be divided equally among all
 my children,

18th I request John Bibbey John Hooper
 and Milton Dealey to lay off some value
 the lands herein devised to my son Lee
 and the children of Belcher Wells and should
 there be a deficit in value of the land
 the amount of Holy willow to Lily High to
 lay off some value to her off of the undivided
 part of the Alley Garden down track to
 make her equal in share with Lee and Wells
 children, and I request B. R. Maxfield Morgan &
 C. and R. A. Wilborn to lay off some value the
 lands on Holy river, devised to Allen Polk and Mrs.
 High and set forth each ones part by metes
 and bounds, I desire since commissioners left
 the specific bequests are set apart to my daughter
 Berner, and the store devised to Allen and Polk
 to divide the lands in the manner herein set
 forth first giving to each enough to make
 there be that needed, to make them equal with
 what I have heretofore given her, which
 I consider to be equal to two thousand dollars
 then should there be more than enough to make
 each that amount, then all to share alike
 in the remainder of my land and estate,
 In witness whereof I have hereunto affixed my
 hand this 9th day of March 1881,
 signed and acknowledged James Gilliland
 in our presence March
 9th 1881

J. S. Roberts

J. P. Hooper

Joseph A. Baver

Coetial

Whereas I James Gilliland was not appointed executor to the above will dated March 9th 1881, which is attested by J. S. Roberts J. P. Hood and Joseph A. Bane and therefore I appointed myself and constitute A. J. Gilliland and J. P. Hood and the Executors to the said attested will with full power and authority to execute and carry out all the provisions in said will. In testimony whereof I declaim and proclaim in the presence of J. P. Hood Joseph A. Bane and J. C. Cooper the subscribing witnesses herewith that this my codicil to the above will which I have executed at my house on this the 10th day of March A. D. 1881.

James Gilliland (seal)
We J. P. Hood Joseph A. Bane and J. C. Cooper subscribing witnesses testify that James Gilliland with a sound mind assigned the above codicil in our presence and declared before us that it was his free act and deed for the purposes therein described and that J. C. Cooper was interlined before the said James Gilliland assigned the codicil and that we subscribed our names in the presence of each other and the said James Gilliland and by his request on the day and in the year written in the codicil

J. C. Cooper
J. P. Hood
Joseph A. Bane