

WILL  
ED VON BERGIN 29 JUN 1899

I, Ed Von Bergin, of Tracy City, Grundy County Tennessee being of sound and disposing memory do hereby make and publish this as my last will and testament, revoking and making void all other wills by me at any time ~~by me~~ heretofore made. I direct in the first place that my ~~funeral~~ funeral expenses and all my just debts be paid as soon after my death as possible out of any moneys that I may die possessed of, or may first come into the hands of my executrix.

**Secondly**, I give and bequeath to my beloved wife, Julia Von Bergin all my real and personal property of every character, subject however to the conditions herein after stated. Said property is more particularly described as follows:- 1st-

The house and lot where we now live bound on north and east by Finch, south by T.C.I & R.R.Co., and west by street. 2nd.-

The store house and lot that we are now selling goods on *N 1/2* street, which is 30x100 feet.

3rd.-

One house and lot on Myers Hill, bounded as follows:- **Beginning** on a rock in Jasper road at G.W. Killgore's garden, running thence east 209 feet to a rock on north side of Jasper road, thence north 209 feet to a rock, thence west 209 feet to a rock, thence south 209 feet to the beginning, containing one acre more or less.

4th.-

The lot known as "Brick-Yard Lot". Beginning on a *stake running* south 104 1-2 feet to a stake, thence west 104 1-2 feet to a stake, thence north 104 1-2 feet to a stake, thence west 104 1-2 feet to a stake same being the **beginning**. All of the above property is situated in the town of Tracy City in Grundy County, Tennessee.

5th.-

One lot situated in the 2nd. Civil District of Marion County, Tennessee, corner at a white oak, run thence south 74 1-2 east to a rock corner and to a cross-fence, thence with said fence northwardly

to Sanders Dykes north boundry line to a rock corner, thence south 12 west 24 1-4 poles to the beginning, containing one acre more or less, and is known as the Mark Dykes house and lot.

6th.-

A one-half undivided interest in 100 acres of land situated in the 5th. Civil District of Grundy County Tennessee, and bounded as follows to wit., :- Beginning on a white oak marked " J.T. " in Johnathan's Branch, running thence 10 ~~xxx~~ poles to a <sup>P</sup> spring, thence east 80 poles to a hickory, thence north 90 poles to a stake, thence west 180 poles to the beginning.

7th.-

All the interest I have in what is known as the Kissling land in or near Greutilli, Tennessee being an undivided interest that I bought at the sale in the case of myself against Arnold Kissling and reference is here made to the proceedings in that case for a more definite description.

8th.-

And all my personal property of every description consisting of the stock of groceries, notes and accounts, cash on hand, all my household and kitchen furniture, horse wagon, buggy etc., Reference is here made to all my title papers and all my other evidences of title for a fuller and better description of all my property.

I further direct that my wife, Julia Von Bergin, take immediate charge after my death of all <sup>of</sup> said property, and use the same as her own, for her own benefit and for the benefit of the family during her natural life, and is to have the right to sell or dispose of said property

whenever it becomes absolutely necessary to do so for her support and for the support of the family. At my wife's death I direct that said property, or the amount of same that may remain at the time be divided equally between my three children, Eda Norvell, Emil Von Bergin, and Emily Von Bergin. After Emil and Emily Von Bergin have first been paid \$500.00 each out of same. That is to say, Emil and Emily Von Bergin are to be first paid \$500.00 each out of said property after the death of my wife, and then the remainder is to be divided equally between Eda Norvell and Emil and Emily as aforesaid. I further direct that in the event my wife, Julia Von Bergin, should re-marry, then she is to share equally with my said children under this will after Emil and Emily have been paid five hundred dollars each as aforesaid. And lastly I do hereby nominate and appoint my wife, Julia Von Bergin, as my executrix to carry out the purposes of this will, and having the utmost confidence in her ability and honesty to do so I hereby excuse her from making bond as such executrix.

I further suggest that she be appointed guardian for my minor children, and having the utmost confidence in my friends, Jas. O'Neill and E.C. Norvell, I hereby suggest and recommend that they advise with my wife in carrying out the purposes of this will.

In witness whereof I hereby set my hand on this the 29th. day of June 1899.

*Ed. von Bergin*

Signed and published in our presence and we have subscribed our names hereto in the presence of the testator on this the 29th. day of June 1899.

*Douglas Hayes, M.D.*  
*James O'Neill*

However, if because of a deficiency of assets, the estate of the deceased is not sufficient to pay the debts of the estate, the assets of the estate shall be divided equally between the three children, Edna, Bertha, and Emil. After Edna and Bertha have first been paid \$500.00 each out of said estate, that is to say, Edna and Bertha each to receive \$500.00 each out of said property, and after the debts of the estate are paid, and then the remainder is to be divided equally between Edna, Bertha, and Emil as aforesaid. Further stated that the said Edna, Bertha, and Emil, should receive the same amount of money, and the said Edna, Bertha, and Emil have each been paid five hundred dollars and the family of the deceased and the estate of the deceased, Edna, Bertha, and Emil, as an executor to carry out the purposes of the will of the deceased.

May 25th 1899

Edna von Bergen  
 Bertha von Bergen  
 Emil von Bergen  
 John von Bergen  
 John von Bergen

**STATE OF TENNESSEE, } Register's Office, Altamont, Tenn. Sept 26th 1899.**  
**GRUNDY COUNTY. }**

I, T. W. Pirtle, Register of said county, do certify that the foregoing *Will & Testament* and certificate are registered in said office, in Book No. *1724*, page *173*, that they were received *Sept 24th* 1899, at *4* o'clock *P*.m, and were entered in Note Book *1*, page *9*. *T. W. Pirtle* Register.

This is to certify that the foregoing will and testament and certificate are registered in said office, in Book No. 1724, page 173, that they were received Sept 24th 1899, at 4 o'clock P.m, and were entered in Note Book 1, page 9. T. W. Pirtle Register.