

2^d, I desire that the land which I own being a tract of land lying in Lincoln County Ky be sold on such credit as my Executor may direct and my Executors is hereby empowered to sell and convey said land and out of proceeds my Executor is directed to pay to the said three slaves Jacob, Maria and Amanda the sum of twenty dollars each and the residue of the proceeds of such sale to be divided among the said three slaves, Jacob to have one fourth, and the balance to go in equal shares to Maria and Amanda, except however the twenty dollars the shares of each of the said slaves, the share of Jacob and Amanda to be vested in the hands of Wilson Green, who is directed to lend out the same from year to year and pay over annually the interest on the same to the said Jacob and Amanda for five years after my death, after which five years the principal is to be paid them in the three equal annual instalments and the share of said Maria to be vested in hands of said Edmund Powell with same directions and powers—

3^d, I, hereby make and appoint Wilson Green and Joshua Rice of Boyle County Ky the Executors of this my last Will and Testament— In testimony whereof I have signed and sealed this my last and Testament this 19th day July 1842

Read and interlined before signed

Elizabeth Rogers

Signed in our presence

A. W. Huxar

A. S. Wilson

State of Kentucky
Boyle County Court

I Thomas B. Nichols clerk of the Court for the County of aforesaid do certify that this will of Elizabeth Rogers was produced to said court on the 1st day of the April Term 1845 and by consent of the parties concerned was continued until the third day of the said term ~~of said~~ and on the third day of said term aforesaid the same was again produced in open Court and ordered by the Court to be continued until the next Term thereof And afterwards on the 19th day of May 1845 said will was again produced in open Court and on motion of one of the executors named therein the same was continued until the next term and leave given the parties to have subpoenas issued for witnesses to testify in relation to the probate of said will. And afterwards at the June Term of said Court 1845 the said will was again produced in open Court at which time an instrument of writing purporting to be a marriage Contract between Elizabeth Parks (now Rogers) and Evan Rogers was produced as evidence in the case which said Contract was proved to have been executed by the aforesaid parties by the oaths of John Higgins and Mary Hutcheson (now Mary Green) subscribing witnesses thereto, and at the same time said will being proved by the oaths of A. W. Huxar and A. S. Wilson sub-

scribing witnesses thereto, to have been duly executed by said Elizabeth Rogers, the same together with the aforesaid marriage Contract was ordered to be Recorded— Whereupon the said will and marriage Contract, are truly admitted to Record in my office Given under my hand this 16th day of June 1845.

Thos B. Nichols clk.

Ezekiel Gaines Will

In the name of God, Amen, I Ezekiel G. Gaines of the County of Boyle and State of Kentucky being feeble in body and he alth but of sound disposing mind and memory do make and ordain constitute and publish this my last will and testament, hereby revoking all other and any former wills and Codicils by me heretofore made— Item 1st I wish and direct my executors hereinafter named to first pay my funeral expenses, and my just debts— Item 2^d I give and devise to my daughter Ellen McRoberts, Susan Gaines, Emily McGinnis, Almira Gaines and my grand daughter Susan Balling, and Dabitha Balling child of my deceased daughter Eveline Balling, the two last together to take an equal share with each of the other of my daughters, the following tract of land and its appurtenances to hold jointly to them and their heirs forever— Beginning near the big cave spring at Southons factory at my corner north of Southons thence north over the strong bluff to the worn rail division fence between the fields on the hill thence with said division fence to a pair of bars, now standing in the fence running east and west, thence with the fence in which the bars are west to the corner of the field called the hemp field, thence nearly a north course to a stone corner in a small white walnut thicket between Anderson Rice and myself, thence with the line between said Rice and myself nearly west to the line between Cal. J. McDonnell and myself thence on with said line between said McDonnell and myself to my corner on the bank of the creek or branch, thence up said creek or branch with its meanderings to Fishers old mill following my line and bearing out said mill thence with the old rail race of said mill to my corner near a spring on the side of the hill, thence with my line to said branch, up said branch to the Beginning— Item 3^d I give and devise to my wife Susan Gaines her during her natural life and to my two sons Benjamin M. Gaines and Ezekiel G. Gaines all my other land not herein before devised, my said wife to hold the same jointly during her life with my said sons Benjamin M. and Ezekiel G. Gaines and at her death I will and devise the same with the horse mills and other appurtenances thereto belonging to my said sons Benjamin M. Gaines and Ezekiel G. Gaines and their heirs forever— Item 4th I give and devise to my wife Susan Gaines during her natural life and to my son Benjamin M. and Ezekiel G. Gaines the following negro slaves, Negro woman Sidney Martha, and boy John, my wife to hold jointly, the said negro slaves

with my said sons and at her death I devise said negro slaves and their increase to my said sons Benjamin M. and Ezekiel F. Gaines and their heirs. Item 5th I give and devise to my daughters Ellen M. Roberts Susan Gaines, Elmira Gaines, Emily M. Gaines and my grand daughters Susan E. Walling and Tabitha Walling children of my deceased daughter Caroline Walling the following negro slaves to wit, Daniel Charles Allen Lewis, and Wesley to hold jointly to my said daughter and grand daughters and their heirs; but my said grand daughters together hereinafter are to take an equal share with each of my daughters. Item 6th In as much as I gave leave to James Hutchings to build a blacksmiths shop near Southons factory at the Culvert on my ground now well and desire that said Hutchings shall have the use of said ground for a shop for four years without rent, the said Hutchings to leave all improvements he makes on the said ground for the use of the same. Item 7th I will and devise to my wife Susan Gaines, and my two sons Benjamin M. and Ezekiel F. Gaines so much of my household and kitchen furniture, and stock and farming utensils as my said wife may select and choose to keep to carry on and manage the farm with, which property is to be taken at the appraised price, and I will and desire that the residue of my personal property be sold by my executor hereinafter named and that the proceeds of the whole of my personal be equally divided between my wife and children, and grand children Susan E. Walling and Tabitha Bowling so as to give to the two grand children together an equal share with each of the others. Item 8th I will and intend to give to my beloved wife Susan Gaines such power and Control over the personal property herein devised to her and my two sons to sell and dispose of the same and its increase as she may think necessary and expedient to enable her to carry on and manage the farm. Item 9th I appoint and constitute my friend, Hayden F. McRobert and Lucy B. Bales my executor of this my last will and testament hereby revoking all other and former wills and Codicils by me heretofore made. In Testimony whereof I have hereunto set my hand and seal this the 16th day of March in the year Eighteen hundred and forty five

Acknowledged Signed
in presence of
A. Rice
James Hutchings
Joseph Smith
Codicil
I Ezekiel F. Gaines, make and obtain this further addition and change by way of a Codicil to my foregoing last will and testament and as part of same do devise and give to James Hutchings the right to live on occupy and enjoy the house and

lot at the Stony Point where he now lives for four years by his paying to my executor the sum of Twenty eight Dollars per annum to be paid at the expiration of each year. Item I give and devise to my daughters Ellen M. Roberts, Susan Gaines, Emily Gaines, Elmira Gaines, and my grand daughters Tabitha and Susan E. Bowling, the two grand daughters to take together an equal share with each of the other daughters, my negro woman Sidney instead of to my wife and sons as before directed. I therefore empower and authorize my executor Hayden F. McRobert and Lucy B. Bales to sell the land here in before in my will devised to my daughter, and grand daughters, and for that purpose and to enable them - sell and convey the same, - devise the same to my said executor and - proceeds of said land is to be divided between my said daughter and grand daughter so that my said grand daughter Tabitha and Susan E. Walling shall together receive an equal share with each of my daughter, and my said executor are directed to sell the negro slaves herein devised to my said daughter and grand daughter and divide the proceeds of the same among my said children to whom the same are devised, as the proceeds of the land are directed to be - and my said executor are directed to sell the land and negroes at such time and on such terms as to them shall appear most advantageous. In Testimony whereof I have hereunto set my my hand and seal this the 16th day of March A.D. 1845.

E. F. Gaines (Seal)
Signed and acknowledged
in the presence of witnesses by
Saml. Ayres
Joseph Smith
State of Kentucky
Boyle County Court Sep

I Thomas B. Nichols clerk of the Boyle County Court do Certify that this will and Codicil of Ezekiel F. Gaines as produced to Court at the July Court 1845. and the said will was proved to have been executed by said Gaines by the oath of A. Rice and Joseph Smith subscribing witnesses thereto and said Codicil being proved by the oath of Saml. Ayres and Joseph Smith, subscribing witnesses to the same, said will and Codicil were ordered by the Court to be Recorded. Whereupon said will and Codicil together with this Certificate have all been regularly and truly admitted to Record in my office Given under my hand this day of July 1845
Thos B. Nichols Clerk
Boyle County Court.