

Convention for their African Missions, and One Hundred Dollars to the same Convention, for their Indian Missions; Two Hundred Dollars to the American Christian Missionary Society; and the remainder to be equally divided between the American Bible Union, and the American Colonization Society.

5th Should my sister Mary M. Smith, for whose benefit my estate is to be an interest, as expressed in Section 4th, prefer the investment of a portion of the principal in a dwelling-house, it is my will that my Executors, or my Trustee, as the case may be, purchase such a property as she may desire, provided it shall not cost more than two thousand dollars, which property shall be held by my Trustee for her benefit, with power also to dispose of the same, and at her death the proceeds thereof shall be subject to the provisions of Section 4th.

6th I appoint my friends Jos Joseph Smith and Saml. Ayres of Danville, Ky., my Executors under this Will, for the settlement of the affairs of my estate; + I appoint my friend Saml. Ayres Trustee + Charitable Agent, with power to appoint his successor, to carry out my will as expressed in the 4th Section.

Nov. 14th 1858.

Ephraim A. Smith

Witness

John Geiser
S. W. Givens

State of Kentucky

Boyle County Court - December Term 1858

I, J. P. Zimmerman, Clerk of the County Court aforesaid do certify that the foregoing instrument of writing, purporting to be the last Will and Testament of Ephraim A. Smith, dec'd, was produced to the Court at its above Term, and proved by the oath of S. W. Givens, one of the subscribing witnesses thereto, and the signature of John Geiser, the other subscribing witness, also proved by the oath of said Givens, who testified that said writing was signed and acknowledged by the testator in their presence; and that they witnessed the same in the presence of each other, and in the presence of the testator, and at the instance and request of the latter; and that the testator at the time was of sound mind and disposing memory. Whereupon it was adjudged by the Court, that said instrument of writing is the true last Will and Testament of Ephraim A. Smith, dec'd, and as such it was ordered to be recorded, which hath been truly done in my office.

this 22nd day of December 1858.

J. P. Zimmerman, Clerk B. C. C.

State of Kentucky - Boyle County

The last Will and Testament of Isaac Serier of the State and County aforesaid.

I. Serier.

I, Isaac Serier; considering the uncertainty of this mortal life, and being of sound mind and memory, do make and publish this my last will and testament, in manner and form following, that is to say. Item first. I give and bequeath unto my beloved wife Agness D. Serier all my land and all the rest residue and remainder of my personal estate goods and chattels, of what kind and nature soever, I give and bequeath the same to my said beloved wife Agness D. Serier to hold and to have the same during her natural life at her death I will that the land be sold together with all the goods and chattels belonging thereto and divided between my children and grand children as follows. I will that all my just debts be paid. I will that John D. Serier my son have one-third that Agness D. Serier my daughter have one-third that Elizabeth C. Durham and Isaac J. Durham have one-third of the money arising from said sale.

I hereby appoint and will that Sherrod P. Burton, John B. Tadlock, and John D. Serier sole Executors of this my last Will and Testament, I will that John D. Serier live with my wife, and I hereby revoke all former wills by me made. In witness whereof I have hereunto set my hand and seal this the 15th day of February in the year of our Lord one thousand eight hundred and fifty-nine.

Isaac Serier Seal

The above instrument consisting of one sheet was now here subscribed by Isaac Serier, the testator, in the presence of each of us and was at the same time declared by him to be his last will and testament and we at his request sign our names hereto as attesting witnesses.

John B. Tadlock Seal
Harvey N. Mitchell Seal

State of Kentucky

Boyle County Court - March Term 1859

I, J. P. Zimmerman, Clerk of the Boyle County Court do certify that the foregoing instrument of writing purporting to be the last Will and Testament of Isaac Serier, deceased, was produced to said Court at its above named Term, and proved by the oaths of John B. Tadlock and Harvey N. Mitchell, the subscribing witnesses thereto, who testified that said testator signed and declared the same in their presence, and that they witnessed the same in the presence of each other and in the presence of the testator, and at the instance and request of the latter - and that said testator was at the time of sound mind and disposing memory. Whereupon said instrument

223
of writing was adjudged by the Court to be the true last Will and Testament of Isaac Serret, decd, and as such was ordered to be recorded - And the same, with this certificate hath been duly recorded in my office. Given under my hand, this 22nd day of March, 1859.

Jas. P. Zimmerman Clerk

Widow

I, Theresa Graham, wife of St Christopher Graham, of the Town of Danville, Boyle County, Kentucky, do declare the following to be my last Will and Testament.

Firstly - I hereby give and bequeath to my four daughters Sarah Akin, Mary Adams, Ellen and Theresa Graham Ten Thousand Dollars each, in the manner and with the restrictions following - To my daughter Sarah Akin, Ten Thousand Dollars, to be paid over to her and her children by my hereinafter named Executor, as soon as my property can be conveniently divided, and in such manner as that her husband, David Akin, nor his debts, can have any control over the same. To my three daughters, Mary Adams, Ellen and Theresa Graham, Ten Thousand Dollars each, the same to be held in trust by my hereinafter named Executor, for them and their children, the interest or income accruing on the same to be paid over to each on her separate portion annually, the principal or original amount to be held by my hereinafter named Executor strictly for the benefit of the children of my said daughters, Mary, Ellen and Theresa, when they shall have reached majority, and in the event of the decease of either one or more of my said daughters, Sarah, Mary, Ellen + Theresa, without children, then her or their portion, as before set forth, shall be paid over to the survivor or survivors, or their children, in equal proportions.

Secondly, I hereby give and bequeath to my sons James and Montrose Graham all the residue of my property, consisting principally in certain lands near Chicago, Illinois, providing that the said lands do not sell for more than Twenty Thousand Dollars, and in case they do sell for more than that sum, then such surplus shall be divided equally amongst my four daughters and their children in the manner aforesaid. I hereby further will and direct that the property hereby bequeathed to James and Montrose Graham shall be held in trust by my hereinafter named Executor for their and their children's benefit to be paid over to them on reaching majority and in the event of the decease of either or both James and Montrose without children, then his or their portion or portions shall be equally divided amongst the before named parties inheriting by virtue of this Will.

I further will and direct that my landed property shall be

disposed of at as early a date as it reasonably can be, in order that the provisions of this Will may be carried out.

I hereby nominate, appoint and fully constitute, William Thompson, now residing in Keokuk, Iowa, the Executor of this my last Will and Testament, requesting and adjuring him to carry out these my last wishes and intentions in regard to my property.

February 12, 1858

Me. Me. Graham

R. R. Bolling.

Theresa M. Graham

I, Theresa M. Graham, having, by the terms and provisions of the foregoing Will, devised to my daughter Sarah Akin Ten Thousand Dollars - Since making the above Will I have authorized my said daughter Sarah Akin to locate on any part of my Tract of 160 acres of land in the County of about four miles from the City of Chicago, and occupy one-fourth part of said Tract of land, and if the said Sarah Akin shall locate on 40 acres of said Tract, she shall have the same at a price to be ascertained by three disinterested persons and the price of the land so ascertained and fixed by the three persons so chosen is to be deducted from the 10000 - devised to her, and I have also advanced to said Sarah Akin the sum of \$1850 in money and in Bank Stocks, which must also be deducted from her portion of \$10000. And in case she does not locate on said land, I wish my Executor named in the foregoing Will, to sell the whole of said 160 acres of land as soon after my decease as he may deem best, giving my said Executor discretionary power to sell same privately or publicly, still approving of all the provisions of my Will above, with the proviso above mentioned.

It is understood that Mrs. Sarah Akin in selecting her 40 acres, she is to select the same so as not to interfere with the house now on the land. Given under my hand, this 14th July, 1858

Signed and delivered

in presence of
R. R. Bolling
M. E. Bolling

Theresa M. Graham

State of Kentucky

Boyle County Court - June 9th 1859
I, Jas. P. Zimmerman, Clerk of the Boyle County Court, do certify that the foregoing instrument of writing purporting to be the last Will and Testament of Mrs. Theresa M. Graham, decd, was produced to said Court, at its above named Term