Isaac Montgomery's Will

In the name of God Amen — I Isaac Montgomery of the County of Mercer & State of Kentucky being sick and weak in body but of sound mind and disposing memory do hereby make and ordain this my last will and testament revoking all former Wills or testaments made by me in manner and form as followeth (viz) — 1st I desire that all my just debts and funeral expenses be paid from such parts of my estate as my Executors hereafter named may judge most advantage and interesting to my estate

2nd What earthly estate as it has pleased providence to give me either personal or real I hereby leave with and vest in the hands of my beloved wife Nancy Montgomery for and during her natural life — but desire she will from time to time give off from my estate to all my children that is now in my family — or those who have not received a portion of my property — as they arrive of age or marry — untill she makes all such of my children in amount equal to those of my children who have received already a part or parts of my estate — my said wife being the proper judge in this matter — and after the decease of my ~~of my~~ wife my will and desire is that all and singular the estate of mine left with her & any increase should there be any — may be turned into money and the same to be equally divided among all my children or in case of any of their deaths before that period — should they leave issue of their own — then in that event — I desire their children to succeed to the dividend such parent would have been entitled to — 3rd I desire that my wife will have all my children schooled in about the degree or proportion to those who have left the family already — and in order she may be enabled to do so she is hereby authorised and impowered to sell or dispose of such of my stock or other property as she may deem most wise and interesting to the estate at large — and likewise is empowered and hereby authorised to sell and dispose of from time to time any increase and surplas of the estate for her own and the family's support — 4th I have an interest of two shares or legacies in my Mothers Dower Lands after the sum of fifty five dollars is paid — which is only to be done at the decease of my said mother — which sum — I expect to leave with my wife — and desire the same to be paid over accordingly and that so soon as the said Dower Lands may be disposed of and turned into money that the same be equally divided among all my children — 5th and lastly I hereby

constitute and appoint my said wife and my son Levy Montgomery with full power and authority to carry the foregoing will into effect — in all & singular its parts — and hereby make it known to all to whom it may concern that reposing special trust and consequence in their ~~their~~ honesty and integrity, do hereby — confide the execution of the foregoing will to them without their being required by the law or court to give bond and security for its faithfull management — they are only requested to present this will to the County Court of Mercer for record & safe keeping — and then to proceed with full power and authority to its completion without appraisement or other legal formality — In witness whereof I have hereunto set my hand and affixed my seal this day of October in the year 1855

Isaac Montgomery (Seal)

Signed Sealed published and declared as and for the last will and testament of the above named Isaac Montgomery in the presence of us
Wm Wade
Obediah Bournfield

Codicil

I Isaac Montgomery the above named testator do hereby make and publish this Codicil to be added to my last will and testament in manner following (to wit) It is my will and desire that that portion of my estate which may fall to my daughter Sally Piper in an equal distribution of my estate by my Exors among my children that they are hereby authorised and directed to secure the benefit of the same to my said daughter Sally Piper for and during her natural life — and after her demise the heirs of her body — to be equally divided among them and in no event is her husband Morris Piper to be allowed to take from the proper use the benefit of said portion of my estate from my said daughter and after her death that of her children — nor taken from them in the payment of any debts of his — I also constitute and appoint in addition to my Exors already named my son Elias Montgomery to execute the whole of my will including this codicil and is further authorised to take all and any legal measures in securing to my said daughter Sally her portion of my estate according to the provisions made in this codicil and after the death of my wife it is my will and desire that my Executors to my and codicil may enter a formal administration of all the property that my said wife may leave on hand and have the same turned into money and distributed

among all my Children according to the provisions of my will and this codicil except my daughter Sally Piper of which I desire and do hereby direct — a additions part of her portion may be laid out for a peice of land for her & her children benefit — the Title secured to the heirs of her body — I witness whereof I have hereunto set my hand & seal this 18th day of August 1840

Isac. Montgomery (Seal)

Attest
Wm Wade
G. S. Caldwell
Jacob Crow

Mercer County Sct — Mer County Court 1840
The foregoing last Will and testament of Isac Montgomery dec^d was proved by the oath of Wm Wade witness thereto who also proved the witnessing of Wm B. Brumfield & to be recorded also the codicil prov^d by S^d Wade & Gab^l S. Caldwell & ordered to be recorded

Attest Thos. Allin C. C.

Mercer County Sct —
I Thomas Allin Clerk of the Court for the County aforesd do certify the foregoing is a true copy of the last Will and testament and codicil of Isaac Montgomery dec^d as the same is on record in my office
Given under my hand this 15th day of January 1846

Thos Allin C C

State of Kentucky
Boyle County Court } Sct —
I Thomas B. Nichols Clerk of the County Court for the county aforesaid do certify, that this attested copy of the last will and testament & codicil of Isaac Montgomery dec^d was produced to said court in open Court at the January term 1846 and ordered to be recorded — whereupon said will and codicil together with the certificates thereon endorsed and the foregoing certificate, have been duly admitted to Record in my office — Given under my hand this 19th day of January 1846 —

Thos B. Nichols Clk

Francis Neff's Will

I Francis Neff of the county of Mercer and state of Kentucky do make and ordain this my last will and testament First — I will and desire that all my just debts be paid by my Executor herein after named as soon as convenient after my decease — Second — I will and desire that my daughter Polly Richardson, my daughter Susan Binger, my daughter Betsy Scott my daughter Sally Martin my daughter Nancy Martin my daughter Hana Cornett my son George Neff and my son John Neff shall have what property they and each of them have already received of me by way of advancement without accounting for it hereafter in a final distribution of my Estate — Third — I will and desire that my daughter Catharine have my bay mare called fly which is now claimed by her and her saddle one bed and furniture together with whatsoever cloathing and bed cloathing she may hereafter make as her own and the sum of fifty dollars in money and a bureau in order to make her equal with those above named who have already left me and received advancements. Fourthly. I have leased to my son-in-law Williamson Martin my house and farm during my life and sold to him the greater part of my stock and other articles. Now my will and desire is that my said son-in-law Williamson Martin and my daughter Catharine (provided Catharine should be unmarried at the time of my decease) remain on the place undisturbed until the first day of March next succeeding the time of my decease, no matter what time of the year my decease may take place (and for the purpose of preventing any difficulty or dispute that might otherwise take place between my Executor and my other on one side and the said Williamson Martin and Catharine on the other side and having full confidence in the honesty and justice of said Martin and Catharine I now declare that the said Williamson Martin and Catharine are to have any and all the property which they and each of them claim as their own which may be found on the place at the time of my decease — Fifth I will and desire that as soon as convenient after my decease my Executor herein after named make public sale of all my Estate real, personal or mixed upon such terms and upon such credits as he may in his discretion think fit and expedient and the proceeds thereof (after paying my debts &c) be equally divided among all my children hereinbefore named share and share alike and if any of my said children should die