

I John Tompkins of the town of Danville & County of Boyle do make and declare this instrument of writing to be my last will and testament, hereby revoking all former wills by me made.

My first wish and care is that all my just debts be paid, at as early a day as possible after my decease.

For that purpose it is necessary that part of my landed estate be sold. I therefore direct that so much of my lands as lies on the West side of the Turnpike from Danville to Hustonville and South of a line drawn from a Sycamore stump Westwardly in the direction of a tree standing outside of my fence and in the middle of the creek (running upon ground most suitable for a fence) be sold.

I direct further that so much of my lands lying on the East side of the same Turnpike, and South of a line drawn from a tree near the fence and about 50 yards South of the Ice House East to a small drain or branch & thence due North across the creek to a stone fence, and thence with the fence & around with my line to the lower end of my farm be also sold. The sale to be made by the Executors of this my will on such terms and credits and at such time as in their judgment will best promote the interest of my estate & secure the speediest payment of my debts - and to this end they are now here invested with the power and title to make a conveyance to the purchaser or purchasers upon the payment of the purchase money. They may sell the same in such parcels as they deem most advantageous to my estate.

All the rest of my landed estate together with two of my negro men & two of my negro women which she may choose, & either my negro boy Tarleton or George, which she may select, the buggy & carriage, Six choice Miled Cows - four choice work horses or mares and oxen and such of the provisions in the house or on the farm, and such of the household & kitchen furniture as she may want (all if she desires it) I now give to my beloved wife Pamela during her life and at her death to become the property of my children.

I give to my daughter Maria Craig my negro girl Sarah aged about 8 years & to my daughter Julia I give my negro girl Betty aged about 6 years, and to my son Henry Clay I give my negro boy Sim aged about 4 or 5 years these gifts are not to be charged to them in the division of my estate - I further direct that out of my estate & at the cost thereof my son Henry Clay shall be educated.

All the rest of my estate I direct shall be sold by my executors upon such terms as they may deem best - but it is my wish and desire that in disposing of my negroes my executors shall have regard to keeping them as near their wives & husbands & parents as possible, and for this purpose they may sell them privately, but not at too great a sacrifice.

I have heretofore advanced to several of my children money & property. I will, in my own handwriting, make out a list of these advancements & enclose the same in this my will. It is my will that my property & estate be divided equally among my children after my wife's death, after having made equal the advancements to them, that is after such as have had nothing get a sum equal to those to whom advancements have been made. If anything remains after the sale of the property herein directed: It shall first be employed by my executors in making an equality of advancements to my children - & then divided among them equally.

I have agreed to pay extra-interest on some of the debts I am owing - I direct my executors to pay my debts as I have contracted them and to observe my engagements in good faith.

I hereby appoint M. T. Chrisman, Geo. M. Proctor and Willis B. Tompkins Executors of this my last will and testament - and desire them to consult with my wife in the distribution & management of my estate, and as far as they think best take her counsel & advice.

Witness my hand this 10th day of March 1862

Witness

R. P. Jacobs

Gas. R. Mears

John Tompkins

State of Kentucky

Boyle County Court Nov. Term 1863

I George B. Nichols Clerk of the Boyle County Court do certify that the foregoing instrument of writing purporting to be the last will and testament of John Tompkins dec^d was produced to Court at its above Term, and it being duly proven by R. P. Jacobs and Gas. R. Mears, subscribing witnesses thereto, it is therefore adjudged by the Court to be the true last Will & Testament of the said John Tompkins dec^d, and as such is ordered to be recorded, which is truly done in my office, Given under my hand this 16th Nov 1863