

I, Doctor Benedict Wathen of Breckinridge County Kentucky, being of sound mind & disposing memory, do make this my last will & testament, hereby revoking all others heretofore made — First,

In regard to my personal property, I desire that my wife shall have such portions thereof as she may judge necessary to be retained by her, for the use of herself and such children as may remain with her, the quantities & kind of such property to be left to her discretion —

The residue thereof to be sold by my hereinafter named executors, at either private or public sale as they may judge expedient, the proceeds of which shall be applied first, to the payment of my debts, funeral expense &c. & the remainder to assist in the education of my younger children — It is my desire that my younger children receive an education equal to my older ones —

I will and desire that my wife Eliza Wathen shall have the use and control and enjoy the profits of all my real estate including the 1108<sup>1</sup>/<sub>2</sub> tract on which I now live and also the portion allotted to me in the division of the Roberts farm on the Brandenburg & Hardinsburg road, until her death or my youngest child attains the age of 21 years, whichever event shall first occur, and if she shall live until the youngest child becomes of age, then I will and devise to her for the term of her natural life, the following portion of the farm on which I live, viz: Beginning at a point on or near the Meade County line where the division line between me & R. M. Wathen terminates, thence with said division line to the lane or road from R. M. Wathen's house to mine thence a straight line to the farm sold by B. W. Wathen to Mattingly, thence with his line & the road to the Catholic church on the base line thence back on said line to the beginning including my dwelling & outhouses &c.

The above devise of my home farm & of my portion of the Roberts tract to my wife is for the purpose of giving a home to my wife & each of my children as may remain with her and for her and their support & maintenance and for the education of the younger children and is to be held by my said wife for said purposes, until the youngest child attains 21 years of age, if she live as long —

There are two situations on the farm eligible for improvement and settlements — Now it is my will, that any two of the children may, during the continuance of my wife's interest therein, that is, during her life & before the youngest child becomes of age by an agreement in writing between them or if under age by their guardians & my wife and the other children who are of age, and the guardians of any of my minor children and my executors who may act — Such agreement defining the

interest of such improve, and upon such terms as all the parties may consider just & equitable, between them & other parties in interest & It is my desire, that no part of my real estate shall be sold during the minority of any of my children - when my youngest child becomes of age or upon the death of my wife whichever shall happen first. I wish an equal division to be made between all of my children of all my estate real & personal taking into consideration advancements which have been or may be made to any of my children so as to make them equal upon the whole - This division of my real estate, if it should occur during the life of my wife, not to interfere with the part hereby devised to my wife, in case the youngest child should come of age she surviving -

but that part so devised she is to occupy as at & during her natural life - I will leave for my executors a written mem: or statement of what I may have advanced to each of my children so that they equalize all in the division of my estate - when my youngest child becomes of age,

I request & authorize my executors to make the division between my said children, to execute deeds of partition & do such such other acts as may be necessary to invest each one with the legal title to his or her share. I hereby appoint my wife Fage Wathen Executrix and Ben Chapman and William F. Spalding my son in law and Ben C. Wathen Executors of this will who or one who may act or the survivors of such as may act are authorized to carry out the provisions of this will -

Witness my hand & seal this 14<sup>th</sup> July, 1871.

Witness

Ben Wathen Seal

Jesse W. Kitchel  
J. M. Kitchel

State of Kentucky  
Buckeye County Court &c.

August Term (19<sup>th</sup> August) 1879.

A writing purporting to be the last will and Testament of Doctor Benedict Wathen deceased, was this day produced in Court by Ben & Richd. Wathen Administrators appointed by this Court and duly proven by the oath of Jesse W. Kitchel, a subscribing witness thereto, who swore that the testator, whom he believed to be of sound mind, signed said writing to be his last will and Testament in his and J. M. Kitchel's presence with his own proper hand, and that they at the request of said Doctor did subscribe said will with their names written by each of them in the presence of said Testator and of each other -

Whereupon it is adjudged by the Court that the paper offered for probate is the true last will and

testament of said Doctor Ben Wathen and as such is ordered to be recorded.

Witness my hand as Clerk of said Court this August 19<sup>th</sup> 1879.

Ed P. Sells Clerk  
Buckner County Court.

Grand

In the name of God Amen. I, Joseph H. Ritchie of the County of Buckner and State of Kentucky being in mind sound and memory clear but in feeble health, do make and declare this to be my last will and testament, all other wills revoking.

1<sup>st</sup> I will that all of my honest debts be paid including burial expenses &c.

2<sup>nd</sup> I will and bequeath to my wife Furell Ritchie all of my household and kitchen furniture.

3<sup>rd</sup> I will that all of my personal estate not disposed of be sold at public auction to the highest bidder and the proceeds of the same be used to pay my debts.

4<sup>th</sup> I will that all property that my wife brought to my house or owned by her be exempt from sale for my debts, and be recognized as her own.

5<sup>th</sup> Should there be a surplus remaining after paying my debts, I hereby will the same to my wife and if there is not enough money to pay my indebtedness, I will that my wife have the use of the house, garden, orchard and one third of the cleared land for her support and home and the remainder rented out to pay my unpaid debts; after which I will all of my real estate to my wife during her widowhood with full control of the same and should she die or marry again I then will my real estate in full to my brother William Ritchie and his heirs.

6<sup>th</sup> I will that my brother William Ritchie act as my agent with full power and authority to execute the provisions of my will; I do this to keep my estate out of business out of the County as far as can be legally done, the same as though he was Administrator believing he will do what is right and proper.

Witness my hand this 10<sup>th</sup> day of August 1879.

Stephen H. Ritchie

J. D. Brother

W. J. Ritchie

Joseph H. Ritchie