

Kentucky Breckinridge County, Et.

County Court Clerk's Office April 5 1857

The within writing purporting to be the last will and testament of the within named James Newman Med. was produced in Court and sworn by the oath of Jefferson Jennings and Milton Board who swore that the testator signed and acknowledged the within writing in their presence as and for his last will and testament and that they believed that at the time of his signing said writing, he was of sound mind & disposing memory whereupon the same with this certificate is admitted to Record

Attest  
S. H. Peyton  
Clerk

Examined

Know all men by these presents that I Henry Wayne of the County of Breckinridge and State of Kentucky knowing the uncertainty of life, and the certainty of death and being desirous of making the following disposition of my worldly goods and now being in good health but of sound mind and disposing memory do hereby make Certain and publish this my last will and testament Item 1<sup>st</sup> I wish all my just debts and legal liabilities just paid together with my funeral Expenses Item 2<sup>nd</sup> It is my wish that my wife shall have her choice of Slaves or any other species of property what soever belonging to my Estate amounting to one fourth third thereof at valuation to use and hold for her benefit during her natural life and then to be divided as herein after directed

Item 3<sup>rd</sup> I have heretofore given my daughter Frances Keith and Martha L. Wayfield three hundred and forty five dollars in cash and property more than I have given to my son John H. Wayne and forty five dollars more than to my son Creed S. Wayne and two hundred and forty five dollars more than to my daughter Polly Morgan and two hundred and twenty dollars more than to my daughter Elizabeth Woodruff and three hundred and thirty five dollars more than to my son Stark D. Wayne and three hundred and twenty dollars more than to my son William W. Wayne therefore I wish in the settlement of my estate that the said John H. Wayne Creed S. Wayne and the brother heirs of my daughter Polly Morgan as her legal Representative and Elizabeth Woodruff, Stark D. Wayne and William W. Wayne be made equal with Frances Keith and Martha L. Wayfield Item 4<sup>th</sup> After all my legally heirs are made equal in my estate as heretofore said it is my wish that the residue of my whole Estate be equally divided and my wife have also at her death begin all my legacies

241 with the annexed and following provisions

Item 5<sup>th</sup> It is my will that my Negroes shall not be sold at public Auction but shall be valued and lotted off in eight different lots by Commissioners appointed for the purpose said slaves shall be lotted off as equally in value as can be done and if some lots of slaves shall be valued to more than other lots those of my heirs drawing the lots of the greatest value shall have the same proportion less of other property or money they shall draw for said lots in relation

Item 6<sup>th</sup> I wish James O'Morman and Thomas Robertson to act as agent and trustee for each infant and bodily heir of my daughter Polly Morman in their interest in my estate and I ordain and appoint the said James O'Morman and Thomas Robertson my legal assignee and trustees to take in their possession and to control the property or money to which Catherine W Morman may become legal heir of my Estate from my wife down or otherwise I hold and Control as trustee for her benefit but they shall not expend said Catherine Morman more than the legal interest income on her estate unless she should marry and have bodily heirs or heirs to live in such case they shall surrender all my property belonging to her of my estate unto her but if said Catherine W Morman has no bodily heirs at her death then her portion of my estate shall be equally divided between Catherine all the children of my daughter Polly Morman

Item 7<sup>th</sup> It is my will that all the property of every description allotted to my daughter Elizabeth Mordock of my estate my wife down or otherwise shall belong to her only during her Natural life time and then shall be equally divided with all her children

Item 8<sup>th</sup> It is my wish that my son William W Wayne receive and I appoint to receive as trustee and to control for the benefit of the heirs and children of my daughter Francis Keith Lewis him to attend to their interest in my estate when their guardian

Item 9<sup>th</sup> I ordain and appoint my sons Creed T Wayne and William W Wayne my legal assignees and trustees to receive manage and Control to use the the property of every description that shall be allotted to my daughter Martha Warfield for her own personal benefit and the benefit of her children of my estate my wife down also the negroes Liza and Henry that I purchased of her husband Rodrick W Warfield and which I have already put into her possession for her use I think best the said Creed T Wayne and William W Wayne are to hold manage and Control as trustees all the property as above stated for her benefit and her children and at her death It is my will that said William W Wayne shall in like manner continue to act as trustee over said property for the benefit of the bodily heirs of said Martha Warfield and said property shall be surrendered to them by said trustees when they are of lawful age to receive it

Item 10<sup>th</sup> I hereby appoint my sons William W Wayne and John Wayne my Executors to carry out the provisions of

County Court Clerks Office April 5 1857

The within writing purporting to be the last will and testament of the within named James Haysen was produced in Court and proved by the oaths of Jefferson Jennings and Milton Board who swore that the testator signed and acknowledged the within writing in their presence as and for his last will and testament and that they believed that at the time of his signing said writing he was of sound mind & disposing memory whereupon the same with this certificate is admitted to Record

Attest  
Signed W. Peyton  
W. R. R. R.

Examined

Known all men by these presents that I Henry Haynes of the County of Breckinridge and State of Kentucky knowing the uncertainty of life, and the certainty of death and being desirous of making the following disposition of my worldly goods and Man being in God health but of sound mind and disposing memory do hereby make Certain and publish this my last will and testament Item 1<sup>st</sup> I wish all my just debts and legal liabilities paid together with my funeral Expenses Item 2<sup>nd</sup> It is my wish that my wife shall have her choice of Slaves or any other species of property what soever belonging to my Estate amounting to one fourth third thereof at valuation to use and hold for her benefit during her natural life and then to be divided as herein after directed Item 3<sup>rd</sup> I have heretofore given my daughter Frances Keith and Martha L Warfield three hundred and forty five dollars in cash and property more than I have given to my son John Haynes and forty five dollars more than to my son Creed I Haynes and two hundred and forty five dollars more than to my daughter Polly Morman and two hundred and seventy dollars more than to my daughter Elizabeth Woodcock and three hundred and thirty five dollars more than to my son Stark I Haynes and three hundred and twenty dollars more than to my son William W Haynes therefore I wish in the settlement of my estate that the said John Haynes Creed I Haynes and the bodily heirs of my daughter Polly Morman as her legal Representative and Elizabeth Woodcock, Stark I Haynes and William W Haynes be made equal with Frances Keiths heirs and Martha L Warfield Item 4<sup>th</sup> After all my bodily heirs are made equal in my estate as heretofore said it is my wish that the residue of my whole Estate be equally divided and my wife survive also at her death between all my Legatees

241 with the annexed and following provisions

Item 5<sup>th</sup> It is my will that my Negroes shall not be sold at public Auction but shall be valued and allotted off in eight different lots by Commissioners appointed for the purpose said slaves shall be allotted off as equally in value as can be done and if some lots of slaves shall be valued to more than other lots those of my heirs drawing the lots of the greatest value shall have the same proportion of other property or money they shall draw for said lots in relation

Item 6<sup>th</sup> I wish James W. Merman and Thomas Nelson to act as agent and trustee for each infant and bodily heir of my daughter Polly Merman in their interest in my estate and I ordain and appoint the said James W. Merman and Thomas Nelson my legal assignees and trustees to take within possession and to control the property or money to which Catharine W. Merman may become legal heir of my Estate from my wife down or otherwise to hold and control as trustee for her benefit but they shall not expend said Catharine Merman more than the legal interest incurred her estate unless she should marry and have legally heirs or heirs to live in such case they shall surrender all my property belonging to her of my estate unto her but if said Catharine W. Merman has no bodily heirs at her death then her portion of my estate shall be equally divided between Catharine all the children of my daughter Polly Merman.

Item 7<sup>th</sup> It is my will that all the property of Every description allotted to my daughter Elizabeth Meredith of my estate my wife down or otherwise shall belong to her only during her Natural life time and then shall be equally divided with all her children.

Item 8<sup>th</sup> It is my wish that my son William W. Wayne receive and I appoint to receive as trustee and to control for the benefit of the heirs and children of my daughter Francis Ruth Lewis him to attend to their interests in my estate when their guardian.

Item 9<sup>th</sup> I ordain and appoint my sons Creed T. Wayne and William W. Wayne my legal assignees and trustees to receive manage and control to use the the property of every description that shall be allotted to my daughter Martha W. Warfield for her own personal benefit and the benefit of her children of my estate my wife down also the negroes Liza and Henry that I purchased of her husband Frederick W. Warfield and which I have already put into into her possession for her use I think best the said Creed T. Wayne and William W. Wayne are to hold manage and control as trustees all the property as above stated for her benefit and her children and at her death It is my will that said William W. Wayne shall in like manner continue to act as trustee over said property for the benefit of the bodily heirs of said Martha Warfield and said property shall be surrendered to them by said trustees when they are of lawful age to receive it.

Item 10<sup>th</sup> I hereby appoint my sons William W. Wayne and John Wayne my executors to carry out the provisions of

the foregoing will In Witness whereof I have hereunto set my hand  
and signed my seal this 19<sup>th</sup> day of January Eighteen hundred  
and fifty six signed sealed and acknowledged

In presence of

Henry Haynes

Test  
William Head  
Samuel Leslie

State of Kentucky Buchanan County Sub

County Court Clerk Office June 13<sup>th</sup> 1857

The within and foregoing will was this day produced  
in Court & duly proved by the oath of Samuel Leslie  
who swears that Henry Haynes Sr. died acknowledged  
and published said writing as and for his last will and testament  
and that he believes said testator was of sound mind and  
that William Head signed the same as a witness thereto  
at the same time and ordered by the court to be recorded

Attest  
Alfred W. Peyton D. C. C. C.

Examined  
& I  
Relieved by  
Order of Court  
Know all men by these presents that I hereby make and Ordain this  
my last will and testament

First I wish all my just debts and liabilities to be paid  
Second I wish all of my property both personal and real,  
which as my family may not need to be sold for cash at private  
or public sale as may be deemed best. Thirdly I wish the  
proceeds of said sale together with whatever else in money may  
belong to me to be equally divided among my children  
Elizabeth P. Elliott, Jerome P. Elliott, Alfred Elliott and  
Dale Elliott except such an amount as may be necessary  
for the ample and comfortable support of my wife during  
her life my Executor exercising their discretion in apportioning  
the amount necessary for this purpose. And furthermore I wish  
my Executor before the final division to reserve such an amount  
from my estate as may be necessary to educate my children  
giving each one a good education

I hereby appoint Thomas J. Owen and Wm. Norman  
my Executors hereby empowering them to sell and convey  
such of property as may be sold together with all other  
power necessary to the Executors of this foregoing one or  
both hereby authorized to carry out the provisions of this  
will. Having full confidence in the before named Executors  
I hereby request that they may be allowed to execute the provisions  
of the foregoing without giving security for the performance  
of the same This 19<sup>th</sup> day of June 1857  
Signed sealed and published as  
the last will and testament of  
J. C. Elliott in the presence  
of  
James  
Will Singleton