

Kentucky Breckenridge County Court

Regular Term Aug 18 - 1891

The foregoing instrument of writing was on this day produced to the Court and duly proven by the oath of W. G. Hardin & W. J. Hardin the two attesting witnesses thereto (and the Affidavit attached thereto was proven by the oath of Morris Eskridge) and established as the last will and testament of Benj. Hardin Dec. wherein from the same and this certificate have been duly recorded in my office

Att. John E. Monarch Clerk

Examined I Mitton M Tate of Breckenridge County and State of Kentucky being of sound mind and memory, and desiring to make a different disposition of my property to that made by law should I die intestate do hereby make this my will, hereby revoking all others heretofore made by me.

First: I will that all my just debts and funeral expenses be paid out of whatever personal property I may have at my death.

Second: I will and devise to my daughter Emily Hook (wife of James Monroe Hook) my house place containing 197 ³/₄ acres of land situate lying and being in Breckenridge County State of Kentucky on the waters of Clover Creek about one and one half miles S. W. of Hardinsburg being the same tract of land sold and conveyed by W. Daniel & wife to me by deed dated the 20th day of January 1851 recorded in the Clerk's office of the Breckenridge County Court in Deed Book D, page 74 and to which reference is made for a more particular description of said land &

Third: I will and devise to my daughter Nancy E. Hook (wife of Jubal Hook) the tract of land where they ^{are} now living known as the Miles tract containing 125 acres and is the same land tract of land conveyed to me by Charles F. Miles & wife by deed dated the 28th day of September 1878 recorded in the County Court Clerk's office of Breckenridge County Kentucky in Deed Book ^{the} page 42 and to which deed reference is had for a more particular description: also another tract or parcel of land conveyed to me by W. Daniel & wife by deed dated the 7th day of February 1878

containing 94 acres deed recorded in the County Court Clerk's office of Breckinridge County Kentucky in Deed Book No 312 page 555 and referred to for a more particular description:

Fourth: I will and devise to my to my grand-children Manlius S. McHarron (wif. of Frank McHarron) Millard P. Frank and Erwi Frank (children of my daughter of Letitia Frank) all that land conveyed to me by Gen. T. Miller in the deed of partition between said Miller and my self of date the 3rd day of March 1879 recorded in the County Court of Breckinridge County Kentucky in Deed Book page 131, lying on the south side of the road leading from Hardinsburg to Chesapeake reference is here made to said deed for a more particular description of said land. Also a certain tract or parcel of land situate lying and being on the waters of Sinking Creek containing 144 acres and is the same land conveyed to me by W. H. Sabbage as Commissioner of the Breckinridge Circuit Court by deed dated and acknowledged and approved the 6th day of November 1880 recorded in the County Clerk's office of Breckinridge County Kentucky in Commissioners Deed Book No 3 page 26 to which deed reference is made for a more particular description. said tract of land is the Gardner Hawkins tract containing originally 214 acres out of which was sold and conveyed before the conveyance to me by Gardner Hawkins 30 acres to some James Salseth and 44 acres to Thomas Adkisson. Also to said grandchildren a store house and lot on which it stands in the town of Cloverport Ky. being part of lot No 1 - 19 feet front and running back 100 feet and lying between the lots of J. R. Newsome and W. C. Frank and is the same lot conveyed to me by J. Fraize commissioner of the Breckinridge Circuit Court in the suit of Jones Admox agst Jones heirs by deed dated the 3rd day of April 1870 and examined and approved the 1st day of October 1870 and recorded in the County Court of Breckinridge County in Deed Book No 27 page 199 & 200 to which deed reference is made for a more particular description of said property.

Fifth: The property herein will and devised to my daughter Emily Hook and Marry C. Hook and the interest devised to my granddaughter Manlius Sell McHarron is will and devised to them as their separate estate and is not to subject

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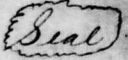
or liable to any debt, claim, or liability of their said husbands or any husband they may have hereafter. All the real estate disposed of by me in this will specially, is devised subject to the interest and claim of my beloved wife Mary J. Tate as herein provided:

6th: I give and bequeath to my daughter Nancy E. Hook Seventy dollars (\$70.00) to be used by her in finishing the plastering on her house.

Seventh: It is my will and I hereby devise to my wife Mary J. Tate the use and occupancy during her life of all the real estate herein specially disposed of by me, and to be used and enjoyed by her during her life and after ^{her} death to go all herein devised and to the parties herein named

Eighth: I give and bequeath to my wife Mary J. Tate one third of all the rest of my estate and the rest to be divided between my children and grand children as the law directs. The interest of my daughter and grand daughter to be their separate estate and subject to the provisions of the fifth section of this will as to their husbands

Ninth: I hereby constitute and appoint my brother-in-law Saml P. Miller executor of my estate, with power to sell and convey by proper deed any real estate I may own at my death not herein specially devised. I testify whereof I have hereunto set my hand and seal this the 11th day of July 1891

Attest Milton M Tate 

Subscribed and acknowledged in our presence as witnesses and by us in his and in the presence of one another as witnesses J. D. Baker M. L. Morris Eskridge.

Kentucky, Irue Kenridge County Clerk
P. Regular Term Aug 17 - 1891

The foregoing Instrument of writing was this day produced to Court and duly proven by the oath of Morris Eskridge one of the attesting witnesses thereto and established as the last will and testament of Milton M Tate deceased whereupon the same and this certificate have been duly recorded in my office.

Attest John E. Monarch Clerk P. L. C.

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