

70
Subscribed our names Witnesses in presence of Testator

Witnesses

17
(George Burger
Mr. Wheeler
Philip A. Nelson)

State of Kentucky, Barren County, Town of

County Court August Term 1833

The within Writing purporting to be the last will and testament of Martin Cashman deceased was duly proved by the oath of George Burger and Wm. Wheeler two of the Witnesses thereto who were sworn that the within Martin Cashman signed sealed & published the within writing as and for his last will & testament, that at the time of making the same they believed he was of sound mind and disposing memory and that they subscribed their names Witnesses thereto in his presence and Sophia Cashman the executrix therein named made oath to the said Will in due form of law and thereupon the Court is ordered to be recorded.

80 J. A. Allen clerk, 18, 6, 6.

I Philip Alexander make, ordain and establish this my ^{last} will and testament
1st I make constitute and appoint my Wife Frances M. Alexander my sole executrix to execute my said Will as herein after directed and exempt her from giving any bond or security whatever in capacity of my executrix.
2^d I do bequeath and devise to my 3^d Wife the tract of land on which I now live and also my old servant man Anthony and also one third part of the balance of my real and personal estate which to I now or may hereafter have during her life except my old servant man Anthony whom I devise to her absolutely to dispose of as she pleases and also the entire possession of all my estate real and personal during the minority of my Sons or celibacy of my daughter or minority of my daughter.
3^d I will devise & bequeath to all my children share & share alike all the real and personal of my estate real and personal to be divided to them as follows to wit.
It is my will and desire that as soon as my Son become of age my executrix deliver up to them their distributive share of my estate agreeable to this my Will and it is my Will & desire that in all things to my daughter Frances Word her distributive share under this my Will, that the advancement that I have hitherto made to her to wit of a Negro woman & girl to wit Malinda & Stella be taken and considered as a part of her share agreeable to their value at the time at the time I advanced them to her & her husband and it is my will and desire that her share be taken in & the same I do hereby devise and bequeath it and vest in my Sons Thomas and William and the survivors of them in trust for the use & benefit of her and her children and in case of death of either the afore said two then & in that case I will and desire that my brother Gerard Alexander be associated as trustee with the survivors and in case of the death of both them to be the sole surviving trustee.
4th I will and desire that as my daughter respectively become of age or marry that my executrix deliver to them their respective share of my estate agreeable to this Will.
5th I do make ordain and appoint my brother Gerard Alexander guardian of all my children during their minority.
6th I will and desire that distribution or allotment of my estate as before specified to my children shall be made by my brother Gerard Alexander & my friend Capt. Nathan D. Anderson and the survivors of them whose

where allotment there made to be final & conclusive

6. It is my Will & desire my said executrix do not alienate this will with out first obtaining the approbation & consent of my brother Gerard Alexander Hunt in writing until the survivors here

7. I will and desire that my said executrix keep my children together on the farm I now occupy while young and of tender age and that for the use of their respective shares of my estate ^{as of} she raise & educate them under the direction (as to their education) of my brother Gerard Alexander ^{as of} and in case of the death of my said executrix upon my children become of age I will and desire to appoint my brother Gerard Alexander the sole surviving executor of this my will to be a like exempt from paying taxes and the tract of land ^{whereon} on which I now live in that case with out in hand to be entirely under his control till all my children become of age or marry he having the power & discretion of keeping my ^{infant} children together (as well as the respective shares of my estate) in the same way as that my executrix is empowered to do in case she lives and he is also in that case to raise & educate my children as my executrix is here in before directed to do but if in his opinion it would be conducive to the benefit of my children he shall have after the death of my wife he is empowered to do so in exercising his sound discretion upon the subject -

8. My executrix is empowered and authorized (under the ^{said} written consent of my brother as of) to sell and dispose of either any part of my lands & convey the same at any time and the like power to be put in Gerard Alexander if he survives her as of before all my children become of age or marry and the proceeds thereof to be divided between my children as here directed and upon the death of my wife all the property devised to her to go to my children whom I have alive subject to their trust before mentioned as to my daughter Frances.

9. The Trustees of my daughter Frances are to have full power to sell & dispose of her share of my estate as they in their discretion think it advisable relating the wants & necessities of my ^{say} child for the use & benefit of her children as before directed but they are not to sell during the life time of my brother Gerard Alexander his consent in writing but in case he becomes one of the trustees by the death of one of our sons ^{as of} the power to sell is to be unconditional.

10. I desire that no inventory or appraisement of my estate shall be taken

11. I also desire that if my death shall take place while my wife is surviving that no division of my personal estate & there shall take place until the same is demanded. In testimony of this my last Will and testament I have set my hand and seal this 1st day of August 1834

Attest
George Calhoun
Richard T. Anderson

Philip Alexander 

Testimony Buckenridge County

County Court, Kansas, August 24th 1834

The annexed writing purporting to be the last Will and testament of Philip Alexander, dec'd, was exhibited in Court & duly proved to the death of George Calhoun & Richard T. Anderson Subscribing witnesses thereto and was also duly sworn to by Frances Alexander the executrix thereto named and ordered to be recorded

Attest J. Allen Clerk Buckenridge Co. Ky. 24th