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I, Edward N. Payne being old and feeble but of sound mind and disposing memory make and publish this as my last will and testament, after the payment of all my just debts, and funeral expenses, I will and bequeath, first to my youngest daughter Lucy Philomine Payne who is now unmarried to be paid out of my estate at my death the sum of One hundred and twenty five dollars in cash or in such other property as she may select of that value, all of my other children Cornelius Payne, Eliza Alice Chappell, John Thomas Payne, Mary Letitia Hardesty having been paid a similar amount and in order to make them about equal beneficiaries of my estate I make the above bequest to my daughter Lucy Philomine Payne the balance of my estate both real and personal of every kind and description, I will and bequeath to my beloved wife Lydia Ann Payne she to use the same as she deems best for her support and benefit as long as she remains my widow and may live, in the event she marries then all of the real estate is to go to my children Cornelius Payne, Eliza Alice Chappell, John Thomas Payne Mary Letitia Hardesty and Lucy Philomine Payne, share and share alike and in the event there is any personal property at my death my wife Lydia Ann Payne is to have and to hold the same as she deems best for her support and at her death what may be left of my personal estate is to go to my legal heirs share and share alike, my wife Lydia Ann Payne is to retain control and possession of all of my real estate as long as she may live provided there is not enough of personal property to maintain her comfortable as long as she may live, and in the event she thinks that the personal property is not enough for her support during the remainder of her life then she may have the use and benefit of the realty as long as she lives and the surrender of same to the heirs is optional with her, should my wife Lydia Ann Payne die before I do then my estate after first paying my daughter Lucy Philomine the bequest of One Hundred and twenty five dollars is to be equally divided between my children Cornelius Payne, Eliza Alice Chappell, John Thomas Payne, Mary Letitia Hardesty and Lucy Philomine Payne share and share alike, I request the Court to appoint an executor of this my last will and testament, that may be so solicited by my legal heirs.

In testimony whereof I hereunto set my hand and seal this June 1st 1904.

WITNESSES

James J. Severs.  
D.S. RICHARDSON.

EDWARD N. x PAYNE.  
*his*  
*mark*

I Edward N. Payne, do make this my codicil hereby confirming my last will (all except the appointment of my executor by the Court) made on the 1st day of June 1904 and I do hereby appoint Garrett Vessells a farmer living in Breckinridge County Ky near Rhodellia Meade County Ky as Executor of this my last will in witness whereof I have signed and do publish and declare this instrument to be my will written and signed at Union Star, Ky on this 31st day of March 1905.

EDWARD x N. PAYNE  
*his*  
*mark*

The said Edward N. Payne did at Union Star, Ky, on the 31st day of March 1905, sign and seal this instrument and declare the same as and for his codicil to this his last will and we at his request and in his presence and in the presence of each other have hereunto written our names as subscribing witnesses.

JAMES J. SEVERS.  
D.S. RICHARDSON.

Kentucky, Breckinridge County Court.

Regular Term, October 22<sup>nd</sup> 1906.

The foregoing instrument of writing purporting to be the last will and Testament of Edward N. Payne, deceased, was this day produced to Court and offered for probate and being duly proven by the oath of D.S. Richardson who being duly sworn stated that said Edward N. Payne when he made said Will was of sound mind, and that said Edward N. Payne signed said will in the presence of himself and the other attesting witness thereto J.J. Severs, and that he and the said J.J. Severs signed and attested said Will in the presence of said Edward N. Payne and in the presence of each other It is therefore ordered that said Instrument of Writing be, and the same is, hereby established as and for the last will and Testament of said Edward N. Payne, and the same is now probated and ordered to be put on record.

ATTEST, W.F. NODD, CLERK, B.C.C.