

I, Ellen H. Swayne, of the City, County and State of New York, do make, publish and declare this to be my Last Will and Testament, hereby revoking all testamentary dispositions at any time heretofore made by me.

FIRST: I direct the payment of all my just debts.

SECOND: I give and bequeath all my household effects, including furniture, wearing apparel, jewelry, etc., to my daughters Virginia Lomas and Eleanor Swayne in equal shares.

THIRD: I give and bequeath unto my daughters Virginia Lomas and Eleanor Swayne, in equal shares, the property held by the Farmers Loan & Trust Company as substituted Trustee under the Will of Alfred Harris, deceased, and which property is held by said Trustee during the life of Margaret F. Harris. And indebtedness that may be due from me to the estate of Alfred Harris, deceased, shall be paid by my executor and shall not be deducted from the principal of said property.

FOURTH: All the rest and residue of my property of whatsoever description, real personal or mixed, wheresoever situate, I give, devise and bequeath in equal shares to my five children, namely, Alfred Harris Swayne, Noah Haynes Swayne, 2nd., Wager Swayne, Virginia Lomas and Eleanor Swayne.

FIFTH: I authorize my Executor, hereinafter named to sell and convey any real property which I may own at the time of my death and to give proper deeds to the purchasers thereof, but the Executors are authorized to retain said real property for such period of time as in their judgment and discretion is proper. It being my intention that the real property owned by me shall not be sold until it can be sold advantageously. When, in the judgment of my Executors, this time has arrived, they are authorized to make such sale.

SIXTH: I nominate and appoint as my Executors Alfred H. Swayne, Noah H. Swayne & Augustus F. Kountze of this my last Will and Testament and direct that no bond or bonds be required.

In Witness Whereof, I have hereunto set my hand and affixed my seal this fifteenth day of January, 1907.

Ellen H. Swayne. (seal)

Signed, sealed, published and declared by Ellen H. Swayne, the testatrix as and for her last Will and Testament and at her request and in her presence and in the presence of each other we have hereunto subscribed our names as attesting witnesses this day and year first above written.

James M. Pratt, 300 Central Park West New York N.Y.

Walter Meacham 503 West 140th st., New York City, N.Y.

Chas T. Martin Warburton Ave Yonkers N.Y.

Kentucky, Breckinridge County Court.

Regular term, August 28th, 1911.

At a County Court held for Breckinridge County, at the courthouse in the City of Hardinsburg., on the 28th day of August, 1911, the foregoing instrument of writing purporting to be the duly authenticated copy of the Last Will and Testament of Ellen H. Swayne, deceased, late of the County of New York, State of New York, together with the proceedings, proof of witnesses and certificates thereto attached, was produced in court, and on motion of this court, and it appearing from such copy that said will was approved and probated in the Surrogate's Court, State of New York, on the 19th day of March 1910, to have been so executed as to be a valid will of Personalty and real estate in the Commonwealth of Kentucky by the laws thereof, and executed and authenticated in the manner required by the laws of the state of Kentucky; and the court being sufficiently advised, the same was ordered to be admitted as a valid will of person- ality and real estate of said testator in the Commonwealth of Kentucky and ordered to be recorded, and is recorded in my office as clerk of said court.

Attest: A M Beards
Clerk Breckinridge County Court.

I, M. Lyddan of the County of Breckinridge and state of Kentucky, being of sound mind and disposing memory, do make and publish this my last Will and Testament, hereby revoking all other Wills heretofore made by me.

1st: I will and desire, that all of my ~~debt~~ just debts, Doctor's bills, funeral expenses and costs of settling my estate, be paid as soon as possible after my death.

2nd. I have already given and advanced to my four children in lands and other property, the following, to-wit:

To my son John Lyddan the sum of,	\$4400.00
To my daughter Annie Akers the sum of,	7000.00
To my son George N. Lyddan the sum of,	4500.00
To my son Thomas Lyddan the sum of,	7000.00

As I desire to make all of my children equal in my estate I now give will and bequeath to my son John Lyddan the sum of \$2600.00 and to my son George N. Lyddan the sum of \$2200.00 to equalize them with my daughter Annie and son Thomas.

3rd. As I have been living with my son George N. Lyddan and his family; I now will and bequeath to him the furniture I have in my room, my horse, buggy and harness as a slight testimonial of my appreciation for the kind manner with which they have treated me.

4th. After paying all just debts, Doctor's bills, burial expenses, costs of Administration and the special devises and bequeaths herein made, the remainder of my estate is to be equally divided among and go to said four children or their heirs, in case of the death of any of them, before the settlement of my estate.

5th. Knowing that I have made a fair, just and equal disposition of my property among my children, but recognizing the fact that some of them may be induced to object to the probating of my Will, or to sue to set it aside; and thereby defeat by intention to dispose of it as I think proper and just; it is now my will and wish, and I do declare, that if any of my children object to the probating of this will, or sue to set it aside, then the gift and bequeath herein made to such child or children, shall become null and void and the bequest to such child or children shall go to and vest in the other children in equal parts, and the child or children so contesting my will shall ~~not~~ not have any part in my estate.

6th. Having full confidence in the honesty and business capacity of my son George N. Lyddan I hereby name and appoint him sole Executor of this my last Will and Testament, and request that he be allowed to qualify and act as such without being required to give bond or security. As I desire to keep my estate entirely out of the Court, so far as possible, I direct that no inventory, or appraisement of my estate be made or filed.

In Testimony Whereof, witness my hand this the 29 day of May 1911.

M. LYDDAN.

Signed, acknowledged and
published in the presence of
W. G. Bandy.
N. B. Netherton.
H. H. Norton.

Kentucky, Breckinridge County Court.
October Term, 1911.

An Instrument of writing purporting to be the last Will and Testament of M. Lyddan, deceased, was produced to court and offered for probate, and proved to be such by the testimony of W. G. Bandy, N. B. Netherton and H. H. Norton the three subscribing witnesses thereto, who being sworn state that the Testator signed the same as and for his last Will and Testament in their presence and in the presence of each of them and that they each signed the same in the presence of the Testator and in the presence of each other, and that Testator was a residence of Breckenridge Co, Ky.

Whereupon the court being fully advised it is adjudged that said Instrument is the true last Will and Testament of M. Lyddan deceased and as such is now ordered to be entered of record, and the same with the certificate hereby recorded in my office.

Attest: A M Beard
Clerk Breckinridge County Court