

now ordered ~~that~~ said copy be admitted to probate as the will of said Mary Seifried, deceased, in regard to real estate and that the same be recorded as her will as such. Whereupon the same together with this certificate has been duly and legally admitted to record in my office.

Attest; W.F.HOOK, CLERK, B.C.C.

647

I, Henry L.Kurtz, aged 57 years, a citizen of the County of Breckinridge, State of Kentucky, being of sound mind and memory, but weak in bodily health, and knowing the uncertainty of this life, and desiring to make other disposition of my worldly possessions other than that made and provided under the Statutes of Descent and distribution under the laws of this State, do make and publish this to be my last will and testament, hereby revoking any and all wills or testaments that my heretofore been made by me.

2ND. It is my will, that after my death, my Executor hereinafter named will pay and liquidate all of my just debts. In addition to this my said Executor will purchase a lot in the Irvington Cemetery in Breckinridge County State of Kentucky said lot to be chosen by my sisters and brother, and my said executor is directed to erect thereon a monument to my grave suitable to said purpose. After my said debts, if any there should be, are fully paid and liquidated, together with the expenses of purchasing said lot and the erection of the monument thereon, together with the necessary burial expenses; it is my will that the balance of my worldly possessions, real personal and mixed of every kind nature and description be disposed of as follows.

3RD. That is to say, it is my will wish and desire that my sisters Ella M. Crutcher, wife of J.C.Crutcher, Mary Emma Claycomb, wife of C.H.Claycomb, Norris Bell Lyddan, wife of Thomas Lyddan and my brother James C.Kurtz each share and share alike in all of my property, it being my wish will and desire to treat them all the same.

4TH. As to the division of my said property either real personal or mixed among the devisees herein, I leave to my said sisters and brother, enjoining them however, that they try and agree ~~as~~ to said division; that is to say that they ~~may~~ hold the realty in tact, divide the same or dispose of it by sale and proportion the money among themselves share and share alike as aforesaid. But if it should be that my said sisters and brother ~~should~~ fail to agree as to the division or apportionment of my said real estate among themselves, then in that event my Executor is directed and empowered to take such steps as may be necessary to perfect a division, and is authorized and empowered to make and execute any and all deeds or papers to perfect and confirm the titles to their said respective interests. As to my personalty, consisting of money, notes, choses in action, live stock, farming implements or any other personalty, and which is willed to my said sisters and brother share and share alike, I leave it to them as to the disposal of the same, but in case they should disagree as to the disposal or management of said personal property, then in that event I direct my Executor to dispose of same, using his best judgment therein, and the proceeds therefrom in connection of any and all moneys I may have with the cash arising from the collection of any notes I may have after the payment of any any expenses that may accrue from the management or disposal of same is to be divided among my said sisters and brother share and share alike as aforesaid.

5TH. I hereby appoint my brother James C.Kurtz, as my Executor, and request the Court that he be allowed to qualify as such without bond, I having the most abiding faith in his honesty and integrity, and that he will faithfully carry out each and all of the conditions of this will. Further, my executor is empowered to take any and all legal proceedings that may become necessary, for the collection of any and all moneys that may be due or coming to my said estate, together with full and complete power to make any and all transfers of every kind and nature that may arise or be necessary, in the full and complete settlement of my estate.

In Testimony whereof, I have hereunto affixed my signature, this the 16th, day of April 1908, which is done in the presence of my two witnesses, to-wit; H.C.Stewart, and Thomas J.Compton, and who as such witnesses have attested this my last will and testament in my presence and in the presence of ~~each~~ other, all of which I ratify and confirm.

HENRY L.KURTZ.

Witnesses by, H.C.Stewart.

Thomas J.Compton.

Who witnessed the signing of this instrument by the testator, Henry L.Kurtz which was done by him in our presence, and attested by us in his presence and in the presence of each other.

Kentucky, Breckinridge County Court.  
Regular Term, November 23<sup>rd</sup> 1908.

The foregoing instrument of writing purporting to be the last Will and Testament of Henry L.Kurtz, deceased, was this day produced to Court, and being duly proven by the oaths of H.C.Stewart and Thomas J.Compton, the attesting witnesses thereto, was established as and for the last Will and Testament of said Henry L.Kurtz, deceased, and as such was ordered to record, whereupon the same and this certificate have been duly recorded.

Attest: W.F.HOOK, Clerk, B.C.C.