

As the Probate Court of said County:-
your petitioner respectfully represents that Samuel
L. Layne late a resident of the township of Upper Mer-
serville, died on or about the 27th day of April A.D. 1909, leaving
no instrument in writing herewith produced, purporting
to be his last will and testament to the said Samuel
L. Layne died leaving Sela L. Layne his widow who resides
at Trouton Ohio and the following named persons his
only next of kin to wit
John L. Layne son New York City N.Y. 450 W. 114th St.
Wm. L. Layne " Arlington Wash.

Personally appeared in open Court Frank Baker who being first duly sworn to testify the truth, the whole truth and nothing but the truth, in relation to the execution of the last will and testament of Samuel S. Gayne, deceased, deposes and says that he was present at the execution of the instrument of writing now before me bearing date 5th day of October A.D. 1850 purporting to be the last will and testament of Samuel S. Gayne, deceased, that he subscribed my name thereto as a witness at the request of said testator and in his presence.

that said said testator signed said instrument at the end thereof and heard him acknowledge the same to be his will and that said Samuel & Layne at the time of executing the same were of full age, of sound mind and memory and not under any restraint.

Frank Buhner

Sworn to before me and signed in my presence by said witnesses in open court, this 21st day of March 1911.

Richard W. Souel, Probate Judge.

(Seal)

Entry was made in the journal as follows to-wit:-

Lawrence County Probate Court, March 21st 1911.
Be it remembered, that heretofore, to-wit: on the 20th day of June A.D. 1910, an instrument of writing purporting to be the last will and testament of Samuel & Layne, late of upper township, in this county, deceased, was produced in open court and offered for probate and was then filed, and it now being shown to the satisfaction of the court, that due notice of the filing of said will and of the application to admit the same to probate and record in this court has been waived by the widow and next of kin being resident of the State of Ohio, whereupon on this day came Frank Buhner one of the subscribing witnesses to said will who being duly sworn according to law testified to the due execution and attestation of said will which testimony was reduced to writing and filed with said will and cause continued.

Richard W. Souel, Probate Judge.

Proof of signatures of witnesses to will was taken and filed April 11th 1911, as follows to-wit:

Probate Court Lawrence County Ohio,

In the matter of the will of Samuel & Layne deceased, } testimony,

The State of Ohio, Lawrence County, ss:-

Personally appeared in open court Henry J. Seiser and Frank J. Seiser who being first duly sworn to testify the truth, the whole truth and nothing but the truth in the matter of the will of Samuel & Layne deceased, depose and say that John & Bruck whose names appear as one of the subscribing witnesses to the last will and testament of Samuel & Layne deceased, deceased annexed, has since the date of said will set out 3rd 1905 gone to parts unknown, that we are each of us well acquainted with the hand writing and signature of said witnesses and that the signature of said John & Bruck purporting to be his, as one of the subscribing witnesses to said will is true and genuine signature of the said witness John & Bruck.

Henry J. Seiser.
Frank J. Seiser.

came to before me and signed in my presence in open court this 11th day of April A.D. 1911.

(Seal)

Richard W. Souel, Probate Judge.

Entry was made in the journal as follows to-wit:-

Lawrence County Probate Court, April 11th 1911.
This day this cause came on further to be heard upon the application heretofore filed herein for the admission of the last will and testament of Samuel & Layne to probate and record in this court, and it appearing to the court that John & Bruck one of the subscribing witnesses to said will has gone to parts unknown and for that reason his testimony can not be obtained within a reasonable time, whereupon on this day came Henry J. Seiser and Frank J. Seiser who being duly sworn and examined according to law touching the genuineness of the signature of John & Bruck attached to said will, which testimony was reduced to writing by said witnesses respectfully subscribed and filed with said will whereupon the court finds from the testimony aforesaid taken and from the testimony of Henry J. Seiser and Frank J. Seiser that the aforesaid instrument of writing is the last will and testament of Samuel & Layne, deceased, that the same was duly executed and attested and that the said testator at the time of making, signing and sealing the same was of full age, of sound mind and memory and not under any restraint, it is therefore considered, adjudged and recorded by the court that said will be admitted to probate, and that the same together with the testimony of the witnesses above named, be entered of record in this court.

Richard W. Souel, Probate Judge.

Certificate to copy.

The State of Ohio,
Lawrence County, ss:-

I, Richard W. Souel, sole judge and ex-officio clerk of the Probate Court, within and for said county, having the custody of the files, journals and records of said court, do hereby certify that the foregoing is a true copy of the will application, journal entry, testimony of witnesses, and journal entry admitting will to probate and records in said court in the matter of the estate of Samuel & Layne, deceased, as the same appears upon the records of said court, and further certify that the same is a full and correct transcript thereof. In witness whereof, I have hereunto set my hand and affixed the seal of said court, Denton Ohio, this 18th day of April A.D. 1911.



Richard W. Souel,
Judge of said Probate Court.

The State of Ohio, Lawrence County, Ohio:

I, Richard W. Douel, Sole Judge of the Probate Court within and for said County and State, the same being a Court of law and of record, do hereby certify that Richard W. Douel, whose genuine signature is attached to the foregoing certificate, was at the date thereof and now is ex officio Clerk of said Probate Court and as such, full faith and credit are due his acts and that the above certificate and attestation are in due form of law, and made by the proper officers, In witness whereof I have set my hand and affixed the seal of said Court, at Canton, Ohio, this 13th day of April A.D. 1911.

Richard W. Douel
Judge of said Probate Court.



State of Kentucky,
County of Floyd & set.

I J N Harris Clerk of the County Court for the County and State aforesaid, certify that on the 24th day of April 1911, the foregoing will was probated in the Floyd County Court and ordered to be admitted to record, whereupon the same and this certificate is now recorded.

Given under my hand this 28th day of April 1911.

J N Harris Clerk,
By J P Harris Jr. Del.

I George A May Sr. of the County of Floyd State of Kentucky and at the age of 78 years being of good memory and sound mind do make this my last will and testament in manner following I bear by given to Mary & Patton a certain tract or parcel of land lying and being in the County of Floyd State of Kentucky on the right hand fork of Beaver Creek bounded as follows beginning on a elm and spruce tree on the bank of Beaver Creek thence with the fence to the bar road thence across the bottom with the fence to the corner of said fence thence with the fence to the creek thence up with said creek to the beginning. To have and to hold so long as she lives at her death the said land shall go to the heirs of said wife this catches 1909

6 A May
3 A May

State of Kentucky,
County of Floyd & set.

I J N Harris Clerk of the County Court for the

County and State aforesaid, certify that on the 26th day of August 1912, the foregoing will was probated in the Floyd County Court and ordered to be admitted to record, whereupon the same and this certificate is now recorded.

Given under my hand this 26th day of July 1913.

J N Harris Clerk,
By J P Harris Jr. Del.

I Ellen Turner of Mc Dowell Floyd County, Kentucky being of sound mind and memory do for the love and affection make public & declare this to be my last will and testament and devise my property and money to be disposed of as follows. First all my just debts and funeral and burial expenses and tomb stones and also have rocks to be placed under my husband's tomb stones to be fully paid out of my money, second I give devise & bequeath one half of my money to Rebecca J. Hobson and Eliza Osborne, Third I give, devise and bequeath the other half of my money to Milford Hall and Henry Morgan Siginal Hall they are to have the money when they arrive at the age of twenty five years of age should they either not live to receive their part of the money then the share of the deceased is to go to my other heirs, fourth Milford Hall owes me one thousand dollars he is to have plenty of time in which to pay it, Fifthly the money here bequeathed to the boys is to be deposited in a national bank on interest by government bonds and if not the later on said money is to be paid out of some money of the boys I want Eliza Osborne to have the contrioll of the business of the money of the boys and if the bank in which she places the boys money should break she is to not be held responsible for the money, Sixthly I give and bequeath to Wessie Martin one red pulled heifer which I now own, also two Cover lids & two baskets, Seventhly I give & bequeath the rest of my house hold goods and furniture to Rebecca Hobson and Eliza Osborne, Eighthly all the rest of my property is to be sold and the money distributed among my four heirs except the Be stands which I bequeath and give to Rebecca Hobson & Eliza Osborne, In witness whereof I have hereunto set my hand this 3rd day of May 1912

Witness
M D L Hopkins
Maggie Hall,

Signed Ellen Turner

Signed published and declared as and for her last will and testament by the above testator Ellen Turner in the presence