

depend on the means within hands -

3. This my will that my executors shall not sell my land within thirty days after my decease, but may sell it at the end of that time, to sell the same upon a certain better and more profitable price, to be taken care of, and such price as can be had - The proceeds when realized shall be equally divided between my children. That portion which may be come of my accounts, to be held by my executors, or invested in real estate, for their sole and separate use, and under no circumstances to be subject to any debt, contract, or demand which respective husbands may contract before or after marriage, my object in imposing this restriction is that the little patrimony which I have left them shall not be wasted - And I take this occasion to give to my surviving this last and parting advice - Pursue with an undeviating step the paths of honor, virtue and morality, let no temptation whatever derive you from that course, and whatever may be your fate as to worldly goods, maintain unshaken your moral character, and you will always find friends to greet and sustain you: Give the same advice to my sons and request my executors to impress on the minds of my children the advice here given to them.

4. The portion of my estate to which my sons will be respectively entitled to receive is to be paid to them on their respective arrivals at full age, unless within two years of my decease either one or more of them shall have a disposition to squander it, in that event (if which my executors are to be the sole judges) the interest only is to be paid.

5. The title of my real estate is hereby vested in my executors in trust to carry into effect the provisions of this will - Neither of my executors shall possess any power to sell transfer or mortgage his or her interest in it, or in any thing they may be entitled to as devisees under this will.

6. In the education of my children it may be some necessary to contribute the receipts, and I submit that matter to the discretion of my executors. If they think that more should be expended in the education of either of my children than his or her father share they, the executors may appropriate the proper amount for that purpose.

7. My executors are requested to keep an insurance on my house until they shall see a final sale of it.

8. I appoint Thomas J. Page and Philip Long, executors of this my will and testament, and both or either of them shall die or decline to accept, or should they accept the trust and either should die, in either of these events the vacancy to be filled by the Franklin County Court - And any person so appointed shall have the same power and perform the same duties and in every respect occupy the same position as if he had been appointed by me. If a vacancy should occur within six months in any way said County Court is to fill it.

In Witness Whereof I have set my hand and affixed my seal at my residence in Frankfort Kentucky this 28th of November 1851

Signed sealed and acknowledged in presence of
H. Wingo
G. Wingo

John Ward

State of Kentucky

Shall a County Court hold for the County of Franklin at the Court house of Frankfort on Monday the 15th day of December 1851

Accordingly appearing before the said Court and testament of James Doughty (deceased) of the County of Franklin was produced in Court and was proved by the oaths of H. Wingo and G. Wingo the Subscribing Witnesses, and ordered the same to be recorded in the said Court in the County office

at H. Wingo etc

James Doughty, The Last will and testament of James Doughty of the County of Franklin and State of Kentucky, being of Sound Mind and disposing Memory, knowing the Certainty of death, and being desirous to make a final disposition of my estate to be effected at my death do make the following disposition of the same to wit: I have that all my just debts be paid, and I give and bequeath my beloved wife Tabitha Doughty, all of my estate after the payment of my debts real and personal, for and during the term of her natural life or widowhood, provided that should she marry after my death then I bequeath to her for and during the term of her life the one third part of my estate after the payment of debts shewed there to be owing, after the death of my wife, should she die my widow - I will and bequeath the whole of my estate to my four young named children and grand children.

Gideon Sabagh, John Doughty, James Doughty, Zachary Doughty, James Wrotland the son of my deceased daughter Emeline Wrotland, Mary Doughty, Thomas Doughty, Marcellus Doughty, Robert Doughty, the children of Tabitha Gideon and Mary Doughty or wife and the heirs of their bodies forever.

The interest of said James Wrotland to him for life and to his children should he have any whom my survivor in and then their heirs forever, but should he die without lawful issue then his interest to go to my other children as above named. The interests of my other children to them and their heirs forever. My said wife Mary, after my death should that she be my widow, my estate to be after apportioning to her the one third bequeathed her with such interest to be equally divided amongst my children and grand children according to the bequest herein contained, and at her death the residue or whole in this case may be

I desire that my said wife should she survive me and commit my estate and exercise her own further discretion concerning any of my children a reasonable advance of my personal property should they marry or their children or grand children, which advance shall be accounted out of their children's shares in my said estate and settlement of my estate. I nominate and appoint my said wife Tabitha Doughty sole executrix of this my last will and testament with a power that the Court granting letters testamentary may do so without requiring my leaving so long as she run my errand, but should she marry I desire that she be empowered to give ample security as executrix should she ever be appointed, and I witness these presents with my name and seal my seal at Frankfort in the year of our Lord one thousand eight hundred and fifty one and of our Independence the hundredth

