

Franklin County Court October 19th 1867

A writing purporting to be the last will & testament of Edward Dale dec was this day produced in Court and there being no subscribing witnesses thereto Hugh Rodman and Bereah Becknell being sworn testified that the said writing with the signature thereto is wholly in the handwriting of the deceased And thereupon same is ordered to be recorded as the last will & testament of said deceased And the same is truly recorded in my office
A. H. Rinnick cfc

P. Brink

I Philip Brink of Franklin County Kentucky do hereby make my last will & testament in manner and form as following that is to say I desire that after the payment of all of just debts and expences that all of property be divided amongst my wife and children according to law. I do hereby appoint Wyatt Parker executor of my last will and testament. I do further order my executor to sell and divide my property according to orders above named. Witness my hand this Sept the 11th 1867
Philip Brink
mark
attest
Joseph C Brink
Alison Sams
mark

Franklin County Court October 18th 1867

A writing purporting to be the last will & testament of Philip Brink dec was produced in Court and was partly proved by the oath of Joseph C Brink a subscribing witness thereto and continued for further proof
A copy attested
A. H. Rinnick cfc

Franklin County Court October 20th 1867

The last Will of testament of Philip Brink dec which was heretofore partly proved is now fully proved by the oath of Allison Sams a subscribing witness thereto and ordered to be recorded Which is truly done
att
A. H. Rinnick cfc

S. Temple

I Eleanor S Temple of the county of Logan and state of Kentucky do make publick and declare the following to be my last will and testament hereby revoking all former wills heretofore by me made. After the payment of my just debts, It is my will and desire that my estate real personal & mixed be equally divided among all my children giving to my those of my

grandchildren whose parents may hereafter die, prior to my death their parents portion. But said division is to be subject to the following charges, advancements which I have heretofore made, and to such advancements as I may hereafter make to wit
1st Mary A B Winburn to be charged with two thousand & thirty seven dollars.
2^d Sarah J Lee to be charged with two thousand & two hundred dollars
3^d Robert Temple to be charged with three thousand eight hundred and seventy dollars - 4th John B Temple to be charged with three thousand three hundred & thirty dollars.
5th James N Temple to be charged with three thousand and fifty nine dollars. 6th Ann C Beckett to be charged with two thousand & one hundred dollars.
7th Lucy C Bowling to be charged with three thousand one hundred & sixty dollars.

It is my will and desire that the children of my son Jonathan C Temple deceased to wit James R Temple, Walter R Temple and Camilla S Temple shall have that portion of my estate to which their deceased father would have been entitled were he living at the time of my death, but to be charged with and have deducted out of that portion the sum of three thousand three hundred dollars; advancements which I made to their father in his life time. Also the sum of four hundred and twenty six dollars advancements made to them since the death of their father as well as all advancements which I may hereafter make to them and in the division between themselves of that portion of my estate which will be going to them James N Temple is to be charged with two hundred and twenty four dollars; Walter R Temple to be charged with ninety four dollars and Camilla S Temple with one hundred & eight dollars. and each of them to be charged respectively with such other advancements as I may hereafter make to them. And in the event of the death of any or either of said grandchildren before they arrive at the age of twenty one years or marry, his, her or their portion to go to the survivor or survivors and in case of the death of all of them before they arrive at the age of twenty one years or marry then the whole of their portions is to revert to my estate and be equally divided among my children then living; giving to the children of those dead their parents portions. That portion of my estate which will be going to my daughter Mary A B Winburn I will devise & bequeath to her for and during her natural life for her sole & separate use and benefit to be enjoyed by her independant of her husband and at her death to go to such of her children as shall survive and to whom I give nothing & grandchild

as may then be living, the grand children to have their parents' portions. And it is to be laid out for & invested by my executor in likely young negroes who are to be delivered over to my said daughter for the purposes & uses therein before expressed. But as I have heretofore sold & conveyed to William M. Blanks & others a certain tract of land lying in Logan county Ky on the waters of Black Lick in which is embraced a small tract containing about twenty two acres the same devised in trust by my late husband Benjamin Temple to my said daughter Mary A. B. Winbourn & her children and which I purchased of her and husband Henry N. Winbourn for the sum of two hundred & fifty dollars which sum I have heretofore paid them; and they being unable to make me full valued & complete title thereto because of the interest which their children had therein; now should my estate or my children or any or either of them ever be made liable or have to pay any thing because of said defective or incomplete conveyance made to or from me or by reason of my recovery or warranty of said land, then that portion of my estate herein given to my said daughter Mary A. B. Winbourn and her children is to be liable for and charged with the payments of the same together with all costs expended by my children or either of them or by my executor in defending the title to said land.

I will to my grandchildren Harriet L. Newman and Lucy A. Newman that portion of my estate to which their deceased mother Eleanor C. Newman would have been entitled were she living at the time of my death. But they are to be charged with and have deducted from their portion the sum of eighty four dollars which I have heretofore advanced to them as well as to be charged with all advancements hereafter made them. Their portion is to be paid by my executor to any guardian they may choose or have who lives in this State but is not to be paid to their father nor any guardian living out of this State. On the event of the death of either of them before they arrive at the age of twenty one years or marry, her portion is to go to the survivor, and in case of the death of both of them before they arrive at the age of twenty one years or marry then it is to revert to my estate and be equally divided among my children, giving to my grand children whose parents are then dead their parents' portion.

I will and devise to my sons John B. Temple & James C. Temple in trust for the use & benefit of my family and descendants one fourth of an acre of ground including the present grave yard on my farm Federal Grove to be held

used for a family burying ground.

It is my will that none of my household furniture including beds, bed clothing, books &c &c shall be sold but that it be divided equally among my children. My grand children not to come into the division. I hereby authorize empower & direct my executor herein after named and in case he fails to qualify as executor I authorize empower & direct my administrator to sell & convey all my real estate. And all the powers herein conferred upon my executor I confer upon my administrator, provided my executor herein appointed will not act.

I hereby constitute and appoint my son John B. Temple executor of this my last will & testament. In testimony whereof I herewith set my hand & seal this the 3 day of March in the year 1851

Witnesses

M. B. Moton

Will Moton

Theodore Brown

J. J. Jacob

Eleanor C. Temple (Said)

Re acknowledged & witnessed by us in presence of the testator & in presence of each other this 12 day of April 1867

E. S. Theobald

J. Swigart Jr

Codicil - Some of the advancements charged in my will to my children were made from the proceeds of my lands sold in the lifetime of my late husband, and it is not my intention that they should be charged if that money should ever be claimed to have properly a portion of his estate.

Witnesses

Theodore Brown

J. J. Jacob

Re acknowledged & witnessed by us in presence of the testator & of each other this 12 day of April 1867

E. S. Theobald

J. Swigart Jr

Codicil 2 -

It is my desire that the Court which may admit the foregoing Will & codicil to record will not require security of my Executor named in said will, having entire confidence in his integrity & willingness to carry out all my wishes.

Witnesses

J. J. Jacob

Theodore Brown

Eleanor C. Temple

Re acknowledged & witnessed by us in presence of the testator & in presence of each other this 12th day of April 1867

E. S. Theobald

J. Swigart Jr