

Franklin County Court September 25<sup>th</sup> 1862

A writing purporting to be the last Will & testament of Daniel Polk dec<sup>d</sup> was produced in Court and was proved by the oath of M. Polk a subscribing witness thereto and he further proved that the testator & I. W. Jamieson & E. G. Polk the other witnesses signed their names on the presence of each other & at the same time. Wherefore It is ordered that the same be recorded which is truly done

A. H. Remick Clk

H. Wingate

I Henry Wingate of the City of Frankfort and State of Kentucky do make & ordain this as my last Will & Testament in manner & form following to wit

I give and bequeath to my wife Mrs Penelope Hart Wingate all the property of every description both real & personal of which I may die possessed during her natural life; and after her death to my daughter Sarah H. M. Noe and my grand daughter Mary Knight Wingate jointly and to the heirs forever, but if Mary Knight Wingate should die childless then the portion intended for her is to go to Sarah H. M. Noe & her heirs. I do this with no intention whatsoever of making an invidious distinction between my children but as the others are better provided for and as the amount to be divided will at best be but small I hope this arrangement will be satisfactory to them all. I appoint my wife above named Executor of this my last will and testament with full power & authority to sell and convey any property real or personal of which I may die possessed and my desire is that she may be allowed to qualify as such without being required to execute bond with security. In testimony whereof I have hereunto set my hand & affixed my seal on this 25<sup>th</sup> day of September 1862.

H. Wingate (Seal)

State of Kentucky

Franklin County Court Oct 7<sup>th</sup> 1862

A writing purporting to be the last will & testament of Henry Wingate deceased was this day produced in Court and the same being no subscribing witness thereto, Edmund H. Jaglor and Reuben A. Wingate being sworn testified that the said writing with the signature thereto is wholly in the hand writing of the deceased and thereupon the same is ordered to be recorded as the last will & testament of said deceased and the same is truly recorded in my office

Att

A. H. Remick Clk

I Maria W. Noe of the County of Franklin & State of Kentucky being of sound mind & disposing memory do make & ordain this my last Will & Testament revoking all other wills by me heretofore made

First It is my desire & will that my Executor hereunto named shall out of the money on hand at my death & the debts due to me pay all my just debts & funeral expenses  
Second I direct that my body shall be buried in my lot in the Frankfort Cemetery and a slab of the best marble placed over the grave and that one of a similar character be placed over the grave of my deceased husband Silas W. Noe  
I further desire that my said lot be enclosed with a neat & substantial Iron railing.

Thirdly I give & bequeath to my son Silas M. Noe the farm on which I now live purchased by me of William D. Reed containing about three hundred acres See deed to me recorded in the office of the Franklin County Court Clerk in Book 2<sup>o</sup> 6<sup>o</sup> page 114

I wish by I also give to Silas M. Noe all of the growing crop on the farm above mentioned and whatever shall have been thereon the year previous to & of my death & all the farming utensils tools & hogs cattle and indeed every thing on said farm

Fourthly It is my will & desire that the balance of my real estate and also all my slaves be sold by my executor upon such terms & credits as he may think most advisable for the benefit of my estate and upon the sale of any real estate to make deeds of conveyance

6<sup>th</sup> I will & bequeath to my grand daughter Maria E. Monroe five thousand dollars

7<sup>th</sup> I will & bequeath to my grand daughter Ann Maria Horro five hundred dollars

8<sup>th</sup> I will & bequeath to my grand daughter Adie Franklin five hundred dollars

9<sup>th</sup> It is my will that these three devised is to be paid by my executor when he shall receive that amount from the sale of my real estate & negroes

10<sup>th</sup> It is my will & desire that after the payment of my debts funeral expenses & the legacies to my three grand daughters that the balance be divided between my two sons, Lawton & Silas M. Noe & their heirs

I appoint my friend Philip Sargent my Executor, in whom I repose full confidence that the provisions of this will & testament will be fully carried out by him - The words "said & except" and "to her heirs" on the first page erased before signing