

I Setha Boots of Franklin County Kentucky make my last will & testament in manner and form following that is to say
 After the payment of just debts and funeral expenses I give to the children of James B Gatewood and Catherine Gatewood the wife of said James B Gatewood all my right and title to 32 acres of land which is part of the tract of land that J B Gatewood now lives on which is to be equally divided between said children
 And lastly I do hereby constitute and appoint my friend J B Gatewood executor of this my last will & testament In witness whereof I have hereunto set my hand this 11th day of March 1862
 Attest James Bratton Setha Boots
 James B Gatewood

Franklin County Court, May Term 1862
 A writing purporting to be the last will & testament of Setha Boots was produced in Court and proved by the oaths of James Bratton and James B Gatewood, subscribing witnesses thereto and ordered to be recorded, Whereupon the same is truly recorded in my office
 A N Remick C. C. C.

I John Mayhall of the County of Franklin and State of Kentucky being of sound mind but somewhat advanced in years, and at the same time cognizant of the uncertainty of life do hereby make and ordain this as my last will & testament
 1st It is my will and desire that my whole estate shall be subject to the payment of my just debts, though at this time I owe nothing
 2^d Having about the year One thousand Eight hundred & forty two divided equally my whole estate between my son Ray C Mayhall and myself, and he during his life having enjoyed the profits and benefits thereof, and since his death his family having done so, and being now in possession of the same, I desire it but just and proper that the children of my deceased son should have no further interest in my estate except in the contingency hereinafter cited.
 3^d After my death it is my will and desire that my wife Ann Maria Mayhall shall have and enjoy the whole of my estate real personal and mixed until my daughter Adna shall arrive at the age of twenty one years, when it is my will that my whole estate shall be equally divided between my wife and a daughter, if however my daughter should marry before she arrives at the age above cited, it shall in such an event be discretionary with my wife to give her such portion of my estate as she may think fit and proper to be given
 4th It is my will and desire that my daughter shall be

entitled to all the rights and privileges of my home until her marriage or maturity, and that from the proceeds of my estate shall be liberally educated, and supplied with all the necessary and reasonable wants of life.
 5th In the event of my daughters death before she arrives at the age of twenty one years and not having married, and leaving no bodily issue It is my will and desire that my wife shall have and enjoy the whole of my estate during her natural life, subject however to a contingency hereinafter to be named
 At the death of my wife should Adna my daughter or any bodily issue survive her (my wife) then that portion of my estate (one half) which has been heretofore allotted to my wife shall descend to my daughter or her bodily issue.
 If however my daughter should die leaving no bodily issue and that event should happen prior to the death of my wife, it is my will that my wife shall have and enjoy the whole of my estate until her death and at that time in the event of the happening of the contingency last cited above it is my will & desire that my whole estate shall be divided among the children of my deceased son Ray C Mayhall and John Mayhall son of my nephew P H Mayhall in equal shares
 6th In the event of the death of my daughter she leaving no bodily issue to my wife then by enjoying the benefit of my whole estate and she (my wife) should marry again then it is my will and desire that one half of my estate shall be given to the children of my son Ray C Mayhall deceased and John Mayhall son of P H Mayhall, my wife to enjoy the remaining half during her life and to descend at her death and be disposed of as the other half has just been just above disposed of
 7th It is my will and desire that my wife shall have the right and privilege of disposing of all the property which she has (of whatever it may consist) at the time of our marriage in such manner as she may see fit
 8th It is my will that my watch shall be given to my friend Ruben Brown in the event he shall survive my wife if not then to my nephew P H Mayhall if he should survive her, if neither should survive my wife then I wish it to be given to my daughter or the eldest male of her issue
 9th Lastly It is my will & desire that my friend Ruben Brown shall act as the executor of my estate & guardian of my daughter
 In testimony whereof of the above I hereunto set my hand this the 24 day of October 1862

Thirteen Eight hundred & fifty seven
 Witness
 I Russell Hawkins
 A. Neat

State of Kentucky
 Franklin County Court 21st June 1862

A writing purporting to be the last will & testament of John
 Mayhall dec^d was produced in Court & was proved by the
 oath of I Russell Hawkins a subscribing witness thereto.
 And was further proved the oath of SD I Russell Hawkins
 that the signature of A. Neat was in the hand writing of
 said Neat who is a witness to said Will. It is ordered that
 the said will be recorded which is truly recorded in my office
 A. H. Remick Clerk

Paper (A)

State of Kentucky
 M'Lean County 3rd 31

This day personally appeared before me
 J. Little Presiding Judge of the M'Lean County Court Isaac
 Johnson and Elizabeth Johnson his wife who state that on
 Saturday the 28th day of December 1861 they found Capt Albert
 G. Bacon of Col Jacksons Regiment of Ky Cavalry lying on
 the side of the road leading from Ramsey to Greenville in
 M'Lean County Ky. That he was badly wounded and seemed
 very much exhausted, that when they approached him and
 asked him if he was hurt, he stated that he was. He said
 his watch had been taken, they then asked him if he was
 a citizen of this part of the country and he replied that he
 was a citizen of Frankfort Ky. They then asked him if he
 was a member of a family, he replied that he was not. Johnson
 then asked Bacon if he was a religious man, he replied
 that he was not, and asked Johnson to pray for him which
 he did, Bacon then prayed himself, after which he asked
 Johnson if he could write that he desired his will written
 but Johnson having no writing materials could not comply
 with his request. Johnson then asked Capt. Bacon in the
 event he did not live to have his will written, in what way
 he desired to dispose of his property. Bacon replied that after
 the payment of all his just debts he would give his entire property
 to his sister living in Frankfort Ky who was an unmarried
 woman. They say that at the time of the above conversation
 Capt Bacon was evidently in the full possession of his faculties
 entirely rational. They say that after this he lived about
 twenty five or thirty minutes, and that he seemed to retain
 his faculties to the last moment.

A. G. Bacon
 ditto

The testimony of which is hereunto set on hand the 3rd day
 of January 1862
 Isaac Johnson
 Elizabeth Johnson
 Subscribed and sworn to before me this the 3rd of January 1862
 J. Little J. S. M. C. C.

The Commonwealth of Kentucky
 To any Examiners in & for M'Lean County Greeting
 Know ye that we trusting to your fidelity and prudent
 circumspection in diligently examining Isaac Johnson and
 Elizabeth Johnson his wife and R. H. King touching the
 paper herewith annexed purporting to be the written will of
 Albert G. Bacon which has been offered for probate to the
 Franklin County Court. We command you that at such
 time and place as you shall appoint, the witnesses aforesaid
 you shall cause to come before you and them diligently
 examine on oath touching the premises; and their examina-
 tion into our said Court distinctly and plainly, without
 delay you shall send and certify endorsed, returning
 also to us this writ.

Witness A. H. Remick Clerk of our said Court, this
 15th day of January 1862 and in the seven and twentieth year of the
 Commonwealth

A. H. Remick C. C. C.

State of Kentucky
 M'Lean County 3rd 31

The deposition of Isaac Johnson
 taken on the 17th day of May 1862 at the Examiners office
 in the town of Guthrie County of M'Lean and State of
 Kentucky in pursuance of the Commission hereto attached to
 be read as evidence in the Franklin County Court and State
 aforesaid in the matter of the probate of the last will of
 Albert G. Bacon deceased. Dependent being of lawful age
 and first duly sworn says
 Question - Please examine the paper marked A here shown
 you purporting to be the unwritten will of Albert G. Bacon dec^d
 and state all you know about it?
 Ans - The paper shows me marked (A) of date 3rd of January
 1862 as the unwritten will of Albert G. Bacon made within 25
 or 30 minutes of his death and in the presence of dependent &
 his wife Elizabeth Johnson, both being present at the same
 time and called upon by him the said Bacon to witness his
 intentions and that the testamentary words of said Bacon were
 substantially reduced to writing as shown in the paper marked
 (A) within five days next after they were spoken & subscribed