

John B. Babell I John B. Babell of Henderson Co Kentucky being in full health and of sound mind do make this my last Will and Testament viz

1st My Will is that all my just debts and funeral expenses shall by my executor hereafter named be paid out of my estate as soon after my decease as shall by him be found convenient

2^d I release my brother George B. Babell from payment of all he may owe me in security for a debt Robert B. Babell owes me on account of the estate of Richard B. Babell which estate has not yet been entirely settled

3^d After a full settlement of said Richard B. Babell's estate I give and bequeath to my brother Robert B. Babell all that is due me from said estate, most of which is due from Geo. W. Thompson

4th I hold a debt of about dollars secured by Mortgage on a farm in Nipton Co Ky on my half brother S. J. Overall. I also hold two other notes on hand viz both dated June 7th 1853 bearing interest from March 1st 1852. One for ninety dollars and the other for fifty four dollars apiece which last is a credit note dated 7th 1854 of twenty dollars. I do not wish to exact these debts from him unless for the purpose of securing them proceeds to him free from his other debts present and prospective. Wherefore I hereby devise and bequeath the said debts and assign and transfer the said Mortgage to Mr. Marshall in trust wholly for the use and benefit of the said Overall but not to be subject to his debt. And if a fore closure and sales had I wish said trustee to invest the proceeds in such manner according to his discretion as will best subserve the above purpose

5th I devise that as soon after my decease as may be convenient my executor have a public sale of my surplus stock farming utensils &c

6th I owe in debt about dollars mainly for the purchase money of my Union Co farm and believing that it may be inconvenient for my executor to carry on said farm profitably I authorize him to sell and convey the whole tract of land at such time and at such price and payments as he may approve. And in closing up my estate in Union Co I authorize my executor to sell any or all of my negroes that may live on that farm that have wives or husbands in the neighborhood and may select to remain with them. I also empower him to sell any of my negroes before the general division of my estate that may be in subordination or manumitted

In case of failure of crop in Union Co farm (before the sale of said farm) and a probability of sacrifice of property to meet the debt. I authorize my executor to borrow whatever may be necessary to meet the payments not exceeding ten thousand dollars at an interest not exceeding six per cent per annum

7th My home farm is not to be divided till my son Sam comes of age. Until which time I direct my family viz John Perry Mary Frances and Sam Babell to have and occupy it as a common home. And that they be supported out of the proceeds of my estate and that Sam be also educated out of said fund; and that no separate charge be made against either of my said children on account of the support and education.

When my son Sam attains his majority I direct my home farm to be divided into two equal parts (viz number of acres) by a line running east and west. Whereof one part I devise to my son John Perry and the other to my son Sam the one who draws the most valuable part must pay to the other a sufficient sum to equalize these several divisions

But of the remainder of my estate my daughter Mary Frances must

receive a share greater than her brother to wit ^{BOOK C PAGE 191}

One third of the value of the value of the whole of said lands. It being my desire that my three children shall inherit and receive from my estate equal portions.

8th I appoint my son John Perry Babell Guardian of my children Mary Frances and Sam. And I also appoint him my sole executor and desire that no bond or security be required of him and empower him to make good title to any property he may dispose of according to the direction of this will.

For his services in conducting the farm in Henderson Co I allow him three hundred dollars a year until the final settlement of the estate

I also ask my friends Mr. John H. Holloway and Mr. Marshall to give him their advice and counsel in all important business matters relating to the estate

Henderson County Ky
May 26th 1862

Witness my hand and a acknowledge in presence of
J. Holloway
W. Holloway

State of Kentucky, St
Henderson County, ss August County Court (Special Term) 1862.

The last Will and Testament of John B. Babell deceased was produced in Court and proved in open Court by the Oaths of Peter J. Holloway and William J. Holloway Subscribing Witnesses thereto and ordered to be recorded which with this Certificate is hereby done in my Office

Attest
J. E. Alexander Clerk

Sarah Davis I Sarah Davis Feb 1st 1857

Being in sound mind but in feeble health realizing the uncertainty of life do make this my last Will and Testament First I bequeath my last to God who gave to 2^d I will that all my just debts shall be paid. 3^d I will and bequeath to my son W. J. Davis the sum of One dollar 4th I will to my son John B. Davis the sum of One dollar 5th I will to my daughter Sarah F. Davis the sum of One dollar 6th I will to my daughter Anacha J. Williamson the sum of One dollar 7th I will to my son James J. Davis at my death all my stock including horses, sheep and cattle and one bed and also my tract of land on which I now reside. But I will to my daughter Polly J. Davis & Elizabeth J. Davis a life interest in my lands and my son James, but in the event they my daughter Polly and Elizabeth should die or get married I will and bequeath all my land to my son James Davis and he can right to dispose of as he may think proper. But it is my wish that my son James and my daughter Polly & Elizabeth shall live together on my land as long as they live or remain single I also will and bequeath to my daughter Elizabeth J. Davis One bed. And the balance of my household furniture to be equally divided between my son James J. Davis and my daughter Polly & Elizabeth Davis done this day and date above written

Witness
Thomas H. Garland
Florence J. Thomas

Sarah J. Davis
her