

of the County of Lincoln and State of  
Kentucky and disposing of my said and money and  
estate and testament  
I do hereby give and direct that my just debts to be paid with the proceeds of  
my said estate and with the aid of such part of the proceeds of  
my said estate as can be spared after a sufficiency shall be ap-  
plied to the support and education of my children, and in case that  
the other funds hereinafter provided, shall prove insufficient,  
my said executor or the survivors of them are hereby authorized to  
take portion of my real or personal estate in both not specified  
by this will as they may deem necessary and in such  
manner as such credit as will in their opinion best answer  
the purpose and advance the interest of my children  
I will and devise to my beloved wife Martha Minn  
in lieu and in full satisfaction of her claim to dower an  
all interest or right in my real and personal estate the  
following places to wit; Wash and his wife Lucy and their de-  
scendants' land is to be hereafter born, children, Grand children  
Great Grand children, I give her also the use of my slave Will  
for five years, if she shall so long remain a widow, when  
marriage her right to the use of possessions of Willm shall  
cease and determine. I will her also my household and  
kitchen furniture of every description with the farming  
garden utensils, my carriage, waggon and horses and cattle  
After which slaves and personal property she is to have and

Third. I devise to my brother John Pope, William Pope and  
 Nathaniel Pope hereby appointed Guardians to my children  
 until they respectively obtain the age of twenty one years  
 and the survivors or survivor of them, the half acre portion  
 of Louisville number 575 adjoining the lot 274 and  
 my wife for life. Also part of half acre lot in  
 number 125 in the West side of 6<sup>th</sup> Cross Street containing  
 said Street of 53 1/2 feet running back to  
 the same acres or less. Also all the remaining part of  
 lot in said Court number 121 in 5<sup>th</sup> Cross Street  
 having heretofore sold part of said lot to Joseph  
 for one five acre lot in said Court number 121  
 to said my son Samuel Churchill's purchase  
 containing about two acres but being  
 the said lot and lot I devise and do  
 for said made ordering of my children  
 from after the death of me  
 as an executor of my last will and testament  
 bearing date of this 11<sup>th</sup> day of June 1840

from any responsibility for the same.  
12<sup>th</sup>. The Guardians shall have full power to sell, lease, mortgage, or otherwise properly devised, among which shall be included the power to sell, lease, mortgage, or otherwise devise herein made and in any other manner as they become entitled to their shares respectively, and the same shall be binding on them. And nothing may when a difficulty arises in dividing the same as equal shares charge a Superior lot or portions with an undue proportion payable to the owner or owners of an inferior lot or lots, and the same shall be the lot or portions equal, payable in such proportion as they may deem reasonable. And all settlement made by any master with me or any of my children in relation to his estate or the proceeds thereof shall be good, valid and binding.

13<sup>th</sup>. I authorize and request the Guardians hereby appointed to permit my Slaves Bill and his wife Sophia to remain on the lot they now occupy and to indulge and manage them as they may deem best and as nearly in accordance with the course I have observed as Consistent with the expiration of five years after my death I authorize the Guardians or such of them as may then be acting to emancipate my said Slaves Bill and Sophia unless they in their discretion shall deem it inexpedient. And I hereby qualify the devise of Slaves to my sons so far as regards Bill and Sophia and vest the right and title of them in the said Guardians for the purposes aforesaid, leaving the question of emancipation entirely to their discretion. And I further authorize them to give said Bill and Sophia a lease for their lives for any quantity of the lot they now occupy including the present residence not exceeding two acres.

two acres.

14<sup>th</sup> The real estate exclusive of slaves devised to my wife for life & devised to my said sons and daughters who may be living at her death to be equally divided between them. If any of my said sons or daughters shall depart this life before their mother bearing lawful issue, the children of such son or daughter shall be entitled to the portion the father or mother would have been entitled to if living at the death of my wife.

15<sup>th</sup> All the rest and residue of my estate not herein particularly disposed of and the surplus of the profits of my estate, if any, I hereby direct to be equally divided among my children, sons and daughters, the share of each to be paid given when his or her marriage or at the age of 21 years.

16<sup>th</sup> The houses and ground devised to my wife for life may at her death be sold by the Guardians or executor out for the Common benefit of my children to whom it is devised.

17<sup>th</sup> I hereby appoint my brother John Pope and William Pope my Executors of this my last will and as before mentioned I do also and appoint John Pope and William Pope Guardians of my children until they attain the age of 21 years and Guardians of the estate of such child until all the duties and duties hereby imposed are fully executed and performed. I give full power to my said Executors to do such and such as may be necessary for the execution of the powers or duties hereby imposed.

the payment of debts and the residue to defray expenses of  
education of my children or in any other manner they may  
think proper for the general benefit of my children.  
As long as my children shall remain with their mother  
the Guardians may make such allowances and appropriations  
for their board, clothing and education out of the proceeds  
of my whole estate as they may think reasonable, without dis-  
crimination as to the expenses of each or the portions of in-  
come which the funds are derived. It being my will and  
desire that the profits of my whole estate not devised to  
any one shall be kept together as a common fund for the edu-  
cation and support of my children or such of them as continue  
together with their mother until they marry or attain the  
age of twenty one years. If one or more should be sent from  
their mother to a distant school, the entire expenses of such  
ones and above the average expenses of those who remain  
in the family shall be charged against them.

3rd I authorize the Guardians aforesaid to sell any lands or  
except in the Town of Louisville and not herein specifically  
defined, which I may have in this or any other State and to  
the proceeds or to vest them in other lands or stock in such  
one or portions as they may deem best for the interests of me  
They are also fully authorized to make leases of any lands  
whether specifically devised or not, for such terms and  
such stipulations as they may think expedient without

to the periods of which my children may attain age, but  
however that such leaves shall not prejudice the right of  
child to his or her portion of the estate when he or she is  
the age of 35 years.

9<sup>th</sup>. In explanation, it may not be amiss further to  
say clear intent and will that when any child shall  
attain the age of twenty one years and thereby become  
able to his or her share of the estate or proceeds, the residue  
of the proceeds of the estate shall continue a common fund  
for the benefit of those who may continue together with the  
mother as above directed. The proceeds of the estate of those  
continue with their mother or in the event of her death to  
be placed under the care of others, shall be a common fund  
for their support education and benefit while they continue  
and until they respectively attain the age of twenty one years  
I transfer and release to my mother whatever claim I  
have under the will of my father to money due my father  
from him.

10<sup>th</sup>. Whereas my brother Nathaniel and myself are  
acting as legal heirs and devisees in the will of my father  
and whereas whether the lands devised are of much value  
and are exposed to being disputed, it is uncertain and  
attended with the trouble and expense of contending  
therein, the guardians aforesaid to transfer  
the lands to my brother Nathaniel  
and to satisfy the claims of such

Twenty five years ago, I purchased the  
allairs that I did. I have since then  
a title in it as I have since then  
ago, except as herein provided.  
This life before the age of twenty one  
shall be entitled to the profits of the land  
entitled had the allairs that I did. I have  
led with the right of the land.

This life before either allairs that I did  
without issue, the land and the profits of the land  
shall pass and be enjoyed by my two dear  
William & Pope.

Whensoever my daughter shall marry  
the age of twenty one years, she shall receive  
her portion of the profits of the land contained in the  
deed or the Guardians of the land shall allot and give her  
used and enjoyments of the profits of the land for the  
twenty five years subject to the contingency and condition  
said.

Fourth. I devised to my two dear William & Pope and  
Gentiana Pope to be equal and divided between them my  
land and house and the profits of the land in the  
purchase of William & Pope's children by patent, 1000  
to the said man of the profits of the land and the profits  
new and for the profits of the land.

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tract with Dona Brown and her heirs and assigns in the other  
side of said 1000 acres, to have and to hold the same land  
and things here foreward subject to the Contingency and con-  
dition herein after expressed

I devise also to said land in  
this line to be equally divided and subject to the same con-  
dition and contingency the residue of my slaves not devised  
to my wife, in old time of slaves Wilson subject to the use of the  
gives to my wife provided however and it is hereby expressed  
declared as my will, that if either of my said sons shall  
this life before he attains the age of twenty five years or  
lawful issue, the whole of the slaves and lands herebefore  
to him shall in that event pass to and vest in my said  
living brother. And this devise of my two sons is on a condition  
that contingency

5th I have in charge the said lands aforesaid, if  
deems it expedient, to sell the same purchased of which  
whichever for use of the said land and vest it in  
or locate for the said land, who shall  
to their respective shares of the said land  
their marriage and the said land shall  
have the said land and the said land  
shall be divided equally between the said  
10th I have in charge

or such one as may act full power to execute and perform all  
business and duties designed them by this will, And in the absence of  
one or more from the State, the one or more remaining in the State  
shall have plenary authority to execute everything authorized  
or required by this will. I further require and direct that  
the my Executors nor the Guardians shall be compelled to give  
any security, nor shall they be liable for mismanagement, neglect  
or indiscretion, they may employ Agents under them without  
hazard to them and full faith and credit shall be given to  
the accounts and settlements of Guardians and Executors  
without or with vouchers, having entire confidence in their  
integrity and good feeling and affection for my wife and  
children. I earnestly request them to act and release them  
from responsibility.

18<sup>th</sup>: The Guardians aforesaid are hereby authorized to execute  
any conveyances which I am bound by contract to make.

This Will made, signed and sealed at my dwelling  
house in the Town of Louisville on this      day of August in the  
year 1826 and written on the foregoing four sheets of paper.  
Sundry interlineations made by me.  
Signed John before this will was signed  
Witnesses.

19<sup>th</sup> Whereas since writing the foregoing I have purchased  
of my brother in law Abner Field three slaves named  
John, William and Mary.

undry entered into the same and signed  
 before them and signed  
 Witnesses.

19<sup>th</sup> Whereas since writing the foregoing I have purchased  
 of my brother in law Abner Field three slaves named  
 and her child Henry and a mulatto girl about nine years  
 old named Rover Rosanna, I will and devise that they be  
 disposed of as follows Viz:

1<sup>st</sup> To my daughter Maria H. Pope I give and bequeath the  
 said mulatto girl Rover Rosanna to her and her heirs and  
 assigns forever.

2<sup>nd</sup> To my sons Henry and William Fontaine Pope I give  
 and bequeath the other slaves Sylvia and her child Henry in  
 the same manner and upon the same conditions, limitations  
 and restrictions upon which the other slaves are devised  
 them, excepting Bill and his wife Sophia.

In Witness whereof I have hereunto set my  
 hand and seal this 21<sup>st</sup> day of November A.D. 1826  
 Signed, Sealed and delivered

Alex Pope

in presence of  
 Warden Pope  
 James Guthrie  
 Sam Dickinson  
 Bro Pope Grotter.

