

Nathan Byers of Jefferson County and of the State of  
Kentucky being weak in body, though sound mind and  
memory do make and declare this instrument to be my last  
will and testament revoking all others.  
1<sup>st</sup> It is my will and desire that my plantation and an  
old negro woman named Nancy be sold and my executors  
are hereby authorized to sell them together with all my  
personal property to the best advantage.  
2<sup>nd</sup> It is my desire that my estate be equally and fairly  
divided among my children.  
3<sup>rd</sup> It is my wish and desire that Mr. Benj. Lethen and  
Mr. Arthur McCall as he appointed as executor of my will  
and that Mr. Benjamin Lethen be the Guardian of my children  
the witness whereof of hereunto subscribe my name and  
Seal this 13<sup>th</sup> day of August 1831

Teste

Thomas H. Sano  
James F. Pendergraft

Nathan Byers Seal

State of Kentucky. At a County Court continued and held  
for Jefferson County in the State of Kansas at the Court house  
in the City of Lawrence on the fifth day of September 1854  
lands eight hundred and thirty. An instrument of writing  
purporting to be a copy of the last will and testament of Nathan  
Byers was produced in Court by Benjamin Hawthorn and is  
proved by Thomas H Vance and to the satisfaction of the Court  
that the said Nathan Byers in August last executed and  
published his last will in writing and that said Byers was  
then of sound and disposing mind, memory and discretion  
and that said will was attested by him the said Thomas  
Vance and also by James S Pendergraft in presence of said  
Vance and that said Vance and Pendergraft attested said  
will at the request and in the presence of Nathan Byers and  
that the body of said will was written by said Vance and  
said Hawthorn. Also proved to the satisfaction of the Court  
by said Vance and by Samuel Frederick that said paper  
produced in Court as a copy of the will of Nathan Byers  
was a copy of the will which said Byers in his life time pub-  
lished and made as aforesaid and also by said Frederick  
that said original will of Nathan Byers was read in presence  
of said Frederick and of Nathan Byers during the life time  
of said Byers and that said Frederick was requested to  
take charge of said will and that he did at the request  
of said Byers take said will into his possession and that

lished and made <sup>known</sup> by said Frederick and also by said Frederick  
that said original will of Nathan Byers was read in presence  
of said Frederick and of Nathan Byers during the life time  
of said Byers and that said Frederick was requested to  
take charge of said will and that he did at the request  
of said Byers take said will into his possession and that  
said will has <sup>been</sup> by some casualty lost and thereupon and  
upon proof to the satisfaction of the Court, it is ordered  
by the Court that the paper produced as a copy of the last  
will and testament of Nathan Byers shall be and the same  
is confirmed and established as the last will and testament  
of said Byers and that the said will shall be recorded as  
such. And at the same Court Term on the seventh day of  
September in the year last aforesaid, On the motion of  
Benjamin Legwith who made oath according to law, for  
execution of the last will and testament of Nathan Byers  
deceased late of this County is granted him whereupon  
he gave bond in the penalty of Seven thousand dollars  
with Samuel Schwing his security Conditioned according  
to law. Arthur McClawley the other Executor named in  
said will having renounced the Execution of the same  
which will is recorded in my Office.

Teste  
Warden Papp

Commonwealth of Kentucky  
At a County Court held for Jefferson County at the Court house in the City of Louisville on the seventh day of June One thousand eight hundred and thirty ~~the instrument of writing hereto annexed~~ was produced in the said Court and was proved by the oaths of George Gatton and Richard Gatton subscribing witnesses thereto and ~~the Codicil thereto~~ ~~annexed~~ was proved by the oaths of James Reed and Thomas Waller subscribing witnesses thereto and thereupon the said writings were established as the last will and testament and Codicil of Levi Russell deceased late of said County and ordered to be recorded and are recorded.

And Richard Gatton and Thomas Waller previous to the probate of the said will and Codicil renounced their right as Executors thereof to execute and perform the same in the said Courts.

Whereupon and on the motion of the said Richard Gatton and Thomas Waller why made oath according to Law, administration of the estate of the said Levi Russell with his said will and Codicil annexed was granted them by the said Court who gave bond with James Pomeroy and George Gatton their securities in the penalty of six hundred dollars payable to the said Commonwealth with the condition thereto annexed.

in the said Court and was proved by the oaths of George  
Seaton and Richard Seaton subscribing witnesses thereto and  
the Codicil thereto annexed was proved by the oaths of James  
Byrd and Thomas Waller subscribing witnesses thereto and  
thereupon the said writings were established as the last  
will and testament and Codicil of Levi Russell deceased  
late of said County and ordered to be recorded and are  
recorded.

And Richard Seaton and Thomas Waller previous to  
the probate of the said will and Codicil renounced their  
right as Executors thereof to execute and perform the same  
in the said Court.

Whereupon and on the motion of the said  
Richard Seaton and Thomas Waller why made oath according to  
law, administration of the estate of the said Levi Russell with  
his said will and Codicil annexed was granted them by the  
said Court who gave bond with James Pomeroy and George Seaton  
their securities in the penalty of six hundred dollars payable  
to the said Commonwealth with the condition thereto annexed  
required by law.

Teste  
Wardlaw Pope clk