

8th day of November James B. Nichols five dollars.
 and lastly, I do hereby constitute and appoint my friend
 James B. Nichols Executor of this my last will and Testament
 hereby revoking all other former wills or Testaments by me
 heretofore made. In witness whereof I have hereunto set
 my hand and fixed my seal this 9th day of November
 1879. Signed, sealed and acknowledged as aforesaid for the
 last will and Testament of the above named
 in the presence of William X. Nichols
 James Meigs and
 John W. Dunn

State of Kentucky,
 Ohio County, Court. April Term 1879.

I, John W. Cox, clerk of the Ohio County Court
 do hereby certify that the foregoing last will and Testa-
 ment of William X. Nichols was at this term of said Court
 produced and duly proven by the oaths of James Meigs
 and John W. Dunn subscribing witnesses thereto and
 ordered to be recorded which has been done.
 Given under my hand this 9th day of April 1879,
 John W. Cox clk

State of Kentucky,
 Ohio County Court. Sch.

October Term 1879
 At a regular Term of the Ohio County Court
 continued by adjournment and held at the County
 house, in Harford Kentucky on Friday the 11th day
 of October 1879.
 Present - Hon. Ben. Stewart P. J. Clerk,

This day came E. D. Kimbley and produced to the Court
 a paper purporting to be the last will and Testament
 of Brentwood Meigs deceased; and it appearing that
 the subscribing witnesses thereto, to-wit: J. H. Meigs and
 H. H. Meigs and James Meigs reside in the County of
 Nelson, State of Kentucky, more than fifty miles distant
 from Harford; a Commission is hereby directed to be
 issued and annexed to said paper purporting to be a
 last will and Testament of Brentwood Meigs deceased
 directed to any persons authorized by law to take
 depositions in other cases, to take the Depositions of
 said subscribing witnesses to said will.
 Given under my hand this 13th day of October 1879,
 By C. R. Munnell D.C.

I Brentwood Meigs now residing at the home of my Brother James
 H. Meigs of Harford Ky, and unable to give attention to business
 and I have Coal lands in Meigs County Kentucky and Coal
 rights in the lands of others, which rights be properly worked or
 farmed out, and I hereby appoint my father-in-law E. D. Kimbley to
 attend to these lands and rights for me, either to work these Coal lands
 owned by me and wherein I have only Coal rights or to sublet to
 others the right to excavate and sell Coal therefrom as fully as I could
 myself and for such royalty or compensation as he shall or may agree
 upon, and in case of my decease this paper is to have the force and
 effect of a last will and Testament, to authorize said Kimbley or
 whomsoever may be appointed to execute this will to cause any Coal
 lands that I have or in which I have a right, to be used for the
 excavation and sale of any mineral therein or mining thereon, the
 proceeds or profits to come to me if living and to my daughter
 Ada E. Meigs in case of my death or decease and should I die
 before I sell said lands, said land and all other estate which
 I may own I desire to my daughter Ada after the payment
 of such charges as may be incident to my decease, should
 I die I direct a Stone to be placed at my grave to designate
 it, the doing of which I leave to be attended to by my brothers
 James and Jasper, should they survive me,
 Given under my hand this 3rd day of Septem-
 ber 1879
 Brentwood Meigs
 mark

Witnessed in the presence
 of each other and at the
 request of Dr. Brentwood
 Meigs
 J. H. Meigs
 H. H. Meigs
 James Meigs signed in his presence and at his request Sept-
 9th 1879

State of Kentucky,
 Ohio County Court. Sch.

The Commonwealth of Kentucky,
 In any officer of Nelson County,
 State of Kentucky, who is authorized under the law to
 take depositions:
 Whereas at the October Term 1879 of the said Ohio County
 Court E. D. Kimbley produced to said Court a paper pur-
 porting to be the last will and Testament of Brentwood
 Meigs deceased, and it appearing to said Court that
 the subscribing witnesses thereto to-wit: J. H. Meigs, H. H.
 Meigs and James Meigs reside in said County of Nelson
 in the State aforesaid and more than fifty miles from
 the County seat of said County of Ohio, an order was

entered directing a Commission to come to any office of Nelson County authorized to take depositions, to take the depositions of said subscribing witnesses; Therefore you are Commanded without unnecessary delay, to take the depositions of J. H. Muir, H. H. Muir and James Muir in regard to the execution and publication of a last Will and Testament by Dr Brantwood Muir deceased, which is hereto attached and Certify the same together with said Will and this Commission to the said Ohio County Court.

Given under my hand and Seal of office
this 10th day of October 1879.

Sam. H. Cox Clerk

By E. R. Murrell D. C.

The Deposition of J. H. Muir taken at the Sam. H. Cox's office of Nelson County, Kentucky, in the town of Bardonia, Nelson County, Kentucky, to be read as evidence in the County Court of Ohio County, Kentucky in the matter of the probate of the will of Brantwood Muir.

Question. Did you know Brantwood Muir and what do you know of his making a last Will and Testament? Answer. Brantwood Muir was my brother and he died at my house in this (Nelson County Ky) on the 15th day of September 1879. On the 3^d day of September 1879 at his request, I wrote a paper of that date and to which my name is appended as a witness. It is also witnessed by my wife H. H. Muir; Dr Brantwood Muir, signed and acknowledged said paper as his last will and Testament. He was too feeble to write his name and made his mark thereon. His name to which his mark is attached being written by me. My wife and I both signed same in his presence and at his request. He declaring said paper to be his last will and Testament, and at the time of doing he was of sound and disposing mind and memory in my judgment. And further saitheth not.

J. H. Muir

Also the deposition of Dr James Muir taken at the same time and place and for the same purpose as stated in the Caption.

Question. Did you know Brantwood Muir and what did you hear about his making a last Will and Testament?

Answer. Yes. I knew Dr Brantwood Muir. He is my brother. He died at my Brother's house on Sept 15th 1879 in this - Nelson County Kentucky after a long and protracted illness. On the 9th September 1879 I signed at witness a will, date 2 September 3^d 1879 made by him as he

said, in his presence and at his request. He was then of sound mind and disposing memory. The same paper or will is now signed and sealed as marked.

James Muir

State of Kentucky
Nelson County, Ky.

I E. C. Michliggs an Examiner in and for the State and County aforesaid, do Certify that the foregoing Depositions of J. H. Muir and James Muir were taken before me at the time and place stated in the Caption; that the witnesses were first duly sworn before giving them; that they were written, read and signed by the witnesses in my presence.

Given under my hand, this 10th day of October 1879.

E. C. Michliggs Examiner for
Nelson County.

State of Kentucky
Ohio County, Ky.

October Term 1879.

I Sam. H. Cox Clerk of the County Court for the County and State aforesaid, do hereby certify that the foregoing writing purporting to be the true last Will and Testament of Brantwood Muir deceased was at this time filed for probate and read; And thereupon the same was duly proved and established as the true last Will and Testament of said Brantwood Muir died by the Deposition and proof of James Muir and J. H. Muir two of the subscribing witnesses to the same duly Certified and attested as presented by him in said cases made and provided; And the same being examined and approved by the Court and ordered to be admitted to record together with the Depositions and proof filed - which have been done in my said office together with this Certificate. Witness my hand, this 10th day of October A. D. 1879.

Sam. H. Cox Clerk
By E. R. Murrell D. C.

After the payment of my just debts and burial expenses I make this to be my last Will and Testament hereby revoking all others.

My Father in disposing of his lands required of my Brother, John B. Roman; at my said Father's death to pay me two hundred Dollars in order to equalize the value of the land that I received with that received by my said Brother, Mrs B. Roman. I now hereby release my Brother John from the payment of the said sum together with any accrued interest and said claim to become null and void, in case of my death at any time.

I give to my Sister, Martha E. Holbrook the