

January 11<sup>th</sup> 1842

brothers and sisters, the remainder of my property or estate of every nature or description, to be equally divided between them as follows to wit; to my brother Henry Ellis one fifth to my brother William Ellis one fifth to my sister Lydia Bellow and the heirs of her body one fifth, to Sally Caldwell, and the heirs of her body one fifth, and to Penny Shoemaker, and the heirs of her body one fifth the above bequests constituting the whole of my estate as far as known to me, except my boy Edward or Ned as before and now excepted, out of the above and foregoing devise, and I will and desire him to be free, at my death. And lastly I do hereby constitute and appoint, my brothers Henry<sup>Ellis</sup> and William Ellis Executors, of this my last will and testament, to carry the same fully into effect. As my said three Children above named, have not been suitably educated. It is my wish and intention, and I so direct if they or either of them, desire to attend school, and receive an education, that my Executors pay for the same, out of any money, going to them, and charge them or either of them with such amount as may be paid for their schooling, to be deducted out of the portion of any one claiming the benefit of this provision, And to be more explicit, as to my negroes. It is my wish that they shall be sold, except from one devised to another to effect an equal division. The foregoing and every part of it is truly my last will and testament. In witness whereof I have hereunto set my hand and seal this 2<sup>nd</sup> day of December 1841

Signed sealed published and declared, as and for the last will and testament of the above named John Ellis, in presence of us  
Samuel F. Shreve  
Wm. L. Barton

John Ellis Test

State of Kentucky  
Pendleton County Court, January term 1842, viz.  
I Reuben McCarty Clerk of the County Court for

the County aforesaid do hereby certify that at a County Court held for the County of Pendleton at the Court house thereof in Palmaruth at the term aforesaid on the third day of January 1842 the foregoing instrument of writing was produced in open Court and was proved by the oath of William L. Barton one of the subscribing witnesses thereto. who also made oath that Samuel F. Shreve did also in his presence and also in the presence of the said decedent Sub- scribe said instrument of writing whereupon the Court received and established the same to be the last will and testament of the said John Ellis deceased and ordered the same to be recorded as such and thereupon Henry Ellis and William Ellis the Executors named in said will appeared in open Court and made oath thereto to be duly qualified and gave bond and security according to law therefore Certificate was granted them for obtaining letters of administration on the estate of the said John Ellis dec'd with said will annexed in due form of law which said will has been truly recorded in my office Given under my hand this 11<sup>th</sup> day of January 1842  
R. McCarty Clk.

Charles Smith In the name of God, Amen.

I Samuel Carter of the County of Pendleton, and State of Kentucky being infirm in body, but of a sound mind and disposing memory (for which I thank God) and calling to mind the uncertainty of human life and being desirous to dispose of all such worldly estate as it hath pleased God to bless me with, I give and bequeath the same in the manner following, viz:

Item 1<sup>st</sup>. I wish my beloved wife Nancy, after my death, to pay all my just debts and burial and funeral expenses out of any of my personal estate which she may think can be best spared.

Item 2<sup>nd</sup>. After my decease, I wish all my property both real and personal to remain in the hands of my wife so long as she remains my widow, and if she should not marry, to remain in her hands as long as she lives; said property to be kept, used, and managed by her during her life or widowhood, as she may be, for her own comfort, convenience and happiness, and for the further purpose of increasing the same, if she can, for the benefit of my children and one Grand child

Item 3<sup>d</sup> At my wife's death, or marriage, or as soon thereafter as I shall mention I wish my estate to be equally divided among my children, viz: Mary C. D. Sutt, Lewis C. Carter, Sarah D. Carter, Lucy C. West, Garrett Carter, Elijah Carter, Ursula A. Carter, Landon S. Carter, and Obadiah S. Carter and William Hays the heir and only child of my daughter Eliza Sharp, deceased, to each an equal share, share and share alike,

Item 4<sup>th</sup>. That portion of my estate which shall fall to the shares of my daughters, Mary C. D. Sutt and Lucy C. West, I bequeath and give to them and their children, over which I do not desire either of their husbands to exercise any power and control because I wish the said property to support them and their children.

Item 5<sup>th</sup>. If any of my children, or the heir of my daughter Eliza, deceased should die without bodily heirs, I desire what I have bequeathed to him or her, or them, to be divided equally among my other surviving children, but to remain in the hands of my wife, as before mentioned, during her life.

Item 6<sup>th</sup>. I desire my friend and nephew, Burwell A. Carter to act as my executor to carry into effect the provisions of the my last Will and Testament, selling my estate at 12 months

Credit. In testimony whereof I have hereunto subscribed my name and set my seal this 6<sup>th</sup> day of March, in the year of our Lord, one thousand eight hundred and forty-one

Signed in the presence

Thomas L. Garrard  
Amos L. Litchius

Witness

Samuel Carter **L.S.**

State of Kentucky, Pendleton County Court, March Term 1842.  
Set 3<sup>d</sup> I Reuben M. Carly Clerk of the aforesaid Court do hereby certify that at a County Court held for the County of Pendleton at the Court House thereof in the Town of Salmouth, at the Term aforesaid on the seventh day of March 1842, the foregoing instrument of writing was produced in Court, Burwell A. Carter the Ex<sup>r</sup> in said writing named not being in Court. It was ordered that said writing should be filed, and that a summons should be issued against the said Burwell A. Carter requiring him to appear at the next Term of said Court to show cause why probate should not be taken on the said writing as the Will of Samuel Carter dec'd. And afterwards writ at a County Court held as aforesaid on the fourth day of April, 1842, the Court being satisfied by proof that the Ex<sup>r</sup> in the said writing named

to be paid to said Ann Louisa, when she arrives at age or married! But should my said Brother J. C. Kuler, execute to my said Executor a release of his claim and interest afores<sup>d</sup> (if any) in said Negro Girl, American, and have the same recorded in the Clerk's Office of the Pendleton County Court, at any time within twelve months from my death, then the bequest afores<sup>d</sup> made to him to be complete, and of full effect, otherwise my interest and claim, in and to said Girl, Kelly, to wait to my Executor for the benefit of the said Ann Louisa Kuler, as above bequeathed, and lastly, I do hereby nominate and appoint, Colonel James Wilson, Executor of this my last Will and Testament, Du witness whereof I have hereunto set my hand and seal, this first day of July in the Year of our Lord One thousand Eight Hundred and Forty, A.D.

acknowledged and signed.

Judith Ann Kuler

in presence of  
Saml. F. Swepo  
A. Robbins

State of Kentucky,  
Pendleton County Court, September Term 1842 3<sup>d</sup> Ss.

I Reuben M. Carly Clerk of the County Court aforesaid, do certify that, at a County Court held at the Term aforesaid, on the 5<sup>th</sup> day of September 1842, the foregoing Instrument of writing was produced in open Court, and sworn by the oath of Samuel F. Swepo one of the subscribing Witnesses thereto, and who also deposed and said that J. C. Robbins the other subscribing Witness thereto, subscribed his name in his presence, and in the presence and by the consent of the decedent, whereupon the said instrument of writing was established as the last Will and Testament of Judith A. Kuler dec'd. And the same was ordered to be recorded, And thereupon James Wilson the Ex<sup>r</sup> therein named, after being duly qualified, together with John A. Rigato and Thomas Rush, as his securities, executed and acknowledged Writ in open Court in the penalty of One thousand Dollars, conditioned as the Law requires, Wherefore probate of the said Will is granted to the Ex<sup>r</sup> in due form of law. And the said Will together with this Certificate hath been duly recorded in my Office this 6<sup>th</sup> day of October A.D. 1842.

Reuben M. Carly Clk.