

In witness whereof I do to this my will, set
my hand and affix my seal
This the 29th day of July, 1901
Benjamin Horn

Signed acknowledged and published, in our
presence and we have subscribed our names
hereto in the presence and at the request of
the testator.

This 29 day of July 1901

Attest

W. P. Seeley
R. L. Moody
J. D. Huddle

The foregoing written instrument was shown
in open Court by the oath of R. L. Moody and
J. D. Huddle, two of the subscribing witnesses thereto,
on this the 10th day of July, 1901, and the same
said written instrument was adjudged, declared
and deemed by the Court to be the last will
& testament of Benjamin Horn, deceased, and
ordered to be recorded in the Book of Wills.
Teste,
Hon. J. Snow, Clerk

Last Will & Testament

Thomas Curtin, wid.

Dated August 1st 1905.

I Thomas Curtin do hereby
make this my last will & testament & hereby revoking
any & all wills heretofore made.

I direct that all my just debts
be paid.

Second

I suggest that my funeral & burial be
plain & simple & that the members of the bar
take charge of my remains.

Third

I bequeath to my son Thomas H. Horn,
Curtin my law library & office furniture,
my gold watch & chain & gold headed cane
& the library collected in my home.
Both libraries may be sold by my executor

at public or private sale & the money realized will
be held in trust & lent out on real estate security
until my son is twenty one years of age. But
any of the books in my home or private library may
be preserved that my son deems to keep in
the family.

Fourth

I bequeath to my sister Mrs Mary Lesley out
of the fund as to be realized from insurance on
my life the sum of one thousand dollars to be
held in trust by her for the use of herself & the
children of my brother R. Curtin. And I direct
that when collected out of the insurance
Companies the same be paid to my sister without
giving security for its use or application. But
it is my desire that she use this fund partly
for her own necessities if desired also for
rearing & educating in part said children.

And in case of the death of my said sister
all the fund shall go to said children & be
traced in a trustee or guardian for their use.

Fifth

I bequeath to my two nieces Nellie & Regina
Caughlan, the sum of three hundred & fifty dollars
each to be paid them out of my life insurance.
And in case of the death of one of my nieces
without marrying the sum to be paid to the other.
But if either should marry & have a child or children, her portion
of the bequest shall, in that event not in her
children. But if both of said sisters should
die single & before me then in that event the
bequest aforesaid shall lapse, & void & the amount
to go back to my estate & not in my wife &
children, equally.

Sixth

I bequeath to my sister Mrs. Ellen Murphy of
Highland, Va. the sum of two hundred &
fifty dollars to be paid out of my life
insurance & in case of her death to go to
her children.

Seventh

I will, devise & bequeath all my remaining
property real, personal & mixed, not already disposed
of in this my will, to my beloved wife & our
two children, Eleanor & Thomas share & share

Allice. And in this clause, subject to the bequests already made, I include the three insurance policies on my life to wit: two policies in the Northwestern Mutual Life Insurance Co. for twenty five hundred dollars each, & one in the Equidental Life Ins. Co. for five thousand dollars. But one of the foregoing policies for twenty five hundred dollars is made payable to my wife, & in case my wife should wish to claim this sum, then that amount will be deducted from the portion the receiver under the terms of this will from my estate, so as to make the amount she receives from my estate equal to the portion given my two children, except the excess given my son Thomas. But the amount given herein to my wife shall be her separate estate & not be subject to the debts of a husband in the event she should marry again.

Eight

I direct my executor to invest all funds devised & bequeathed to my two children in improved Bristol real estate after first carefully abstracting the title thereto. But if my executor in his judgment considers it best he can simply lend out the funds belonging to my children & have the same secured by first Mortgage on real estate & not have more than fifty per cent upon the cash value of such realty, that is, if the realty be worth one thousand dollars, to lend five hundred dollars so secured, said loans to run for six years time & then to be renewed if necessary, but the interest on such loans shall be paid semi-annual in advance.

It is my earnest desire that both my children receive a thorough education & Christian training, but these matters will rest mainly with their good mother in whose judgment & prudence I have the greatest confidence.

I wish my son educated & trained for the legal profession & that he be admonished not to use intoxicating liquors nor cigars.

Ninth

I wish the home place to be kept by my wife & children as tenants in common as it is increasing yearly in value, & not be disposed of

in any way until my children reach their majority. And I also desire that my house & lot on Audubon St. be not sold but kept as an investment for my wife & children until the latter are twenty one years of age & desire with their mother to dispose of it. And my interest in Coal prospects in W. Virginia will be held until my executor in his judgment thinks best to dispose of it when this is done he will re-invest or loan the funds in the way ^{already} indicated herein.

And any bonds & stocks now on hands my executor will buy as soon as deemed advisable.

Tenth

If the income interest or rents from the properties devised to my children is not sufficient for their rearing & education then the corpus of the property may be used for this purpose.

Eleventh

I nominate & appoint Judge Leif St. John as my executor & having the utmost confidence in his honesty & judgment I direct that he be required to give no bond as such executor. Given under my hand this November 26th 1905.

Thomas Curtin

Attest:

Edw. Howell
A. H. O.

The foregoing will, instrument was read in open court by the oath of H. H. Shelton, A. H. Hughes and E. H. Bachman, on this the 26th day of August, 1905, and thereupon said written instrument was read, declared and decreed by the Court & a cash and testimony of Thomas Curtin, deceased, and ordered to be recorded in the Book of Wills.

W. H. B. S. D. S. D. S. D.