

WILL OF MICAJAH COMPTON, Pulaski Co., KY, Feb 1853

February 1853 Pulaski County, Kentucky

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In the name of God, amen. I, Micajer Compton, of the State of Kentucky and County of Pulaski, being sick and weak of body, but of sound mind and disposing memory, for which I thank God, and being desirous of disposing of all such goods and chattels as it hath pleased God to bless me with, do hereby make and constitute this as my last will and testament, in words, manner and form following, (to wit)

I give and bequeath to my beloved wife, Margaret, my home tract of land whereon I now reside, together with all the living stock which is now on the farm, (to wit) horses, cattle, hogs, sheep and farming tools and all the household and kitchen furniture and wagon for her use and benefit, so long as she remains my widow. And that she have the benefit of the mills, or so much thereof as will be sufficient to furnish her and her family with bread, both corn and flour, so long as she remains my widow. If she should marry, she will thereby forfeit the claim and all the provisions made for her in this my last will and testament, and only the household property which is to belong to her till her death and at her death, all the household and kitchen furniture shall be equally divided between my two daughters, Mary and Martha, for them and their heirs.

I give and bequeath to Sally Ann Bernard (my oldest daughter) and Thornton Bernard, her husband, fifty acres of land, being the tract of land whereon her husband now lives. To [unreadable] off [unreadable] on the west side of [unreadable proper name] and joining Andrew Jasper's land to them and their heirs forever.

I give and bequeath to my son, Anderson, the tract of land whereon he now resides on the east side of the creek. All the lands on said east side of the creek, supposed to be fifty acres, to him and his heirs forever.

I give and bequeath to my son, John R., the tract of land whereon he now resides running with the condition line between him and Bernard and with the conditional line [unreadable] is marked running with the Waugh Line in as to include and contain [unreadable] [horses or houses] in nearly a square form. And I further more give and bequeath to my said son, John R., a mill seat known as the old Combest Rd Mill Seat with a sufficiency of land adjoining for milling & lumber. Also I give to him my blacksmith tools, to him and his heirs forever.

I give and bequeath to my son, Jacob, the tract of land on the south side of the creek known as the Knot Tract, supposed to be about 52 acres, to him and his heirs forever.

I give and bequeath to my son, Samuel, one tract of land known as the Bollen Tract, supposed to be about 24 acres, to him and his heirs forever.

I give and bequeath to my son, William, a tract of land lying north of the apple orchard on the west side of the creek and adjoining John R. Compton's land, 52 acres with the knowledge and right of Stolk water reserved to the home

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place and also my mills out of the [unreadable] of which my wife, Margaret, and family [unreadable] to be ground in bread [unreadable].

I give and bequeath to my sons, Harrison and Erasmus, the home tract of land which is to be equally divided between them, as also all the stock which may be on the farm. Wagons, tools, etc. which they [unreadable] to be made whenever my wife, Margaret, shall cease to be my widow.

I furthermore will and bequeath that at my death, all my cash notes shall be equally divided between my sons, John R., Harrison and Erasmus, and my daughter, Martha Rainwater, after my debts are paid out of them. And lastly, I hereby appoint my friends, Josiah W. Duck & William L. Carter, executors of this my last will and testament, and desire them to make conveyances of the land, and so that the will is carried out in [unreadable] spirit and meaning hereby revoking all and every other will or wills by me at any time formerly made.

Micajah Compton, February 1853

State of Kentucky, Pulaski County Sct.

At [unknown abbreviation] County Court hold for the county aforesaid at the courthouse thereof in the town of Somerset on Monday, the 17th day of October A.D. 1853, Margaret, widow of Micajah Compton, deceased, now Margaret Whitaker and Samuel Whitaker, her husband, having been appointed by said court at a former time thereof and having been duly summoned to produce to said court the last will and testament of Micajah Compton, deceased, appeared in obedience thereof and being sworn in open court, stated on their oath that the will of Micajah Compton, deceased, had been purloined from her, the said Margaret, and that they had no knowledge of where the said will of Micajah Compton at that time, and therefore could not produce it. And thereupon, Josiah W. Duck one of the enrollers named in the said will of the said Micajah Compton, deceased, as aforesaid produced for the court the foregoing instrument of writing [unreadable] true copy of this last will and testament of the said Micajah Compton, deceased, and thereupon Anderson Compton, one of the devisers of said decedent by his Atty appeared in open court and opposed the probate of said instrument of writing, alledging that it was not a true copy of the last will and testament of the said decedent, and after the evidence of several credible and respectable persons who were present at the time of the signing and delivering of the last will and testament by said decedent, as also the evidence of the subscribing witnesses thereto, the court was of the opinion that the said instrument of writing was a true copy of the true last will and testament of the said decedent and ordered to be recorded as such, and the same is done accordingly.

Att. J.D. Allcorn, Clerk

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We, Samuel Whitaker and Margaret Whitaker, his wife, late Margaret Compton widow of Micajah Compton, deceased, do formally relenquish what is given to the said Margaret Whitaker by the will of her deceased husband, Micajah Compton, and ask that for [unreadable] and her disreputable claim in said estate as if no will has been made.

Samuel Whitaker, Margaret Whitaker

October 11, 1853

State of Kentucky, Pulaski County

I, James D. Allcorn, clerk of the county court for the county aforesaid, do certify that the foregoing renunciation by Margaret, widow of Micajah Compton , deceased, (now Margaret Whitaker) and Samuel Whitaker, her husband, of the provisions made in the last will and testament of said decedent for her, the said Margaret, was on the 1st day of October A.D. 1853, proceeded to one in my office and acknowledged by the said Margaret Whitaker and Samuel Whitaker, her husband, to be their act and deed and upon which the same hath been duly admitted to record in my office.

Atty. J.D. Allcorn, clerk