

1851

4/18/1851 Will

Drake, William

O:CP 277

N:CP 382

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I, William Darke of the County of Berkeley and State of Virginia, being weak in Body but of sound mind and memory do constitute and make this my last Will and Testament, revoking all other Wills heretofore made by me. — I Impremis - I Leave ~~to~~ my soul to Almighty God who gave it me, and my body to be buried with Christian decency at the discretion of my Executors hereafter named; as to my worldly Estate, I will that my funeral charges and just debts be first paid and discharged — Item - I will and bequeath unto my beloved wife Sarah Darke, one full third part of all my Estate both Real and personal, for and during her natural life, and at her decease, the said Real Estate to Revert to my daughter Mary Manning and to my Grand daughter Elizabeth Darke to be by them equally divided — Item - I will and bequeath unto ~~to~~ Mary Manning one Half of all my Estate both Real and personal to her and her Heirs except as hereinafter excepted — Item - I will and bequeath unto my Grand daughter Elizabeth Darke one Half of all my Estate both Real and personal, to her and her Heirs, except as hereinafter excepted — Item - It is my Will that should my daughter Mary Manning have no further or other issue, in such case all the Estate herein intended to be Willed to her, shall at her decease, descend to her daughter Sarah Northford and to her Heirs and assigns — Item - It is also my Will that should my daughter Mary Manning have further or other issue, then the Estate herein bequeathed to her and her Heirs, shall be proportionably divided between the said further issue and her daughter Sarah Northford, that is, each child shall have an equal share, with said Sarah — and the division shall take place at the period when the said Sarah arrives at the age of twenty one years, and in case my said daughter Mary shall have no further or other issue then an equal division shall take place between the said Mary & her daughter Sarah, at the period when the said Sarah arrives at the age of Twenty one years but my said daughter shall hold the one Half of the Estate herein bequeathed to her during her natural life. — Item - Should my said Grand daughter Sarah Northford die without legal issue, then all the Estate herein bequeathed to her, shall depend to the issue of Mary Manning, but if she has no issue, then it shall depend to Elizabeth Darke & her Heirs — Item - Should my Grand daughter Elizabeth Darke die without legal issue in that case the said one Half of my Estate herein bequeathed to her, shall depend to my daughter Mary Manning, and to my Grand daughter Sarah Northford, to be held by them in the same proportion, and upon the same terms, as that one half of my Estate herein before bequeathed to my said daughter Mary Manning. — Item - I will and bequeath unto Captain William Seleya, three negroes, to wit, David, Tom, and Polly, also one Hundred acres of Land including that corner of my Land where Joseph Enge lives to be laid off with a direct line, across from the Shepherd Town Road to Melins or Heers lines, to him and his Heirs, but should the said William Seleya die without legal issue then the said Land to descend to the Heirs of my daughter Mary Manning & to the Heirs of my Grand daughter Elizabeth Darke — Item - I will and bequeath unto my Brother Joseph Darke's three daughters two Hundred acres of Land formerly possessed by the said Joseph, to wit, Lands of Edward Lucas and now in their possession, to wit, to Elizabeth Hendrix, sixty five acres including that part on which she now dwells, to her and her Heirs and assigns — To Nancy Welsh sixty acres, including that part on which she now dwells to her and her Heirs and assigns; To Mary Train, seventy five acres, including that part on which she now dwells, to her and her Heirs and assigns. — Item - I will and bequeath unto William Darke North, one negro boy named William, son of Martha, aged about two years, to

him and his heirs and assigns, and it is my Will that should the said Negro boy William die before the said William Darke North, arrive at full age, in that case the said William Darke North, shall receive another negro from my Estate of equal value, at the period of his death.

Item - I Will and bequeath unto Jesse Bogle, One Hundred pounds Pennsylvania Currency to be paid him out of the proceeds of my personal Estate -

Item - I do hereby constitute and appoint Henry Bedinger, Richard Baylor, Daniel Bedinger and George North; Executors to this my Last Will and Testament, empowering them, or the survivor or the survivors of them, or either of them, who shall see cause to act under the same, to execute my intentions as herein expressed; and I do hereby particularly empower them or the acting part of them, to lay off the lands herein before bequeathed, unto my Brothers daughters, as also that bequeathed unto Captain William Deleyea.

In Testimony whereof I have hereunto set my hand and affixed my Seal this Twelfth day of October. One thousand eight hundred and one

Signed Sealed, pronounced and Published as his Last Will and Testament. In presence of us

Wm Darke Seal

It is also to be understood that in case William Deleyea should die without legal issue, that the negroes herein before bequeathed to him, shall at his death, Revert to Mary Manning and Elizabeth Darke in the same manner, as the Land mentioned.

Gas Wood
Byrns Sanders
Philip Bogle.

At a Court held for Jefferson County the 8th day of December 1801. This last Will and Testament of William Darke deceased, was proved by the oaths of James Woodland Byrns Sanders two of the witnesses thereto and ordered to be recorded. And on the motion of Richard Baylor and George North two of the Executors therein named who made oath thereto according to law. Certificate is granted them for obtaining a probat thereof in due form giving security whereupon they together with security entered into and acknowledged a bond conditioned for their true and faithful administration of the said decedents estate - Teste -

Geo. Hite

a copy Teste

J. A. Moore. Clerk.

Virginia, Jefferson County, 1801.

I, Thomas A. Moore, Clerk of the County Court of Jefferson County, in Virginia, certify that the foregoing is a true copy from the records of said Court.

Given under my hand, and the Seal of said Court, this 26th day of March, A.D. 1801.

J. A. Moore. Clerk.



Virginia, Jefferson County, Geo.
I, James Hite, presiding Justice of the County Court
of Jefferson County, in Virginia, hereby certify that Thomas
Hilborn, who has given the foregoing certificate, under the seal
of said court, is clerk of the said court, duly elected & qualified,
and that his said attestation is in due form of Law.
Given under my hand, this 26th day of March, A. D. 1857.

x

James Hite

Copy of Mrs. Danks
Will

1851

Recorded in Vol 3
pages 542-545.
of Administration
Record of Union County

1851

6/30/1851 Guardianship

Baldwin, Jackemiah

O: CP 275

N: CP 383

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Know all men by these presents, that we,

Henry Baldwin, Hiram Keeler and Levi H. Hastings

All of Union county, and State of Ohio, are held and firmly bound unto the State of Ohio in the penal sum of

two hundred dollars, current money; to the payment of which, well and truly

to be made, we bind ourselves, our heirs, executors, and administrators, jointly and severally, firmly by these

presents. Witness our hands and seals this 30th day of June A. D. 1857

Whereas,

Jachoniah Baldwin this day came into Court and made choice of Henry Baldwin as his guardian which choice is this day confirmed ~~and choice~~ by the Court of Common Pleas of said County of Union.

Now the condition of the above obligation is such, that if the above bound

Henry Baldwin shall well and truly pay over all moneys,

which by virtue of said appointment may come into hands, and do and perform all the duties required of

by law as such Guardian, then this obligation to be void; otherwise to be and remain in full force and

virtue in law.

Signed and sealed
in presence of

James Kirkpatrick

Henry Baldwin Seal
Hiram Keeler Seal
Levi H. Hastings Seal

Henry Baldwin
Guard Bond

Filed June 30, 1857
J. A. Knickerbocker clerk

Recorded vol 3 page 544

Rec'd

1851

6/30/1851 Will

Starling, William

O: CP 273

N: CP 384

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I William Starling of Henderson County, State of Kentucky, being of sound mind, memory and understanding, do make and declare this to be my last Will and Testament.

My Will is as follows Viz. I give and bequeath the whole of my present Estate and property, and legacies coming to me hereafter from the Estate of Lynne Starling dec^d of Columbus Ohio, To my Father E. L. Starling and my Mother A. W. Starling of Henderson County, State of Kentucky. In Testimony whereof I the said William Starling have subscribed my name and affix my Seal this 19th day of November A.D.

1849

witness W. Kean
Chas. J. Starling
Lynne Starling

William Starling

State of Kentucky }
Henderson County } Set. November County Court 1850

This last Will and Testament of William Starling dec^d was proved in open Court according to law, by the oaths of Lynne Starling and Charles J. Starling subscribing witnesses thereto, & Ordered to be recorded, and the same has been truly recorded

Attest Will D. Allison CLK

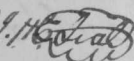
I William D. Allison clerk of the County Court of Henderson County in the State of Kentucky and Keeper of the Seal & Records thereof, do certify that the above & foregoing is a true copy of the last Will and Testament of William Starling dec^d and of the Certificate of the probate thereof taken from the Records in my office

In Testimony whereof I have hereunto subscribed my name & affixed the Seal of said Court at Henderson this 31st day of December A.D. 1850

Will D. Allison

I, James Powell Junior & presiding Justice of the County Court of Henderson County in the State of Kentucky, do Certify that William D. Allison whose own proper signature appears to the within and foregoing Certificate is the Clerk of said Court, and Keeper of the Seal and Records thereof, and that his attestation is in due form of Law -

Given under my hand & Seal this 31st day of Decr A.D. 1850

James Powell Jr. 



Wm Starling's
Will
A Copy.

1850

To read

1/3

8th June

Recorded in Vol 3, page
546 Union Com. Pleas
Adm^d. Record

Paid

1851

6/30/1851 Will

Wallace, George

O: CP 102 / CP 307

N: CP 385

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I George Wallace of Braddocks Field in the County of Allegheny State of Pennsylvania do make and publish this as my last will and testament hereby revoking all others that I have heretofore made — First I give and bequeath to my wife Jane Wallace all my personal property of every description to do with as she may think proper; but at the same time earnestly recommend to her care and protection, the Children of my late brother Thomas Wallace for whom I bid her to make timely provision in order to guard against fatal consequences to them of her dying intestate — Second I give and bequeath to my said wife Jane the rents issues and profits arising from every description of my real property that I may own at my decease during her life: after the death of my said wife, it is my will that the farm I now occupy called Braddocks Field shall belong to George Wallace the oldest son of my late brother Thomas Wallace after whose death to go to his oldest son and so descend in the same line (provided it is not repugnant to the laws of Penn^a) But in case of the death of the said George my nephew without legal male children, then it is to go to James Wallace in the mode proscribed above, and in case of the death of both James & George without children as above then the said farm is to go to Martha their sister & her heirs & in case of ~~the~~ death to Jane her sister & her heirs —

Third I give & bequeath in manner aforesaid to my niece Martha Wallace (the daughter of my said brother Thomas) my house & lot in the City of Pittsburgh situate on the bank of the Monongahela River and now occupied by Morgan Revill Esq^r also my interest of one fourth of the house and lot in P City at the corner of second & Market Streets (the remainder belonging to ~~the~~ estate Henry Reed) and to her heirs — Fourth I give to my niece Jane Wallace daughter of Thomas in manner aforesaid my tract of land of one hundred and fifty acres in the State of Indiana at the place called the White Oak Springs, also four hundred acres in the said State on the north fork of White River

river near the place call'd Fort Operon, and to her heirs
Fifth I give and bequeath to my nephew James
Wallace (Son of my P^r brother Thomas) Two four
hundred acre tracts of land in the State of Ohio
on the Waters of Tullons Creek and adjoining
the Indian boundary line, and to his heirs—

I hereby constitute my wife Jane Wallace my
Executrix and my friends John J Scull of Brush Hill
Westmoreland County & Henry Baldwin Esq of Pittsburg
my Executors of this my last Will Given under my
hand and seal the fifth day of April one thousand
eight hundred and twenty three

Witness

Geo. Wallace 

This will was on the twenty fourth day of June 1826 exhibited
to Geo Wallace who having examined it desired
that we should witness the same as his last will
and testament Charles Avery W^m Robinson P^r

State of Pennsylvania

County of Allegheny & on the 29th day of August
A.D. 1826 personally appeared Charles Avery and
William Robinson P^r the two subscribing witnesses
to the within will who on their solemn oaths did depose
and say that on the 24 day of June A.D. 1826 the
foregoing instrument of writing was presented to
George Wallace the testator who having examined it
acknowledged it to be as and for his last will
and testament and they further depose and say
that at the time of so doing he was of perfect
and sound mind memory and understanding
to the best of their knowledge observation and
belief Given under my hand at Pittsburg the
day above said

M Stewart Register

Allegheny County Pa

The Commonwealth of Pennsylvania

J. D. Gilliland Register for the Probate
of Wills and for granting Letters of Administration
in and for said County do hereby Certify
that the foregoing is a true Copy of
the last will and testament of George Wallace dec'd



as the same remains on file and of Record in my Office
in Will Book Vol 3 page 118 v. Also that Letters Testamentary
on said estate were granted to Jane Wallace the Executrix
in said Will named on the 26 day of September AD 1826,
who was solemnly sworn to administer the said estate according
to law as appears by said Record. that therefore due faith
and authority are due and ought to be given to all
her lawful acts as such throughout the said Commonwealth
and elsewhere. In testimony whereof I have hereunto set
my hand and affixed the Seal of said Office the 21st
day of Aug. A.D. 1838

J. Gelliland
Register

Allegheny County Pa

The Commonwealth of Pennsylvania
J. T. P. Dallas Esquire President Judge of
the Court of Common Pleas of the fifth Judicial
District of the Commonwealth of Pennsylvania, composed
of the County of Allegheny do hereby certify that J.
Gelliland Esq. by whom the foregoing Certificate was
given and who has thereunto in his own proper hand
written subscribed his name was at the time of giving
such Certificate and now is Register for the Probate of
Wills and for granting letters of Administration in and
for said County duly commissioned and sworn to all
whose acts as such due faith and credit are
and of right ought to be given throughout the United
States and elsewhere and that said Certificate is in
due form of Law. In Testimony whereof I have
hereunto set my hand and set the 31st day of
August Anno Domini 1838

J. T. P. Dallas.

Allegheny County

Wm. S. S. S. S.

Thomas Leggett Prothonotary of the Court
of the County of Allegheny County in the Common
wealth of Pennsylvania do hereby certify that

William B. Dallas Esq. by whom the within
subpoena was given is President Judge of the

5th Judicial District of Pennsylvania composed
of the County of Allegheny duly commissioned and sworn to
all whose acts as such full faith & confidence are due & that the
signature here to purporting to be his is genuine

Given under my hand and the seal of the said Court
the thirty first day of August A. D. 1838

Thomas Leggett Pro

Recorded in Vol 3 pages
546, 7 & 8. Adm. Record
of Union Com. Pleas

1838
Geo Wallace pro
Last Will & Testament

1851

7/5/1851 Will

Ashbaugh, Jacob

O:CP 274

N:CP 386

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In the name of the Benovolent Father of all - I
Jacob Ashbaugh of the Town of Maysville Union County
and State of Ohio - being weak in body, but of sound
mind - and knowing the uncertainty of this transitory life,
do publish and declare this my last Will and Testament:

Item First. It is my will that soon after my decease, that
all my just debts & funeral expences be paid out of any
moneys, that may be on hand at my death; or, out of such
Articles of personal property as my wife Mary
may see proper to select for that purpose.

Item Second, I will and bequeath to my wife
Mary during her natural life, all my household and
kitchen furniture, and all my other personal property &
also the annual interest, or profits, of all Moneys & credits,
now owing to me: and also the entire and full possession &
use of the premises now occupied by me, being a part of our lot
No. one in said Town of Maysville & also, a Wood lot of five
Acres on Survey No 3354.

Item Third, It is my will, that as soon as convenient
after the death of my wife Mary (as aforesaid) that my
Son Andrew Ashbaugh shall receive the sum of One Dollar.

Item fourth: It is my will that, at the time named in the
third Item, that my Daughter Sarah Jones, shall receive
the sum of One Dollar.

Item fifth.

It is my will that as ^{soon} as convenient after the
death of my wife Mary (as aforesaid) all the property

both real and personal appertaining to my Estate shall be equally divided to & among my Sons Robert Ashbaugh, Simeon Ashbaugh & Joseph Ashbaugh & my daughters, Jane Patterson Mary Courtney, Comfort Patten, Nancy Hillbrook and Elizabeth Blair: provided however that, at said time my son Joseph Ashbaugh, shall receive as a separate item, my family Bible: and provided farther that if at any time before, or after the, the distribution of my estate as contemplated in the fifth Item of this my will — my Daughter Sarah Jones should be reduced to circumstances of want, or penury, she shall be entitled to her full share in common, with my children named in said fifth Item: and provided farther that in order to carry out the distribution contemplated in the former part of this fifth Item, the heirs therein named, may, by common consent and acquiescence, divide the household & kitchen furniture & other personal property among themselves without a sale: The real estate shall be disposed of in such way as will secure equality among the respective heirs.

Item. Sixth, I hereby authorize my wife Mary as aforesaid — when a receipt for the same may arise — to choose some suitable person, to secure by loan with good security, the Principal of any Moneys that may hereafter be paid to my estate, so that the annual interest thereof shall be disposed of, as provided for by the second Item of this, my will & testament.

In testimony whereof, and for the purpose of giving full validity to this, my last Will & Testament & hereby revoking all former wills by me made, I hereunto set my hand & Seal this Twenty Sixth day of April A. D. 1851 Joseph Ashbaugh
In presence of us
Stephen Wenzel
Andrew McNeil

(Seal)

The State of Ohio Union County ss

We, Andrew McNeil and Stephen Winget
being duly sworn in Open Court this 8th day of July
A.D. 1857. depose and say, that we were present
at the execution of the last Will and Testament of
Jacob Ashbaugh, hereto annexed, that we saw the
said Testator subscribe said Will, and heard him
publish and declare the same to be his last Will and
Testament, and that the said Testator, at the time of
executing the same, was of full age, and of sound
Mind and memory, and not under any restraint;
and that we signed the same as witnesses at his request,
and in his presence.

Andrew McNeil
Stephen Winget

Sworn and subscribed in Open Court the day
and year above written.

James Kinkead Jr. Clerk
Union Court Pleas

Jacob Ashbaugh
Will
~~~~~

Filed July 8. 1857  
D. K. Madefield

Last Will &  
Testament  
of Jacob Ashbaugh

Recorded in vol 3 pages  
549 & 50

1851

7/5/1851 Guardianship

HUFF, Rachel

O: CP 279

N: CP 387

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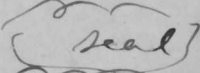
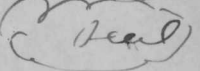
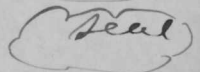
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Know all men by these presents that we  
Christopher Wilber John Johnson & Thomas Long  
all of Union County and state of Ohio are held and  
firmly bound unto the state of Ohio in the penal  
sum of one hundred dollars current money  
to the payment of which well and truly to be made  
we bind ourselves, our heirs, & administrators  
jointly & severally, firmly by these presents, witness  
our hands and seals this 8<sup>th</sup> day of July A.D. 1837  
Whereas Rachel Huff, aged fifteen years, this  
day came in to <sup>the</sup> Court of Common Pleas, and made  
choice of Christopher Wilber as her guardian  
which choice is confirmed by the court of Common  
pleas of Union County Ohio. Now the condition  
of the above obligation is such that if the above  
bound Christopher Wilber shall well and truly  
pay over all money which by virtue of said  
appointment may come into his hands, and do  
and perform all the duties required of him by law  
as such Guardian, then this obligation to be void  
otherwise to be and remain full force and  
virtue in law

Christopher Wilber   
Thomas Long   
John Johnson 



W. Wilber Guerd  
Bond

Filed July 8, 1857

Lu. Kinnade clerk

Recorded in Vol 3 page 549

Record

1851

9/29/1851 Estate

Bigelow, Alpheus

O: CP 276

N: CP 388

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The State of Ohio, Union County, ss.

TO ALL WHOM THESE PRESENTS SHALL COME—GREETING:

KNOW YE, that the last WILL AND TESTAMENT of

*Alpheus Bigalow*

late of Union county, in the State of Ohio, deceased, having been duly proved before the Court of Common pleas of said county, and by said court allowed and admitted to record; the said court doth hereby grant unto

*Elihu Bigalow*

Executor named in said WILL, full power and authority to administer according to law and to said will, all and singular the goods, chattels, moneys, rights and credits of said deceased; and also the proceeds of all the real estate of said deceased which he may be authorized to sell for the payment of the debts or legacies of said deceased; to collect all the debts due to, and pay those due from the estate of said deceased, so far as its means will extend and the law require, and to do all things which may be lawfully done in the premises, to effect the just and speedy settlement of said Estate.

~~And the Court having appointed~~

~~APPRAISERS of the personal estate of said deceased, they are hereby ordered that after being first duly sworn or affirmed, they proceed to appraise said estate according to law.~~

IN TESTIMONY WHEREOF the seal of said Court is hereunto affixed.

Witness JAMES KINKADE, Jr., Clerk of said Court, at Marysville,

this *29<sup>th</sup>* day of *September* A. D. 185*1*

*James Kinkade Jr* CLERK.

Alpheus Beigalows  
Estate.  
Copy of Letters

1857

Records

**KNOW ALL MEN BY THESE PRESENTS,** That we,

*Eliphas Bigelow, William B. Erwin & John F. Sabin*  
are held and firmly bound unto the State of Ohio in the sum *Sixteen Hundred*  
Dollars, to the payment of which well and truly to be made we bind ourselves, our heirs, executors, and  
administrators, jointly and severally, firmly by these presents: WITNESS our hands and seals this *29<sup>th</sup>*

day of *September* A. D. 18*57*. WHEREAS *The Court of Common Pleas of Union*  
*County Ohio, have this day confirmed the appointment of Eliphas*  
*Bigelow as Executor of the Last Will and Testament of*  
*Alpheus Bigelow late of said county deceased*  
Now if the said *Eliphas Bigelow* Executor as aforesaid, shall make and return  
to the Court on oath within three months, a true inventory of all the moneys, goods chattels, rights & credits,  
of the testator, which are by law to be administered and which shall have come to *his* possession & a knowl-  
edge; and also if required by the Court an inventory of the real estate of the deceased:

Secondly, and administer according to law, and to the will of the testator all *his* goods, chattels, rights  
and credits; and the proceeds of all *his* real estate that may be sold for the payment of *his* debts or  
legacies which may at any time come to the possession of the executor or to the possession of any other person  
for *him*

Thirdly. And render upon oath a just account of *his* administration within eighteen months and at any  
other time when required by the Court or the law: then this obligation shall be void, otherwise be and remain  
in full force and virtue in law.

SIGNED AND SEALED IN  
PRESENCE OF

*J. Kirkpatrick*

*Eliphas Bigelow* [Seal]  
*William B. Erwin* [Seal]  
*John F. Sabin* [Seal]  
[Seal]

HOW TO USE THE REGISTER

Eliphas Bigalows.  
Exrs. Bond  
Estate of  
Alpheus Bigalow *decd*

Filed Sept 29. 1857  
La Roche & Co

Re Re

[100]  
[100]  
[100]  
[100]

August 21st 1851

I Alpheus Bigelow of the County of Union and State of Ohio do hereby make and publish this my last will and Testament in the words following

1st it is my will that all my personal expenses and the expenses of my last sickness be fully discharged

2nd that all my lawful and honest debts be fully paid

3rd it is my will after paying all my debts and liabilities the assets and production of all the balance both personal and Real Estate be applied to the support of my beloved wife Melinda and my Daughter Delila Jrena. and as my wife is now in a pregnant state if a living child should be born of her it shall be an equal heir with Delila Jrena

4th Where as there is a balance due on my land being part of survey No 10338. which I hold by deed from John M. Jakkeths dated January 1st 1851. for one hundred and sixteen acres for which balance my father Eliphas Bigelow is bound for me now if it shall hereafter vary I will that my executor or administrator shall sell a part of sd land for the purpose of paying sd balance of that part that will sell to the best advantage and do the least damage to the balance to the balance of the lot. or if my father Eliphas Bigelow should pay sd balance I will that he should hold a Lien on sd land for the amount he may have to pay with interest till fully discharged

5th I will that after the death of my wife Melinda all my estate both personal and real shall be long in time to my legal heirs or heirs above mentioned

6th it is my will in case of the death of my heir or heirs above mentioned that the land above mentioned or all of it that may not be sold for the purpose above mentioned shall go back to my father Eliphas Bigelow

from whom I received it to be at his entire disposal and Control.

I here by appoint my father Eliphas Bigelow Executor of this my last will and testament

In witness where of I have here unto set my hand and seal this 21st day of August 1851

Alpheus Bigelow

Attest.

John F. Sabin

William B. Irwin

The State of Ohio Union County ss.

We John F. Sabin and William B. Irwin being duly sworn in Open Court this 29th day of September A.D. 1851. depose and say that we were present at the execution of the last will and testament of Alpheus Bigelow hereto annexed, that we saw the said testator subscribe said will, and heard him publish and declare the same to be his last will and testament, and that the said testator at the time of executing the same, was of full age, and of sound mind and memory, and not under any restraint, and that we signed the same as witnesses at his request, and in his presence.

John F. Sabin

William B. Irwin

Sworn and subscribed in Open Court the day and year above mentioned

James Kirkadee Clerk of Union Common Pleas

Alphus Bigelow's  
Will & Testament

Tulia Sept. 29, 1857  
James K. Radcliffe

Recorded

Sept 11/57

Mr. B. H. ...  
& Wm. A. ...

Test Will and  
Testament of  
Alphus Bigelow



1851

10/1/1851      Will

Starling, Wye

O; CP 308

N; CP 389

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Lyne Starling  
Will

At a court of Common Pleas begun and held at the Court House in  
the town of Mansville within and for the county of Union and  
State of Ohio on the Twentyninth day of November in the year of

our Lord one thousand Eight Hundred and Fifty one before His Honor James L. Robert  
President and Levi Phelps James R. Smith and William W. Woods his associates  
Judges. An authenticated Copy of the last will and testament of Lyne Starling late of the  
County of Franklin and State of Ohio deceased with a copy of probate &c was this day  
produced in Court by Mr Swan Attorney, and it appearing that the same relates to Lyne  
in this County, and is duly authenticated and proved, It is ordered that the same be  
recorded in this County; said will reads, I Lyne Starling of the County of Franklin and  
State of Ohio, do make and publish this my last will and testament hereby revoking all

former wills made by me, 1<sup>st</sup> I give and bequeath to the children of my late niece Susan  
Ramey, to Edmund Starling son of my brother Thomas Starling and to John Holloway  
William Holloway Rebecca Stiles, Sarah Taylor, and Lucy Ann Atkinson (children of my  
sister Ann Holloway) all my lands and all the interest of every kind and description  
whatsoever of which I may die seized or possessed in any real estate lying and situate  
the Territory of Iowa and in the state of Missouri and in the state of Illinois to them  
and their heirs forever, as tenants in common and not as joint tenants; and I do also  
bequeath to them all the notes and bonds and other evidences of debt and personal property  
which shall be in the hands of my agent of mine and belonging to me within the limits  
of said Territory of Iowa and of said States of Missouri and Illinois or anywhere  
within said limits at the time of my death; the share of the said children of the said  
Susan Ramey, collectively in said real estate and personal property, to be the same as  
that of each of said other children in said real estate to wit: one sixth part of the share of

that of each of said other devises individually, to wit: one seventh part thereof  
2. I give and bequeath to each of the following persons being a part of those above named  
to wit Edmund Starling (son of Thomas Starling) John Holloway, Rebecca Stites and  
Lucy Ann Atkinson the sum of eight thousand dollars: said sum to be paid to each of  
them by my executor as follows: Two thousand dollars to each two years after my  
death: Two thousand dollars to each four years after my death and two thousand  
dollars to each respectively six and eight years after my death, 3<sup>th</sup> I give and bequeath  
to my nephew William Holloway the sum of ten thousand dollars to be paid to him by my  
executor as follows: Four thousand dollars three years after my death three thousand  
dollars five years after my death and three thousand dollars seven years after my death  
4. I give and bequeath to the four eldest children of my niece Sarah Taylor by  
William Marshall collectively the sum of ten thousand dollars to be paid to them by  
my executor. Share and share alike as follows. Four thousand dollars three years  
after my death, three thousand dollars five years after my death and three thousand  
dollars seven years after my death, 5<sup>th</sup> I give and bequeath to the eldest son of my  
niece Susan Ramer, late of Henry County, Virginia the sum of six thousand dollars payable  
by my executor as follows one thousand dollars one year after my death and the residue  
three years after my death and to all the other children of my said niece Susan Ramer  
I do give and bequeath as follows: Two hundred dollars per annum to each of them  
each and every year for ten years after my death and the additional sum of two  
thousand dollars to each of them ten years after my death 6<sup>th</sup> I give and bequeath to  
Maria Campbell and Lucy Davison daughters of my brother William Starling each the  
sum of six thousand dollars - said sum to be paid to each of them as follows, one half  
thereof three years after my death and the remaining half six years after my death  
1<sup>st</sup> I give and bequeath to my nephew William Starling the sum of ten thousand dollars

and evidences of debt <sup>which</sup> I hold against him either in my own right individually or as  
 administrator of Lucas Sullivan, deceased and I do hereby release him wholly from the  
 payment of the same. 8<sup>th</sup> I give and bequeath to my said nephew William S Sullivan all  
 my lands and all my estate and interest of every description (including tax titles) in lands  
 lying and situate in the Counties of Marion and Crawford in the State of Ohio to him and his  
 heirs forever, the said William S Sullivan to hold the same, however as trustee for the sole  
 and exclusive use and benefit of the four younger children of the said William S Sullivan  
 now living the share of each to be transferred to him or her respectively on their arriving  
 respectively at the age of majority - said William S Sullivan however to have the right to sell  
 said land or any of it in fee simple and invest the proceeds as he may deem best exchange  
 compromise tax titles and otherwise dispose of and control said property for the benefit  
 of his said children in like manner in all respects as if he were the owner of the same  
 in fee simple, 9<sup>th</sup> I give and bequeath also to each of said four younger children  
 of my said nephew William S Sullivan now living the sum of eight thousand dollars said  
 sum to be paid to each of them by my executor ten years after my death, 10<sup>th</sup> I give  
 and bequeath to Jane Neil the eldest daughter of the said William S Sullivan the  
 sum of two thousand dollars, to be paid to her by my executor three years after my death  
 11<sup>th</sup> I give and bequeath to my nephew Michael S Sullivan all my lands and all  
 my estate and interest of every description (including tax titles) in lands lying and  
 situate in the Counties of Madison and Pickaway in the State of Ohio to him and to his heirs  
 and assigns forever the said Michael S Sullivan to hold the same however as trustee  
 for the sole and exclusive use and benefit of the children of the said Michael S Sullivan  
 now living the share of each to be transferred to him or her respectively on their arriving  
 respectively at the age of majority, said Michael S Sullivan however to have the

right to sell said annuity or any of it in fee simple and in all the proceeds or he  
may deem best, exchange compromise tax titles and otherwise dispose of said  
control said property for the benefit of his said children in like manner in all  
respects as if he were the owner of the same in fee simple, 12<sup>th</sup> I give and bequeath  
to each of the children of the said Michael J. Sullivan now living the sum of eight  
thousand dollars said sum to be paid to each by my executor as they shall respect-  
= ely arrive at the age of majority within ten years after my death or in case any  
or either of them shall not arrive at the age of majority within the said ten years after  
my death then to the guardian or guardians of any such child or children that  
shall be legally authorized to receive the same 13<sup>th</sup> I give and bequeath to my said  
nephew Michael J. Sullivan all the notes claims and evidences of debt which I  
hold against him as principal debtor and not as surety or indorser, and I do  
hereby release him from the payment of his said debts to me excepting as surety  
or indorser as aforesaid, 14<sup>th</sup> I give and bequeath to each of the daughters of  
my nephew Joseph Sullivan the sum of eight thousand dollars payable as  
follows, to the eldest daughter three hundred dollars one year after my death  
and three hundred dollars thereafter per annum each and every year until  
the expiration of ten years after my death and at the expiration of said ten years  
my executor to pay the residue of said sum of eight thousand dollars not before  
paid to her to William J. Sullivan in trust to invest and reinvest and in all respects to  
manage and control the same and the proceeds thereof as if he were the owner  
thereof until the marriage of the said eldest daughter he the said William J.  
Sullivan paying over to her punctually each and every year such amount of the  
income of said sum received by him as he shall deem amply sufficient for her

support until her said marriage; and on her marriage to pay over to her the whole amount of said money and proceeds remaining in his hands. - To the second daughter of said Joseph Sullivan three hundred dollars two years after my death and three hundred dollars per annum each and every year thereafter until the expiration of ten years after my death and at the expiration of said ten years my executor to pay over the residue of said sum of eight thousand dollars not before paid to her to William S. Sullivan as trustee who as such trustee for the said second daughter is hereby clothed with the same powers and subject to the same duties in reference to her until and at the time of her marriage as is herein before provided in the case of the said eldest daughter. - To the third daughter of the said Joseph Sullivan three hundred dollars four years after my death and three hundred dollars per annum each and every year thereafter until the expiration of ten years after my death and at the expiration of said ten years to pay over the residue of said eight thousand dollars not before paid to her, to the said William S. Sullivan as trustee who as such trustee for the said third daughter is hereby clothed with the same powers and subject to the same duties in reference to her until and at the time of her marriage as is herein before provided in the case of the said eldest daughter. - To the fourth daughter of the said Joseph Sullivan the said sum of eight thousand dollars to be paid by my executor ten years after my death to the said William S. Sullivan as trustee who as such trustee for said fourth daughter is hereby clothed with the same powers and subject to the same duties in reference to her until and at the time of her marriage as is herein before provided in the case of the said eldest daughter, and in case of the marriage of either or any of said daughters of the said Joseph Sullivan within the ten years aforesaid the share or shares of each and any that shall be so married shall be paid to them respectively.

by my executor at the expiration of said ten years and in case of the death of the said  
William S. Sullivan within the said ten years or at any time before the said trust  
shall have expired by the limitation herein provided I do hereby appoint John  
W. Andrews as such trustee in the place of said William S. Sullivan and in that  
event he is hereby clothed with all the powers and subject to all the duties herein be-  
15 = fore prescribed for the said William S. Sullivan as such trustee, 15<sup>th</sup> I give  
and bequeath to the three sons of my nephew Joseph Sullivan that are now living the following  
described real estate lying and situate in the county of Franklin and State of Ohio to wit  
my farm commonly called the Carlisle tract and being the same now in the occu-  
= pancy of one Frink and being all my estate and interest in and to sections Twenty  
and Twenty one in Township four and range twenty two Congress lands so called to  
them and their heirs forever as tenants in common 16<sup>th</sup> I give and bequeath to Lucas  
Sullivan eldest son of my nephew Joseph Sullivan eight thousand dollars payable  
as follows three hundred dollars seven years after my death and three hundred  
dollars per annum each and every year thereafter until the expiration of ten years after my  
death and the residue at the expiration of said ten years and I do also give and  
bequeath to the other two sons of the said Joseph Sullivan now living each the sum of  
eight thousand dollars to be paid by my executor ten years after my death said legacies to  
the said Lucas and said other two sons to be paid to William S. Sullivan as trustee  
to hold in vest and reinvest and in all respects to control and manage said trust fund  
as he shall deem best for the interest of the said three sons of the said Joseph  
Sullivan until they shall respectively have arrived at the age of majority the said  
trustee to furnish to each of them from the income from said trust fund belonging  
to each respectively such amount as he may deem sufficient for their support

at do up - the said undivided half of said premises so devised to the said James Smith  
to be held by him for life only and on his leaving issue at his death surviving him  
I hereby give and devise said undivided half of said premises in fee simple to said  
issue of the said James Smith so surviving him or in case a partition shall have  
been made of said premises before the death of the said James then and in that event  
the share set apart to the said James in severally shall belong to his said issue in fee  
simple and in case the said James Smith shall die leaving no issue surviving him  
at the time of his decease I do hereby give and bequeath the said half of said  
premises after the expiration of his said life estate therein to the heirs of the said James  
Smith in fee simple and I do also give and bequeath unto the said James Smith  
the sum of seven thousand dollars payable as follows three thousand dollars seven  
years after my death and four thousand ten years after my death 19<sup>th</sup>. I give  
and bequeath to Starling Price eldest son of John W Price of Highland County Ohio  
the other full equal and undivided half of all of said lands of which an  
undivided half is hereinbefore devised to the said James Smith and described in  
the preceding item of this my will the said undivided half of said premises so devised  
to the said Starling Price to be held by him for life only and on his dying leaving issue  
surviving him at the time of his decease I hereby give and devise said undivided half  
of said premises in fee simple to said issue of said Starling Price so surviving him or in  
case a partition shall have been made of said premises before the decease of said Starling  
Price then and in that event the share set apart to the said Starling Price in severally shall  
belong to his said issue in fee simple and in case the said Starling Price shall die leaving  
no issue surviving him at the time of his death I do hereby give and devise the said half  
of said premises after the expiration of his said life estate therein to the heirs of the said



until their arrival respectively at the age of majority and then to pay over to each  
respectively the principal sum and proceeds thereof remaining in his hands and in case of  
the death of the said William S. Sullivan within the said ten years or before said  
trusts or either of them shall have expired by the limitation herein provided, I do hereby  
appoint John W. Andrews as trustee in his place and he is in that event hereby clothed  
with all the powers and subject to all the duties herein before prescribed for the said  
17 William S. Sullivan as such trustee 17<sup>th</sup> I give and bequeath to William Davison  
and Edmund Davison sons of my sister Jane Davison all my lands estate and  
interest of every kind and description in and to lands lying and situate in the  
State of Indiana to be held by them in fee simple as tenants in common and  
not as joint tenants and I do also give and bequeath to each of them the said  
William and Edmund Davison the sum of Twelve thousand dollars to be paid  
to each as follows one half four years after my death and the other half eight  
18 years after my death, 18<sup>th</sup> I give and bequeath to James Smith eldest son  
of John A. Smith of Highland County Ohio one full equal undivided half of  
all my farm situate and lying in the County of Hardin and State of Ohio commonly  
called Wild Cat lodge and also a full and equal undivided half of all lands  
belonging to me adjoining or contiguous to said farm and which said lands the  
undivided half of which is so devised to the said James Smith are as follows to wit  
Surveys in the Virginia Military District so called No 10900 of 1900 acres - No 10899  
of 3433 $\frac{1}{2}$  acres - No 644 of 1000 acres - No 10536 of 440 acres - No 10006 of 1000 acres - No 10005  
of 1000 acres - No 6437 of 222 acres No 10180 of 388 acres - and one half of survey No  
10475 in the name of David Gist of 571 $\frac{3}{4}$  acres - being the half purchased by me of  
Col. Evans - the said two first surveys being in the name of the Representatives of John  
Bridolph the said survey in the name of the Representatives of John

Starling Price in fee simple and I do also give and bequeath to the said Starling  
Price the sum of seven thousand dollars payable as follows - three thousand dollars  
three of seven years after my death and four thousand dollars ten years after my death.  
I do hereby authorize the said James Smith and Starling Price to make or cause to  
be made partition of said premises in like manner as if they were the owners of the same  
in fee simple, 30<sup>th</sup> I give and bequeath to William Starling eldest son of Lyne Starling  
of the City of New York and to Sullivan Starling the youngest son of the said Lyne  
Starling Jr. and to Edmund Starling grandson of my brother Edmund and to the  
eldest son of my late niece Susan Ramsey and William Marshall son of my niece Sarah  
Gaylor all the residue of my estate and interest of every kind and description  
including tax titles) in and to lands lying in said County of Hardin and State of Ohio  
being all my lands and estate and interest in lands in said County not heren before  
devised to the said James Smith and Starling Price and (I do also give and devise to  
the said William Starling Sullivan Starling Edmund Starling (grandson of my brother  
Edmund) and to the said eldest son of my late niece Susan Ramsey and the said William  
Marshall all my lands and estate and interest in lands of every kind and description  
including tax titles) lying and situate in the Counties of Logan and Union and State of Ohio  
and I do give and devise all said lands estate and interest in lands embraced in this item  
of my will to them the said William Starling Sullivan Starling Edmund Starling (grandson  
of my brother Edmund) the eldest son of my late niece Susan Ramsey and William  
Marshall and their heirs forever, as tenants in common and in the following proportions to  
the said William Starling one equal undivided fourth part thereof to the said Sullivan  
Starling one equal undivided fourth part thereof to the said Edmund Starling one equal  
undivided fourth part thereof and to the said eldest son of Susan Ramsey and William  
Marshall one equal undivided eighth part thereof in severalty each part 1/8

each one equal undivided eighth part thereof and inasmuch as a part of the said interest in lands so devised consists of tax titles to land or claims upon land for taxes I do hereby authorize John W. Andrews of Franklin County Ohio and Lyne Starling Jr. of the City of New York and Wray Thomas of Franklin County Ohio to settle arrange and compromise or to sell in such manner as they may deem best any or all of such tax titles or claims for taxes and on any such compromise or settlement or sale being made to execute any and all deeds of conveyance or releases of any such interest in lands by tax sale tax title or claim for taxes and all deeds releases and acts of the said John W. Andrews and Lyne Starling Jr. and Wray Thomas, done by virtue of this authority shall be forever binding and conclusive upon the said William Starling; Sullivan Starling; Edmund Starling the eldest son of the said Susan Ramsey and William Marshall and their heirs and in case of the death of either the said Lyne Starling Jr. or John W. Andrews or Wray Thomas the survivor or survivors of them shall be clothed with all the power herein granted to all provided also that said power and authority on the part of the said John W. Andrews and Lyne Starling Jr. and Wray Thomas shall cease on the arrival of either of said devisees at twenty one years of age as to the share of such devisee. And I do also authorize the said Lyne Starling Jr. and the legal guardian of the said Edmund Starling for the time being respectively to sell from time to time at public or private sale and in such manner as they may respectively deem best and to convey in fee simple the said Lyne Starling Jr. so much of the land in this item of my will devised to his children and the said guardian of the said Edmund Starling so much of the land in this item devised to him as shall raise for each of said devisees respectively the sum of two hundred dollars per annum for their support and as much more as shall

be necessary to pay the taxes that may be payable upon their respective shares of the land herein devised to them and all such sales and conveyances shall be forever binding upon the said Children of the said Lyne Starling Jr. and the said Edmund Starling respectively and their heirs provided that no such sale shall be made of any part of said share of either of said devisees after said devisee shall have arrived at the age of majority by the said Lyne Starling Jr. or the said guardian of the said Edmund Starling and I do also give and bequeath to the said William Starling, Sullivan Starling and Edmund Starling (grand son of my brother) each the sum of six thousand dollars said sum to be paid to each by my executor ten years after my death. 21<sup>st</sup> I give and bequeath to my niece Jane Smith wife of John Smith of Highland County Ohio ten thousand dollars to be paid to her by my executor eight years after my death 22<sup>nd</sup> I give and bequeath to the daughter now living of my said niece Jane Smith seven thousand five hundred dollars to be paid by my Executor ten years after my death 23<sup>rd</sup> I give and bequeath to my niece Ann Price wife of John W Price of Highland County Ohio five thousand dollars to be paid to her by my executor nine years after my death. 24<sup>th</sup> I give and bequeath to each of the daughters that is now living of my said niece Ann Price as follows: - to her eldest daughter one hundred dollars two years after my death three hundred dollars three years after my death and three hundred dollars annually thereafter up to and including the tenth year after my death and at the expiration of said tenth year five thousand dollars and to the remaining daughters each now living five hundred dollars six years after my death and five hundred dollars per annum annually thereafter up to and including the tenth year after my death and at the expiration of the said tenth year six thousand dollars to be paid by my executor to each of said remaining daughters respectively.

25<sup>th</sup> I give and bequeath to each of the daughters now living of Lynne Starling, of the City of New York the sum of eight thousand dollars to be paid by my executor as follows  
To the eldest daughter two hundred dollars five years after my death and two hundred dollars annually every year thereafter up to and including the tenth year after my death and the residue of said eight thousand dollars at the expiration of said ten years and said sum to be paid to the other daughters ten years after my death

26<sup>th</sup> I give and devise to William Starling John Madison Starling and Edmund Starling sons of my late brother William Starling all my land and estate and interest of every description (including tax titles) to lands lying and situate in the Counties of Henry Paulding Van Wert Wood, Ottawa, Lucas and Defiance in the State of Ohio and also all my lands situate and lying in the State of Michigan and all my lands purchased by me at the land sales at Perrysburg or Defiance, or entered by me at the land offices at Lima or Wapoughkonetta, in the State of Ohio to them and their heirs forever as tenants in common And I do also give and bequeath to each of my said nephews, William Starling, Madison Starling and Edmund Starling the sum of six thousand dollars to be paid to each by my executor as follows - one half thereof three years after my death, and the remaining half six years after my death -

27<sup>th</sup> I give and bequeath to William Starling and Charles Starling sons of my brother Edmund Starling my Conger farm so called lying and situate in Franklin County Ohio and also the tract of land belonging to me lying near to and back of said Conger farm the latter being the tract bought by me of DeLano's administrator with the will annexed said land so devised to the said William and Charles Starling consisting of all my right and title in and to the following Swamps in the Virginia Military District so called to wit No 426, No. 4312, No 6843, No 424, and No. 8231 all lying in said

Franklin County Ohio and I do also give and devise to the said William and Charles Starling all right title and estate belonging to me in survey in said district N<sup>o</sup> 469 in the name of Strother Jones consisting of a farm of one hundred and twenty five acres more or less and now in the occupancy of John A. Solomon also a tract of land consisting of about two hundred acres and being a part of survey N<sup>o</sup> 6840, bounded on the north and west by the lines of the original survey East by Ford's and Conrod's tracts and south by the tract belonging to Barbee and purchased of James and Woodbridge all of which said lands lying in said Franklin County I do give and devise to the said William Starling and Charles Starling and their heirs forever in fee simple and I do also give and bequeath to them the said William Starling and Charles Starling each the sum of five thousand dollars to be paid to each of them by my executor ten years after my death - 2<sup>d</sup> I give and bequeath to Madison Starling as trustee and for the uses and purposes hereinafter mentioned as follows Five hundred dollars per annum for each and every year after my death up to and including ten years and at the expiration of said ten years after my death the additional sum of fifteen thousand dollars to be held by him solely and exclusively in trust to apply the said several sums of five hundred dollars per annum for ten years in such manner as he in his discretion may deem best for the support of the family of Samuel Starling brother of the said Madison Starling and to pay over to each of the children of the said Samuel Starling when of age his or her proportion share and share alike of the said fifteen thousand dollars and to apply the income arising from the proportion of each child while under age to his or her education and support and in case of the death of either of said children before arrival at the age of majority his or her proportion of said fifteen thousand dollars shall pass to his or her heirs or legal representatives -

27<sup>th</sup> I give and bequeath to my sister Lucy Bell ten thousand dollars to be paid to her by my executor as follows Five hundred dollars three of two years after my death and five hundred dollars per annum each and every year thereafter up to and including ten years after my death and the residue at the expiration of said ten years—

30<sup>th</sup> I give and bequeath to Sterling Loving and William Loving children of my niece Susannah Loving each the sum of seven thousand dollars said sum to be paid to each by my executor as follows to the said Sterling Loving two hundred dollars one year after my death and three hundred dollars a year thereafter until seven years after my death and then the residue of the said sum of seven thousand dollars; to the said William Loving three hundred dollars three years after my death and three hundred dollars a year thereafter until nine years after my death and then the residue of the said sum of seven thousand dollars.

31<sup>th</sup> I give and bequeath to Mary Carter eldest daughter of Dr Frank Carter of Franklin County Ohio the sum of eight thousand dollars said sum to be paid to her by my executor as follows: Two hundred dollars two years after my death and two hundred dollars a year for each and every year until ten years after my death and then the residue of the said sum of eight thousand dollars;

32<sup>th</sup> I give and bequeath to Judge Bell my brother in law of Highland County Ohio the sum of two hundred dollars per annum to be paid to him <sup>annually</sup> by my executor for <sup>the</sup> ten years next after my death to be used by him solely and exclusively as trustee for the benefit and support of my nephew William McDowell in case the said William shall so long live and if he shall not so long live then the said annuity is to cease and no more payments to be made thereon after his death and in case the said William shall be alive at the expiration of ten years after my death I do give and bequeath to John A Smith of said Highland County the sum of three thousand dollars to be at that time paid him by my executor to be held by the said Smith solely and exclusively as trustee to apply the income from the same to the benefit and support of my said nephew

William N. Dowell during his life, and on his death to pay over one half of said sum to his own children that shall be then living, by his wife Jane Smith and the other half to the children that shall be then living of Ann Price wife of John W. Price of said Highland County; and in case of the death or disability of the said Judge Bell within the next ten years after my death, I do hereby substitute in his place as trustee John A. Smith of Highland County Ohio to have all the powers and to discharge all the duties which the said Judge Bell possessed and would have been bound to discharge had he continued such trustee

33<sup>th</sup> I give and bequeath to my brother Thomas Starling three hundred dollars per annum to be paid to him annually by my executor for the term of ten years next after my death in half yearly payments of one hundred and fifty dollars each in case the said Thomas Starling shall so long live and if he shall not so long live then said annuity is to cease at his death and no more payments shall afterwards be made thereon and in case the said Thomas Starling shall be alive at the expiration of ten years after my death I do hereby give and bequeath to William S. Sullivan of the County of Franklin Ohio the sum of three thousand dollars to be then paid him by my executor to be held and used by him solely and exclusively as trustee to apply the income arising from the same to the benefit and support of the said Thomas Starling during his life and on his death to pay over the said principal sum or so much thereof as shall be remaining in his hands to the children of my late niece Susan Pharey that shall be then living.

34<sup>th</sup> I give and bequeath to Sally Starling and Susan Starling (daughters) of my brother Edmund Starling, all the bank stock owned by me in the State of Kentucky, being about twenty thousand dollars in the Bank of Kentucky said stock to be transferred to them by my Executor five years after my death it being understood that my said Executor is to receive for the benefit of my estate



all dividends upon said stocks that shall have been declared up to the time of said  
35 Transfer - 35<sup>th</sup> I give and bequeath to Lyne Starling son of my brother Edmund  
Starling Twelve thousand dollars; said sum to be paid to him by my executor  
as follows - one third thereof in four years after my death one third thereof  
in seven years after my death and the remaining one third thereof in ten years  
after my death - 36<sup>th</sup> All the residue of my estate of every kind and description real and  
personall not otherwise disposed of by this my last will and testament I give and bequeath in fee  
simple to them and their heirs forever. to the following persons and as follows one full  
equal undivided seventh part of said real estate and one seventh part of said personal  
estate to Edmund Starling grandson of my brother Edmund Starling one full  
equal undivided seventh part of said real estate and one seventh part of said  
personal estate to William Starling son of Lyne Starling Jr. of the City of New York one  
full equal undivided seventh part of said real estate and one seventh part of said  
personal estate to Starling Sullivant son of Joseph Sullivant one full equal  
undivided seventh part of said real estate and one seventh part of said personal estate  
to Sullivant Starling son of said Lyne Starling Jr. of New York one full equal  
undivided seventh part of said real estate and one seventh part of said personal  
estate to John Madison Starling my nephew of Franklin County Ohio one full  
equal undivided seventh part of said real estate and one undivided seventh part of  
said personal estate. to Amos Smith son of John A. Smith of Highland County Ohio and  
one full equal undivided seventh part of said real estate and one undivided  
seventh part of said personal estate to Starling Price son of John H. Price of said  
Highland County the said personal property to be paid by my Executor to the  
persons respectively entitled to the same as soon as may be practicable after

the expiration of ten years from my death it being expressly understood that all said residuary interest in real as well as personal estate is subject to the full payment of all other legacies herein before made - 37<sup>th</sup> In case of failure of title to any land herein devised there is to be no claim on any part of my estate or against any of the devisees or Legatees named in this my last will and testament on account of any such failure and in any devise made in this my last will and testament of land or interest in lands lying in the State of Ohio elsewhere than in the County of Marion it is not my intention to include any interest whatever in land heretofore sold by me and not conveyed but for which contracts are now outstanding or land which I may have heretofore sold and the contracts for which may have been rescinded any time prior to my death or the land subjected by any decree in Chancery to sale for the purchase money and bought in by me at any time prior to my death, but all such contracts and lands except in said County of Marion are to go to my executor for distribution as a part of my personal estate unless herein expressly provided other wise. And all such lands excepting as aforesaid are to belong to my Executor in fee simple to be by him sold as he shall deem best for the interest of my estate and the proceeds to be used by him as a part of the personal property of my estate and all such contracts and lands lying in said County of Marion shall pass to my devisees by virtue of the devises herein respectively made to them of lands in said County.

38<sup>th</sup> In case any legatee or devisee in this my last will and testament shall die before the time shall have arrived at which said legatee or devisee would have been entitled to the possession and control of said legacy or devise respectively said legacy or devise shall in all such cases descend to the heirs and legal representatives of said legatee or devisee so dying in the same manner as if the same had been vested in said legatee or devisee at the time of his death unless otherwise expressly provided for, and

to be transferred, conveyed or paid over to such heirs or legal representatives at the time when the same should have been transferred, conveyed or paid to said Legatee or devisee if living unless otherwise herein before expressly provided - and no legacy shall in any case bear interest until the time when the same is herein made payable, unless otherwise herein before expressly provided for, - - -

39<sup>th</sup> No Trustee appointed by this my last will and testament shall be required to give any bond for the discharge of his duties - 40<sup>th</sup> All bequests herein before made payable to any legatee before his or her arrival at the age of Majority shall be paid by my Executor to the legally constituted guardian of such legatee entitled to receive the same

41<sup>th</sup> The devises and bequests herein before made to Michael L. Sullivan and to his Children respectively both of real and personal estate are to depend upon this condition to be performed by the said Michael L. Sullivan to wit that he shall execute and deliver to my Executor within one year after my death to the satisfaction of my said Executor a full release of all claims or demands of every kind and description upon me either as Administrator of his father Lucas Sullivan deceased or otherwise against my estate, and also all claims for land sold by me as administrator of said estate of the said Lucas Sullivan deceased saving only and excepting any rights or claims that he may have under and by virtue of this my last will and testament - also the devises and bequests herein before made to William L. Sullivan and his Children respectively are to depend in like manner upon the same condition by him to be performed of executing a full release to my Executor of like tenor and effect within the same time and in like manner as is required of the said Michael L. Sullivan Also the devises herein before made to

Joseph Sullivan and to his children respectively both of real and personal property  
are to depend upon the same condition to be by him performed of executing a full  
release to my Executor of like tenor and effect in the same time and in like manner  
as is required of the said Michael & Sullivan and in case either of them the said  
Michael & Sullivan William & Sullivan or Joseph Sullivan shall neglect if living  
for one year after my death to execute such release as aforesaid and in the manner  
aforesaid then and in that event all said devises of real and personal property hereinbefore  
made to such person so neglecting or refusing and to his children respectively  
are hereby revoked and said property real and personal embraced in any such  
devise or devises so revoked I do hereby give and bequeath to all my nephews and  
nieces that shall be then living and residing in the State of Ohio equally share  
and share alike and on said releases being all executed I do hereby release all  
claims and demands on my part against the estate of said Lucas Sullivan.  
+ 43<sup>rd</sup> I do hereby authorize and empower my Executor to specifically perform all  
contracts for the conveyance of land which I myself if living would be either legally  
or equitably bound so to convey and with such covenants of warranty binding my  
estate as I myself if living would be bound to make and all such deeds for real  
estate so executed and delivered by my said Executor under and by virtue of this  
authority shall vest in the Grantees respectively the same interest as if said deeds  
respectively had been executed by me. In all cases where leases have been or  
may be hereafter granted by me of any of my real estate and the same shall  
be subsisting at the time of my death my executor shall have the rents accruing  
under all said leases respectively until the expiration of the same for the benefit  
of my estate. 44<sup>th</sup> All my lands in the county of Franklin and State of Ohio including  
all my real estate

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of my real estate in the City of Columbus and all my lands in the County of Licking Ohio and all other lands not herein otherwise devised by me I do hereby devise to my Executor in fee simple and I do hereby authorize him to sell and convey all said lands in such manner as he may deem best for the interest of my estate and to hold the proceeds thereof as a part of the personal property of my estate - 45<sup>th</sup> I do hereby direct my Executor to pay the taxes on all my lands for the year current at the time of my death and to pay the taxes on my Conger farm so called devised to William and Charles Starling sons of my brother Edmund Starling and the curliole tracts occupied by Links and devised to the sons of Joseph Sullivant so long as he shall by virtue of this my last will and testament receive the rents and profits of the same and I do hereby direct my Executor in order to enable James Smith and Starling Joice to pay their tax upon the lands herein devised to them to pay to each of them respectively two hundred <sup>dollars</sup> three years after my death and two hundred dollars per annum thereafter each and every year up to seven years after my death and that he deduct from the payment of three thousand dollars herein before directed to be made to each at that time the amount without interest that shall have been so advanced by him to each of them, 46<sup>th</sup> All my legacies to females payable ten years after my death. I hereby direct my Executor to pay in Bank Stocks or other Stocks belonging to my estate at their fair cash value and Legacies that shall be then due to male Legacies under the age of Majority I direct him as far as practicable after so paying the female Legacies to pay also in Stocks belonging to my estate at their fair cash value and in case the payments of all of said Legacies shall not exhaust all the Stocks belonging to my estate then I direct him to apply the residue of said Stocks

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at their fair cash value in such manner as he may think right to the payment  
of any other Legacies. The determination as to what may be the fair cash value of  
47 <sup>direct</sup> stocks when so paid is left to the Judgment of my Executor, 47<sup>th</sup> In case of any  
A deficiency of assets in the hands of my Executor for the payment of my said legacies  
made payable at his discretion ten or eleven years after my death I do hereby direct  
that the amount of such deficiency shall fall upon and be wholly sustained by the  
Legacies payable ten or eleven years after my death to all my Legacies now residing  
within the State of Ohio and to the Children of my Nephew Lyne Starling Jr. of the City  
of New York, said legatees to bear such deficiency in proportion to their respective  
legacies and all the legacies and parts of legacies in and by this my last will and  
testament made payable ten years after my death I do hereby authorize my Executor  
in his discretion to pay eleven years after my death instead of ten years after my  
death if in his opinion the condition of my estate at that time shall require such delay of payment  
48<sup>th</sup> My Executor is requested to bring to a close the notes and claims held by Swan and  
Andrews in trust for the payment of my claim against Lyne Starling Jr. as soon  
as the same will admit of it And I do hereby enjoin it upon my Executor to  
collect my debts as fast as may be practicable and in no case to delay suit on my  
note for a longer period than one year after due unless he shall deem more delay  
in any case essential to the interest of my estate in order to enable him to secure or  
save the debt And in case my nephew Lyne Starling Jr. shall fail to pay in full the  
claim against him to pay which the aforesaid trust was created I direct that such defici-  
= ncy shall be deducted proportionably from the legacies herein before given to the  
49 Children of the said Lyne Starling Jr. 49<sup>th</sup> I do hereby direct that William S. Sullivan  
be appointed Proxy to represent the stock belonging to my estate in the commercial

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to March of the State Bank of Ohio at Cleveland and all other Stocks belonging to my  
estate in Banks or insurance Companies within the State of Ohio at all meetings  
of the Stockholders of said institutions respectively either in person or by a substi-  
tute to be appointed by him the said William S Sullivan - 50<sup>th</sup> In making  
investments of funds belonging to my estate I wish my Executor to take the  
advice of William S Sullivan and Wray Thomas or the survivor of them and as  
a general rule would recommend that any such investment be determined by the  
opinion of a majority of the three. I leave however the final determination as to  
all investments after advising as herein recommended wholly and exclusively  
to my Executor. In making investments my preference is for Bank Stock even  
at a premium, and I direct my Executor to invest in no Stock of any rail  
road while the same shall remain unfinished. 51<sup>th</sup> I do hereby direct my Executor  
to appoint and send to Indiana such agent as he may think proper to receive my  
Indiana scrip deposited in Bank at Fort Wayne Indiana and to authorize and direct  
said agent to proceed to Indianapolis and to sell on the best terms he can get there or  
wherever he can sell to the best advantage so much of said scrip as will raise  
in cash twelve thousand dollars for my estate and to sell the residue of said scrip  
for cash if such sale can be made at a discount not exceeding twelve per cent.  
52<sup>th</sup> I do hereby constitute and appoint John W Andrews of the County of Franklin  
and State of Ohio the Executor of this my last will and Testament and I do hereby  
authorize and empower him as such Executor to extend compromise adjust  
release and discharge in such manner as he may deem most for the interest  
of my estate the debts and claims due to me to compromise and discharge in  
like manner all claims against my estate to sell and convert invest and

reinvest all my personal estate and the proceeds of and dividends upon the same in such manner as he may deem right and proper for carrying out the intentions of and proceed in this my last will and Testament and in all respects to manage and control all my said personal estate and the proceeds of the same in such manner as in his judgment will best promote the interest of my said estate and the objects of this my last will and Testament. and in case any title bond or contract for land sold by me shall be forfeited or re-tinquisced by the vendee of said land and my executor shall deem it best to rebind said contract and take back such land he is hereby authorized so to do; and on his so re-binding any such contract the legal title to the land embraced therein shall vest in my said executor in fee simple who shall again sell the same in such manner as he may deem best for the interest of my estate and hold the proceeds of the same as personal property to be distributed under the provisions of this my last will and Testament. And I hereby authorize the said John W Andrews as my executor to employ such person or persons to aid him in the management and settlement of my estate as he may deem right and proper and to pay such compensation as he may deem just for such services and having full confidence in the integrity of the said John W Andrews I do hereby direct that he shall not be required to enter into any bond for the discharge of his duties as such executor. And I do hereby give to the said John W Andrews and authorize him to retain <sup>in</sup> full satisfaction of all claims for his personal services as my executor as aforesaid including all professional ~~care~~ that he may render in relation to the settlement of my estate the sum of one thousand dollars per annua for each and every year during the eleven years next ensuing after my death. said allowance to be independent of and in



addition to all other just and proper expenses incurred by my said  
Executor in the payment of other persons whom he may find it necessary  
and proper to employ to aid him in the discharge of his duties as such  
executor and all other just and proper expenses that may be incurred by him  
in the settlement and management of my said estate. And in case of the  
death of the said John W Andrews within the said Eleven years after my death  
or his inability from any cause within that time to discharge the duties of Executor  
so as to render it necessary to substitute in his place another executor, I do hereby  
nominate and appoint as such substitute Joseph R Swan of the County of  
Franklin Ohio and do <sup>in</sup> that event hereby clothe the said Joseph R Swan with  
all the powers herein before granted to the said John W Andrews as my Executor of  
every kind and description and do direct that he shall not be required to give  
any Bond for the discharge of his duties as such executor and that he shall receive for  
his services the same compensation per annum from the time of his entering upon  
his duties as executor up to and including eleven years from the time of my death  
as is herein before designated for said John W Andrews in the bequest to the  
daughters of my nephew Joseph Sullivan. I do hereby direct that my Executor  
shall pay so much of the legacy or legacies as shall be unpaid at the expiration  
of ten years after my death directly to such of the daughters as shall then have  
arrived at the age of twenty one years instead of to the said William S Sullivan  
as trustee as herein before directed and in case of the other daughters the said trustee  
shall pay over to them respectively the principal sum and proceeds in his hands on their  
marriage respectively or their arrival at twenty one years of age whichever  
shall first happen (interlineations on page 8 lines 12 and 16 also in page 17 and

page 22 lines 17 and 25 and on page 12 lines 1, 22 and 29 and page 13 lines 2, 4, 6 and 8 and erasure on page 15; and also the two erasures on page 22 made before signing) In Testimony whereof I have here to set my hand and seal This 31<sup>st</sup> day of March A.D. 1837. (1847.)

Lyne Starling

LS

Signed, sealed, and acknowledged by the said Lyne Starling to be his last will and testament in our presence and signed by us in his presence this 31<sup>st</sup> day of March, 1847.

C. W. Gwynne

J. Stewart

Wray Thomas

First Codicil. - Whereas Lyne Starling of the County of Franklin and State of Ohio on the 31<sup>st</sup> day of March A.D. 1847 made my last will and testament of that day I do hereby declare the following to be a codicil to the same, said codicil being attached to said last will and testament. 1<sup>st</sup> In all cases in which any payment of or upon any legacy to any individual provided for by my said last will and testament shall exceed the sum of five hundred dollars such payment shall be postponed one year longer than is provided by said last will and Testament. - 2<sup>d</sup> I do hereby make the following changes in relation to Legacies provided for in and by my said last will and testament and in relation to the payment of such Legacies - 1<sup>st</sup> I direct that there shall be paid to the eldest daughter of Michael Sullivan two hundred dollars two years after my death and two hundred dollars per annum each and every year thereafter until the expiration of Eleven years after my death and then the residue of her said legacy of Eight thousand dollars that shall not have been so paid to her shall be paid by my Executor to Ann B. Swan and John W. Andrews, who shall hold the same as Trustees for the use of Michael

as a legacy provided, - 2<sup>d</sup> To the second daughter of the said Michael  
L. Sullivant two hundred dollars three years after my death and two hundred  
dollars per annum each and every year thereafter until the expiration of eleven  
years after my death and then that the residue of her said legacy of eight  
thousand dollars that shall not have been so paid to her shall be paid by  
my Executor to Joseph R Swan and John W Andrews who shall hold the  
same as trustees as hereinafter provided, - 3<sup>th</sup> To the third daughter of said  
Michael L Sullivant two hundred dollars five years after my death and two  
hundred dollars per annum each and every year thereafter until the expiration  
of eleven years after my death and then the residue of her said legacy of eight  
thousand dollars that shall not have been so paid to her to be paid by my  
executor to Joseph R Swan and John W Andrews as trustees as hereinafter  
provided. 4<sup>th</sup> To Mary Carter daughter of Dr Frank Carter there shall  
be paid three hundred dollars per annum in stead of two hundred as provided  
in my said last will and Testament beginning two years after my death  
and continuing up to eleven years after my death when the residue of her  
said legacy of eight thousand dollars that shall not have been previously  
paid to her shall be paid by my executor to Joseph R Swan and John  
W Andrews as trustees as hereinafter provided, - 5<sup>th</sup> I give and bequeath  
to the eldest daughter of my nephew William Stirling son of my brother Thomas  
Stirling of Henry County, Virginia the sum of four thousand dollars payable  
as follows: - Two hundred and fifty dollars three years after my death and  
and two hundred and fifty dollars per annum each and every year  
thereafter until the expiration of eleven years after my death and then that

my executor shall pay the residue of said legacy, not so paid to her to Joseph R. Swan and John W. Andrews as hereinafter provided, - 6<sup>th</sup> The payments by my executor of the residue that shall remain unpaid at the expiration of eleven years after my death of the legacies payable to the children of Lyne Starling Sr. - and of Joseph Sullivan, and to the children of my niece Susan Ramoy. (excepting Peter R. Ramoy, her eldest son) and to said eldest daughter of my nephew William Starling, son of my brother Thomas Starling instead of being made as directed by my said last will and Testament shall be made to Joseph R. Swan and John W. Andrews as trustees as hereinafter provided, - 7<sup>th</sup> The said Joseph R. Swan and John W. Andrews shall in all cases in which by virtue of this Codicil and by said last will and Testament moneys or stocks shall be paid over to them as trustees which shall only be in case of legatees under twenty four years of age hold the same solely and exclusively in trust for the following purposes and trusts to wit: - to pay to each of said legatees that shall be under the age of twenty one years and until his or her arrival at twenty one years of age the same sum per annum as shall have been previously paid per annum to him or her by my executor under said last will and Testament or in case no such annual payment shall have been provided for by said last will and Testament then to pay the sum of three hundred dollars per annum to such legatees respectively, until they shall respectively have arrived at the age of twenty one years, - and after the arrival of said legatees respectively to twenty one years of age then to pay over to each of them respectively annually the whole income arising from the legacy of each in the hands of said trustees until the arrival of such legatees at

Twenty four years of age or in case of females, one year after their marriage respectively in case they shall marry more than one year before arriving at twenty four years of age as aforesaid and on said parties respectively so arriving at twenty four years of age, or in case of females so marrying more than one year before their arrival respectively at twenty four years of age as aforesaid and said one year after said marriage having elapsed as aforesaid then said trustees shall pay over the principal sum remaining in their hands as such trustees to said parties respectively entitled thereto. All legacies payable eleven years after my death to legatees who shall then have arrived at twenty four years of age shall be paid directly to said legatees, in case of the death of either of the said trustees the survivor is hereby clothed with all the powers and charged with all the duties hereby imposed and conferred upon both. And I do hereby direct to be paid to said trustees, in full of their services in the execution of said trust the sum of two hundred dollars per annum, during the first six years and one hundred and fifty dollars per annum for the next succeeding four years after the continuance of said trust. 8<sup>th</sup> I hereby direct that the legacy of the eldest daughter of my nephew William Sullivan by his present wife shall be paid as follows:— Two hundred dollars three years after my death and two hundred dollars per annum, each and every year three after up to and including eleven years after my death, and then the residue of said legacy that shall not have been so previously paid.—

9<sup>th</sup> The legacy of the next younger child of the said William Sullivan being his second child by his present wife shall be paid as follows:— Two hundred dollars five years after my death and two hundred dollars

per annum each and every year thereafter up to and including eleven years after my death and then the residue of said legacy that shall not have been so previously paid - 10<sup>th</sup> The legacy of the next younger child of said William Sullivant being his third child by his present wife shall be paid as follows, two hundred dollars seven years after my death and two hundred dollars per annum each and every year thereafter up to and including eleven years after my death and then the residue of said legacy that shall not have been so previously paid

11<sup>th</sup> I do hereby cancel and revoke the legacy of two thousand dollars given to Jane Keil by my said last will and testament. - 12<sup>th</sup> I do hereby authorize and request my nephew John Holloway to take the entire control of all the lands lying in Iowa, Missouri and Illinois, devised in my <sup>said</sup> last will and testament and do authorize him to sell and convey the same in all respects in like manner as if he were the owner of the same in fee simple, said Holloway however to hold the proceeds of the same, as trustee, for the sole and exclusive benefit of those who by my <sup>said</sup> last will and testament are entitled to the same, the said John Holloway's powers in the premises are however, wholly to cease at the expiration of ten years from my death And I do hereby authorize the said John Holloway, to appoint an agent or agents to assist him in carrying out the purpose of said trustee and to pay out of the proceeds of said lands all necessary expenses incurred in the management of said Trust and to retain for his own services in the premises five per cent upon and out of the proceeds of said lands that shall come into his hands; in case the said John Holloway shall refuse to act or shall die during the continuance of said trust, I do hereby authorize the said John Holloway (if living) Samuel Stites and George Atkinson, the survivor or survivors of them

to appoint in writing an agent who shall be and he is hereby clothed with all the powers, and subject to all the duties conferred or enjoined upon the said John Holloway in the premises, and such agent shall receive for his services while he may be so employed the same rate of compensation that is hereby allowed to said John Holloway, and he the said John Holloway is requested to sell said lands and pay over the proceeds as soon as in his Judgment shall be practicable

13<sup>th</sup> I do hereby make the following additions to and changes in the Shares of my residuary legatees, to wit, all my personal estate not otherwise disposed of by my said last will and testament, and which by the 36<sup>th</sup> item of my said last will and testament is divided into seven Shares I do hereby give and bequeath as follows:- To Edmund Starling grand son of my brother Edmund one equal tenth part thereof, To William Starling and Sullivan Starling sons of my nephew Lyne Starling or one equal tenth part thereof jointly. To Starling Sullivan <sup>Son of Joseph Sullivan</sup> one equal tenth part thereof. To my nephew John Madison Starling one equal tenth part thereof, To James Smith son of John A Smith one equal tenth part thereof. To Starling Price son of John W Price one equal tenth part thereof. To <sup>John</sup> Marshall and William Marshall sons of my niece Sarah Taylor jointly one equal tenth part thereof. To my nephews William Davison and Edmund Davison jointly one full equal tenth part thereof To my nephews William Starling and Charles Starling sons of my brother Edmund Starling one full equal tenth part thereof jointly and to Peter R Ramey, son of my niece Susan Ramey one full equal tenth part thereof. So much of said 36<sup>th</sup> item of my said last will and testament as relates to real estate is hereby revoked

and annulled the same having been devised to my Executor in the 44th item of my said last will and testament. 14<sup>th</sup> I do hereby authorize and direct my Executor to invest from time to time of the income arising from my estate from fifty to one hundred thousand dollars in the stock of the Little Miami Rail Road from Cincinnati to Springfield or in the stock of the Mad river and Lake Erie Rail Road company, in case he can purchase said stock at a fair rate and shall deem it at the time best to make such investment.

15<sup>th</sup> No Stocks belonging to my estate shall be sold by my executor, nor shall any guardian or trustee sell any of the stocks that shall come into their hands respectively, on account of any legacy granted by my said last will and testament or by this codicil thereto; but said stocks shall all be retained by them respectively and distributed or paid over by my executor and by said guardians and trustees, in kind, to those respectively who shall be entitled to the same. This provision, however is not to interfere with the sale of my Indiana scrip as directed in my said last will and testament. 16<sup>th</sup> In all cases in which by my said last will and Testament I have directed annual payments upon legacies prior to the final payment upon the same, I do hereby direct my executor to pay one half thereof semi-annually. 17<sup>th</sup> I do hereby authorize my executor whenever he shall think proper so to do, to make payments upon legacies in advance, discounting for the time between such payments, respectively and the time when by my said last will and testament or this codicil, the same are directed to be paid and whenever in his opinion it shall be advisable, he is authorized to postpone the payment of any legacy, or part of a legacy, for any period not exceeding nine months beyond the time



fixed for such payment in my said last will and testament or this codicil  
said legacy or part of a legacy, however is to bear interest during the time  
for which its payment shall be postponed by my Executor, - 18<sup>th</sup> I give  
and bequeath to my nephew Lyne Starling son of my brother Thomas Starling  
one hundred and fifty dollars per annum each and every year for eleven years  
after death, 19<sup>th</sup> It is my wish that my Executor shall reinvest from time to  
time with as little delay as may be practicable all such moneys as shall not  
be needed for payments under my said last will and Testament and codicil  
and for the purpose of making such investments. I hereby authorize him if  
he shall deem it best to borrow at any time as such executor a sum not  
exceeding at any one time ten thousand dollars, to be repaid out of the first  
moneys that shall come into his hands, and I do also request him in depositing  
moneys on hand to make arrangements for a fair interest on such deposits  
In testimony whereof, I have hereunto set my hand and seal this 7<sup>th</sup> day  
of August A.D. 1847, - Lyne Starling {LS}

Signed sealed and acknowledged, by the said Lyne Starling as a codicil to  
his last will and Testament in our presence, and signed by us in his presence  
August 7<sup>th</sup> 1847  
E. W. Gwynne,  
H. Stewart

Second Codicil. Whereas I Lyne Starling, of the county of Franklin and  
State of Ohio, did on the 31<sup>st</sup> day of March, A.D. 1847 make and publish my last  
Will and Testament and on the 7<sup>th</sup> day of August A.D. 1847 did make and  
publish a Codicil thereto both of which are hereto attached now I do hereby  
make and publish the following as an additional Codicil thereto

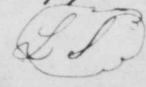
1<sup>st</sup> the legacy given in and by the fifth item of my said last will and Testament to all the other children of the said Susan Ranney, Excepting the eldest son is hereby revoked and in place thereof I do hereby give and bequeath to each of said other children excepting the said eldest son as follows; To each of the three eldest of them one hundred and fifty dollars one year after my death and one hundred and fifty dollars each and every year thereafter up to and including eleven years after my death; and at the expiration of said Eleven years, such a sum as with the amount that shall have been before paid to each will make up to each of them the sum of five thousand dollars,

2<sup>nd</sup> To the next younger child one hundred and fifty dollars three years after my death and one hundred and fifty dollars each and every year thereafter up to and including eleven years after my death and at the expiration of said eleven years, such a sum as with the amount that shall have been before paid to him or her shall make up in all five thousand dollars, 3<sup>rd</sup> To the next younger child one hundred and fifty dollars five years after my death and one hundred and fifty dollars each and every year thereafter, up to and including eleven years after my death; and at the expiration of said eleven years, such a sum as with the amounts that shall have been so before paid to him or her shall make up in all five thousand dollars, 4<sup>th</sup> To each of the other of said younger children, one hundred and fifty dollars six years after my death, and one hundred and fifty dollars each and every year thereafter up to and including eleven years after my death; and at the expiration of said eleven years, such a sum as with the amounts that shall have been so before paid to him or her shall make up in all five thousand dollars to each, 5<sup>th</sup> In addition to the legacy of Twelve thousand dollars given to Lyne Starling son of my brother Edmund Starling by the 35<sup>th</sup> item of my said last will and testament I do hereby

of the sum, one said says starting, the sum of three thousand dollars to be paid to  
him one year after my death, making in all fifteen thousand dollars, 6<sup>th</sup> I do  
hereby revoke the legacy given by item fifth of the said codicil to my said last  
Will and Testament, to the eldest daughter of my nephew William Sterling son of  
my brother Thomas Sterling and in place thereof do give and bequeath to her as  
follows; - one hundred and fifty dollars per annum at the expiration of each  
of the first two years after my death and two hundred and fifty dollars each  
and every year thereafter up to and including eleven years after my death.  
and then such a sum as will with the amounts that shall have been so  
before paid to her make up in all the sum of five thousand dollars, -  
7<sup>th</sup> I do hereby revoke the devise of the Carlisle tract of land, so called which  
by the 15<sup>th</sup> item of my said last Will and Testament, is devised to the three  
sons of my nephew Joseph Sullivant being therein particularly described  
and I do hereby give and devise the same to my executor in fee simple and  
I do hereby authorize my said executor to sell and convey the same in such  
manner as he may deem best for the interest of my estate and to hold  
the proceeds thereof as a part of the personal property of my estate -  
8<sup>th</sup> I do hereby direct that the legacy to Sterling Sullivant son of Joseph  
Sullivant, given by the 16<sup>th</sup> item of my said last will and Testament instead  
of being paid as there in directed shall be paid at the same time and precisely  
in the same manner, as the legacy to Lucas Sullivant therein provided for,  
9<sup>th</sup> I do hereby give and bequeath to the Ladies Benevolent Society of the city  
of Columbus, one thousand dollars in bank stock estimated at par and  
from such one of the banks of the City of Columbus as my Executor shall think

proper to be transferred to them and to take effect one year after my death.  
 10<sup>th</sup> I do hereby make the following additions to the number of and Charges in  
 the Shares of the residuary legatees, mentioned in the 13<sup>th</sup> item of the said Codicil  
 to my <sup>1<sup>st</sup></sup> last Will and Testament, to wit: I do revoke the legacy therein given  
 to Starling Sullivan, In all other cases in which I have therein given one  
 tenth of the residue of my personal estate to any individual or individuals  
 I do hereby revoke said gift of one tenth and do substitute in the place thereof  
 one eleventh part of the residue of my personal estate and the remaining two  
 elevenths arising from the Changes herein made, I give and bequeath to the  
 said Starling Sullivan son of Joseph Sullivan to Joseph Sullivan son  
 of Michael S Sullivan and to the eldest son of William S Sullivan now living  
 Share and Share alike - 11<sup>th</sup> I do hereby change the devises of the lands lying  
 in the Counties of Union ~~and~~ Logan and Hardin, which by the 20<sup>th</sup> item of  
 my said last will and Testament are devised to William Starling, son of Lyne  
 Starling, of the City of New York, Sullivan Starling, youngest son of said  
 Lyne Starling Edmund Starling grandson of my brother Edmund each one  
 fourth of the same; and the eldest son of Susan Ramney, and William Marshall  
 son of Sarah Taylor each one-eighth and in place of such devises which are  
 hereby revoked, I do hereby devise said lands in said 20<sup>th</sup> item of my said  
 last Will and Testament described as follows, To the said William Starling, son  
 of Lyne Starling of the City of New York one equal undivided sixth part  
 thereof to the said Sullivan Starling son of said Lyne Starling one equal  
 undivided sixth part thereof to the said Edmund Starling grandson of my  
 brother Edmund one equal undivided sixth part thereof to the said

X eldest son of my late niece Susan Brammy; and the said William Marshall  
X each one equal undivided twelfth part thereof; and the remaining equal  
X undivided third part thereof to Lyle Starling son of my brother Edmund  
X Starling, Lucas Sullivant son of Joseph Sullivant and the youngest son  
X of John A Smith, of Highland County Ohio as tenants in common  
and share and share alike but said item 20<sup>th</sup> of my said last will  
and Testament is to stand in full force, in all respects except as herein  
modified, and all the devises herein made are to be in all respects subject  
to the provisions of the same \* 12<sup>th</sup> I do hereby authorize my executor to  
borrow if he shall deem best any sum not exceeding at any time twenty  
thousand dollars instead of limiting him to ten thousand as directed in  
the last item of the said Codicil to my said last Will and Testament -  
13<sup>th</sup> I do hereby give and bequeath to the youngest son of John A Smith of  
Highland County Ohio now living the sum of eight thousand dollars to be paid  
by my executor eleven years after my death. - In Testimony whereof I  
have here to set my hand and seal this 27<sup>th</sup> day of December A. D. 1847

L Starling 

Signed sealed and acknowledged by the said Lyle Starling to be a Codicil  
to his last will and Testament in our presence and signed by us in his  
presence this 27<sup>th</sup> day of December, 1847. -

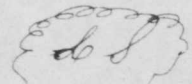
E. W. Gwynne  
Wm. Thomas,  
H. Stewart.

Third Codicil, - Whereas I Lyle Starling, of the County of Franklin and  
State of Ohio, did on the 31<sup>th</sup> day of March A. D. 1847. make and publish my

last will and Testament and afterwards to wit on the 7<sup>th</sup> day of August A. D. 1847 and the 27<sup>th</sup> day of December A. D. 1847. respectively did make and publish Codicils thereto all of which are attached hereto Now I do hereby make and publish the following as an additional Codicil thereto - 1<sup>st</sup> In all cases where legacies are to be paid within nine years from my death, and where ~~no~~ such legatees, whether Male or Female are now of age, or where such legatees if males shall be of age when their said legacies shall be so payable, my Executor is hereby authorized, whenever he shall think proper to pay any of such legacies in advance discounting at the rate of not less than eight, nor more than ten per cent per annum as he shall deem right for the time between such payments so made respectively and the time when by my said last will and Testament or the Codicils thereto, the same are directed to be paid And item 17 in the first Codicil to my said last will and Testament is so far revoked as it in any manner differs from or interferes with the provisions of this Codicil, - 2<sup>d</sup> The land in Madison County recently conveyed to me by Mary E Warburton and others, by Kendall Thomas as their attorney, and by said Thomas in his own right by deed, dated May the 23<sup>rd</sup> A. D. 1848. being two parts of Snowy No 2985, in the Virginia Military district as in said conveyance described I do hereby devise to my executor in fee simple and do hereby authorize him to sell and convey, the same, and out of the proceeds thereof to retain as a part of the assets of my estate in his hands as executor the sum of three thousand dollars, and the residue, of the proceeds thereof, to pay over to the eldest son of my nephew Joseph Sullivan - on his arrival at twenty one years of age, including the interest that may accrue thereon And in this and all other cases in which my executor is authorized to sell lands he may do so at public or private sale and may execute conveyances with or without consent of

Warranty as he shall deem proper, - 3<sup>th</sup>. The 51<sup>st</sup> item of my said last will and Testament in reference to the sale of my Indiana Scrip, is revoked and my executor is directed to sell and dispose of the same as he shall think best as a part of the assets of my estate, 4<sup>th</sup>. I give and bequeath to Sally Starling and Susan Starling daughters of my brother Edmund Starling in addition to the Bank Stock bequeathed to them in my said last will and Testament as follows: - to each of them one hundred and fifty dollars per annum each and every year up to and including five years after my death, 5<sup>th</sup>. I do hereby authorize and request my executor to assist in repairing substantially the family burial place of my late brother in law Lucas Sullivan, in Franklinton, and to erect any additional monument therein, that he may think proper. - In Testimony whereof, I have here to set my hand and seal this 30<sup>th</sup> day of June A.D. 1848,

L Starling



Signed sealed and acknowledged by the said Lyne Starling, to be a Codicil to his said last will and Testament in our presence and signed by us in his presence June 3<sup>d</sup>. 1848

Wray Thomas.

Francis Carter

Fourth Codicil, - Whereas I Lyne Starling, of the County of Franklin and State of Ohio did on the 31<sup>st</sup> day of March A.D. 1847 make and publish my last will and Testament and have since made certain Codicils which are all attached thereto Now I do hereby make and publish the following as an additional Codicil thereto 1<sup>st</sup> The legacies named in the 17<sup>th</sup> item of said will bequeathing to William Davison and Edmund Davison each Twelve thousand dollars are hereby reduced, and they shall each have and be paid ten thousand dollars

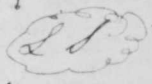
in stead of twelve thousand as follows:- six thousand dollars to be paid to each  
five years after my decease and four thousand to be paid to each nine years  
after my decease, 2<sup>d</sup> The four thousand dollars taken as above mentioned from  
the bequests to William and Edmund Davison I do hereby bequeath to the son  
of Doctor Hughes the said son being a grand child of my sister Jane Davison  
and named after his grand father Elias Davison the said four thousand  
dollars to be paid to said son of Doctor Hughes nine years after my decease  
And I do further give and bequeath unto the said son of Doctor Hughes the  
further sum of two thousand dollars to be paid to him eleven years after my  
decease The said legacies shall be subject to the general provisions contained  
in my said will in like manner as if the same were items therein 3<sup>rd</sup> The real  
estate devised to James Smith and Starling Price respectively and limited over  
by the 18<sup>th</sup> and 19<sup>th</sup> items of my said will I do hereby devise to the said James  
Smith and Starling Price, respectively and to their heirs forever absolutely and  
in fee simple. 4<sup>th</sup> I give and devise to William Starling and Charles Starling  
sons of my brother Edmund Starling, in fee simple one sixth part share  
and share alike of all my real estate held by tax title or otherwise which may  
remain unsold by me at the time of my decease, situate in the Counties of Logan  
and Harwin in the state of Ohio excepting however the lands herein before devised  
to James Smith and Starling Price by the 18<sup>th</sup> and 19<sup>th</sup> items of my said  
will. September 3<sup>rd</sup> 1848, - L. Starling *[Signature]* signed sealed and  
acknowledged by the said Lyne Starling to be a codicil to his said will  
in our presence and signed by us in his presence. September 3<sup>rd</sup> 1848  
Francis Carter



J. D. Swan

Fifth Codicil, Whereas I Lyne Starling of the County of Franklin and State of Ohio did on the thirty-first day of March A.D. 1847 make and publish my last will and Testament and have since made certain Codicils which are all attached thereto, Now I do hereby make and publish the following as an additional Codicil thereto, I do hereby direct my executor to pay to the eldest son of my late niece, Susan Ramey, his legacy of six thousand dollars in the manner hereinafter stated instead of paying the same as directed in the 5th item of my said last will and Testament to wit- four hundred dollars per annum for each and every year during the three years next succeeding my death and four thousand eight hundred dollars at the expiration of four years from my death and so much of said 5th item of my said last will and Testament as conflicts with this Codicil is hereby revoked and I do also authorize my executor to make payments upon said legacy for the first second and third years, at such times during said years, respectively as he may think for the convenience and interest of said Ramey; Ditto I do hereby request my executor in case it can be done to have a suitable guardian appointed for all the minor children of my said niece, Susan Ramey, to whom the legacies payable to them respectively, before the expiration of eleven years from my death and while minors may be safely paid and if this cannot be done I do then authorize and request my executor to make such arrangements to receive said legacies for the benefit of said minor children respectively as he shall deem safest and best for their interest, In testimony whereof

I have hereunto set my hand and seal, this 20th day of October, in the year 1848

L Starling   
sealed signed and acknowledged by the said Lyne Starling as a Codicil to  
his last will and Testament in our presence, and signed by us in his presence

Wray Thomas  
Francis Stewart

Proof to Will and Codicils. - Franklin Common Pleas, October Term  
1848 - November 24th 1848. The State of Ohio Franklin County ss, The last  
Will and Testament of Lyne Starling, deceased, with the Codicils thereto being  
produced in open Court the subscribing witnesses to wit Eli W Gwynne Francis  
Stewart Wray Thomas Francis Carter and Joseph R Swan being duly sworn  
and examined in open Court did depose and say - The said Eli W Gwynne  
Francis Stewart and Wray Thomas as to said will did depose that they saw the  
said Lyne Starling sign the said will at the date of its attestation and heard  
him acknowledge the same as his last will and testament, that they attested and  
subscribed the same in his presence and at his request and that at the time of  
executing the same the said testator was of full age and of sound mind and  
memory, and not under any restraint - And as to the first Codicil to said will  
dated August 7th 1847, the said Eli W Gwynne and Francis Stewart subscribing  
witnesses thereto did depose that they saw the said Lyne Starling sign the said  
Codicil and heard him acknowledge the same to be a Codicil to his last will  
and Testament and they attested and subscribed the same in his presence and  
at his request, and that at the time of executing the same the said testator was  
of sound mind and memory, and not under any restraint - And as to the

Second Codicil annexed to said Will and dated December 27<sup>th</sup> 1847 the said  
Eli W. Gwynne Wray Thomas and Francis Stewart subscribing Witnesses  
thereto did depose that they saw the said Lyne Starling sign the said Codicil  
last mentioned and heard him acknowledge the same to be a Codicil to his  
last will and Testament and they attested and subscribed the same in his presen-  
=ce and at his request and that at the time of executing the same the said testator  
was of sound mind and memory, and not under any restraint, And as to  
the third Codicil annexed to said Will and dated June 3<sup>d</sup> 1848, the said  
Wray Thomas and Francis Coarter subscribing Witnesses thereto did depose  
that they saw the said Lyne Starling sign the said Codicil last mentioned  
and heard him acknowledge the same to be a Codicil to his last will  
and Testament, and they attested and subscribed the same in his presence and  
at his request, and that at the time of executing the same the said testator  
was of sound mind and memory and not under any restraint And as to  
the fourth Codicil annexed to said Will and dated September 3<sup>d</sup> 1848 the  
said Francis Coarter and Joseph B. Swan subscribing Witnesses thereto  
did depose that they saw the said Lyne Starling sign the said Codicil last  
mentioned and heard him acknowledge the same to be a Codicil to his  
last will and Testament and they attested and subscribed the same in his  
presence and at his request and that at the time of executing the same the  
said testator was of sound mind and memory, and not under any restraint  
And as to the fifth Codicil annexed to said Will dated October 20<sup>th</sup> 1848  
the said Wray Thomas and Francis Stewart subscribing witnesses  
thereto did depose that they saw the said Lyne Starling sign the said

Codicil last mentioned and heard him acknowledge the same to be a  
Codicil to his last Will and Testament and they attested and subscribed the  
same in his presence, and at his request and that at the time of executing  
the same the said testator was of sound mind and memory and not under  
any restraint (signed)

Francis Carter  
E. W. Gwynne  
H. Stewart  
Wray Thomas  
Joseph R Swan

Sworn to and subscribed in open Court Nov. 24 1848

Attest:—

L. Heye Clerk

And at the same October Term A.D. 1848 of said Court to wit on the  
24th day of November A.D. 1848 the following proceedings were had by  
and before said Court upon the will codicils and testimony aforesaid  
and which appear in the records of said Court in the words and figures  
following to wit, The last Will and Testament, with the codicils thereto  
annexed of Lyne Starling Sr. late of Franklin County, Ohio was this  
day brought before the Court and proved by the oaths of Francis Carter  
Eli W Gwynne Francis Stewart Wray Thomas and Joseph R Swan the  
subscribing witnesses to said Will and Codicils, whose examinations were  
reduced to writing and filed; and it appearing to the satisfaction of the  
Court that the said Lyne Starling at the time of executing said will and the  
Codicils thereto annexed (being five) was of full age and of sound mind  
and memory and not under any restraint; and that said will and  
Codicils were duly attested.

codicils were duly asked and secured, it is ordered that said will  
and the codicils thereto be and the same are admitted to probate and  
said will and codicils and the proof so reduced to writing are ordered  
to be recorded and thereupon, on motion of John W. Andrews the  
Executor in said will named, it is ordered that letters testamentary be  
granted to the said John W. Andrews and the said testator having by the  
express terms of his will directed that no bond or security should be  
required of the said John W. Andrews in the premises, it is ordered by the Court  
that the same be dispensed with. It is further ordered that Wray Thomas  
George Parsons and Francis Stewart appraise the personal property of said

estate, The State of Ohio Franklin County ss, I Lewis Heye, Clerk  
of the Court of common pleas within and for said County certify the foregoing  
to be a true copy of the last will and testament, and codicils thereto of  
Lyne Starling late of said County deceased admitted to probate in said  
Court, and filed and recorded in my office and of the proof thereof and of  
the orders and proceedings of said Court thereon, at their October Term  
1848, taken and copied from the records of said Court and the record  
of Wills remaining in my office, Witness my hand and the seal of  
said Court this 2d day of December, A. D. 1848

 Attest;

Lewis Heye, Clerk

Attest James Kinrade, Clerk,

1851

10/4/1851 Guardianship

Smith, Thomas

" Isaac

O: CP 281

N: CP 390

C

P

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Know all men by these presents, that we,

John M. Combs, Andrew Smith and Richard Hoskins

All of Union county, and State of Ohio, are held and firmly bound unto the State of Ohio in the penal sum of

One thousand — dollars, current money; to the payment of which, well and truly

to be made, we bind ourselves, our heirs, executors, and administrators, jointly and severally, firmly by these

presents. Witness our hands and seals this 10<sup>th</sup> day of October A. D. 1851

Whereas, Thomas Smith aged 17 years this day came into Court and made choice of John M. Combs as his Guardian which choice was this day confirmed by the Court of Common Pleas of Union County Ohio. and the Court have also this day appointed the said John M. Combs Guardian of Isaac Smith aged 11 years. both minor heirs of Stephen Smith late of Union County Ohio deceased

Now the condition of the above obligation is such, that if the above bound

John M. Combs — shall well and truly pay over all moneys; which by virtue of said appointment may come into his hands, and do and perform all the duties required of him by law as such Guardian, then this obligation to be void; otherwise to be and remain in full force and virtue in law.

Signed and sealed  
in presence of

Richard M. Grayney  
Jacob W. Hoskins

John M. Combs Seal  
Richard Hoskins Seal  
& J. Smith Seal

John McCombs  
Guard Bond  
\$1000

Filed October 10, 1857  
L Kinrade p clerk

Recorded

Record