

NOT FIRM

Posey County

Indiana

WILL RECORD

A & B

1816-1852

Remo of Land and disposing same
subscribed and ^{by} John Brady
sworn to before me ^{Mar 11} Samuel Hill Esq
This 7th day of April
A.D. 1843.

J. Nelson

Recorded April 9th 1843.

J. Nelson S. P. C.

Know all men by these presents that I John
Duckworth Senior of the County of Posey and
State of Indiana do make and ordain this
my last will and Testament hereby making
all former wills by me made

And first I give and bequeath to my
wife Susan M. Duckworth in lieu of all
claim to Dower thirty acres of land sit-
uated in the North West Corner of the
North East quarter of Section Nineteen in
Township Six South of Range 13 West
with all the appurtenances thereto be-
longing to hold during her natural
life with the privilege of taking from
any of my other lands by this will dis-
posed such timber as she may re-
quire for fuel and for the repair of build-
ings and fences on said 30. acres of land
as well as for making and repairing of

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farming utensils said tract of land being
bought by me of Absalom Duckworth I
also give and bequeath to my said wife one
equal third part of all my personal property
at the time of my death at the payment of
my debts to be held by her during her life
and at her death should she survive me
to be equally divided among my daughters
that may be living and the legal represen-
tatives of such as may dead the third part to
bequeathed to my wife to be taking in such
property as she may select

Secondly I give and bequeath to my son John Bell
Duckworth that tract of 30. aers. of land given
above to my wife subject to ^{the claim of} my wife also the
south east quarter of the south west quarter of
section 18 in Township 6. south of Range 13. West
to have and to hold to him and his heirs for-
ever. Thirdly. I give and bequeath to my son
Thomas M^r. Duckworth and to his heirs forever
the following tracts of land the south west
quarter of the south east quarter and the
west half of the north west quarter of the
south east quarter of section Eighteen in Town
6. south of Range 13. West also twenty five aers
situated in the north east quarter of sec-
tion nineteen in said Township and Range
being the same bought by me of James Du-
work. Fourthly In the event that I should
survive my said wife I give and bequeath;

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My said sons a Waggon to be held in com-
mon by them and one horse each should I
be possessed of such property and if not
the value thereof to be taken in such per-
sonal property as I may have and all
the rest and residue of my personal prop-
erty. I give and bequeath to my daughters
that may survive me and to the represen-
tatives of such as may be dead the repre-
sentatives of a deceased daughter to take
the same share that their Mother would
take if living I hereby ordain and declare
that whatever gifts and advancements I
may make in my life time to any of my
children shall not be taken into consider-
ation by my executor in the execution of
this will, but my property as it shall re-
main undisposed of at my death is to be
distributed according to the directions in
this will contained. And whereas by con-
tract with my two sons they are to have
each one third of all the produce that
is made on my farms during my life or
until otherwise directed my executor at
my death and charged to set apart to my
said sons to each one third of all the
crops and produce on hand at the time
of my death as their property and ac-
counting no part of my estate.
Further words. In the event that either of

My Lord should die during my life leaving
children; It is my will and desire and I hereby
bequeath to such child or children and to the
heirs the premises and property hereunto fore
given to their parent, But in the event that
either of my said Lord should die without
children I ordain and direct that his both
surviving him shall take the land herein
bequeathed to him paying therefore to my exe-
cutors the sum of five Dollars per acre to be
paid in six equal annual instalments the first
payment to be made at the end of one year
from and after my death and the money to be
divided equally between the brother surviving
and his sisters and their legal representa-
tives. I hereby constitute and appoint my son
John Bell Duckworth, Thomas M^r Duck-
worth and ^{my} friend Elisha Ellis Executors of this
my last will Requesting as a particular favor that
my friend Ellis will take upon himself the
burthen hereby exposed upon him that by
his experience he may aid in the quiet and
harmonious settlement of my affairs according
to the true intent and meaning of this will.
In testimony whereof I hereunto subscribe my
name in the presence of John Fitcher and
George S. Green this eighth day of May A.D. 1845
attest.

John Fitcher
George S. Green

John Duckworth

Know all men that I John Duckworth
of Posey County State of Indiana do make
and ordain this my first codicil to my will
dated the eighth day of May 1811.

And first I hereby revoke so much of the
fourth article of my said will as bequeas
eth to my sons a wagon to be held in com=
mon by them and one horse each; and
hereby give and bequeath to my daughters
who may survive me and the representatives
of each as may be dead all my personal
property at the time of my death except
the third part by my said will bequea=
thed to my wife; the representatives of a deat=
ed daughter to take the share that their
mother would take if living.

And secondly I hereby revoke the appoint=
ment of my son as executor of my will
and hereby constitute ^{and appoint} the said Elkh Ellis
my sole executor of my said will and this
codicil. In testimony whereof I hereunto sub=
scribe my name this first day June A.D.
1812.

In presence of  John Duckworth
John Titcher
George C. Kinn

Know all men that I John Duckworth
of Posey County Indiana do make and
ordain this my second codicil to my last
will, dated 8th day of May 1812

And first I give and bequeath to my son John
Mc Duckworth and to his heirs twenty five
acres off of the North side of the South East
quarter of the South West quarter of Section
18 in Township 6 South of Range Thirteen West
in Posey County hereby invoking so much of
the second article of said Will as is in con-
sistent with this codicil.

Secondly I give and bequeath to my son John
Mc Duckworth all that part of the North
East quarter of Section 19 Township 6 South of
Range 13 West in Posey County bought by me
of James Duckworth containing twenty five
acres more or less to have and to hold the
same to that said John Mc Duckworth
and his heirs forever hereby invoking so
much of the third article of my said Will
as is inconsistent with this codicil. In
testimony whereof I hereunto have subscribed my
hand this 7th day of November 1842.

Subscribed in the presence

of the said John Duckworth John Duckworth
by us

John Fitcher

J. B. Green

State of Indiana

Posey County, to wit: Be it remembered known
that on this 26th day of May 1843 John Fitcher
and Jesse B. Green two of the subscribing
Witnesses to the within and foregoing Last will

and Testament and Codicils attached
thereto of John Duckworth Late of Essex
County Deceased and after being duly
sworn the said John Pitcher depose and
say that he saw the testator therein nam-
ed sign and seal the foregoing last Will
and Testament and the codicil attached
thereto and heard him publish pronoun-
ced and declare the same to be his last
Will and Testament and that at the time
of ~~the~~ so doing he was to the best of his under-
standing of sound Mind and Memory and
that he subscribed his name to said Will
and Codicils as a witness thereto in the pres-
ence of and at the request of said Testator
and in the presence of George S. Green &
Jesse B. Green and said Jesse B. Green
depose and say that he ^{law} said John Duck-
worth sign the last codicil made to
said Will on the 7th day of Nov^r 1842. and
that he published the same in his pres-
ence to be his Will and that he believe
the said Duckworth was at that time
of sound Mind & disposing Memory
and that he signed the same as a wit-
ness thereto in the presence and at the re-
quest of said Testator and in the presence
of said John Pitcher Sworn to before me
the undersigned Clerk of the Probate Court

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in aid for said County the day and date
above mentioned.

H. Nelson Ch. Sec. R. I. C.

Recorded May 26th 1843.

James Nelson R. I. C.

In the Name of God Amen. I Thomas Melton
of Posey County State of Indiana do make and
publish this my last Will and Testament by
revoking and making void all former wills
by me at any time heretofore made. I direct
that my Body decently interred in a
like manner and as to such worldly Estate as
has pleased God to intrust me and with
dispose of the same in the following man-
ner I direct first that all my last debts
funeral expenses be paid as soon after Dec.
as possible out of the first Money that
shall come to the hands of my Executors for
any Portion of my Estate. I also give and
Bequeath to my wife Sarah a further payment
of my Debts as of one aid. all my personal
Estate during her life to dispose of as in
my think proper. I also give my real Estate
to my wife during her life and at my
death I will that the land where ^{now} I live
shall belong to my daughter Polly I all
direct that my daughter Polly have