

Special Apportion

Month Circuit Williams & Mickle & Ross Richard Larcum
Esquires Associate Judges —

The Last Will & Testament of Francis Lucas dec'd is brought before the Court & sworn by the oath of Joseph Mount & Prudence Mount, the subscribing witnesses, & the examination of said subscribing witnesses, is reduced to writing & filed in Court here: And it appearing to the satisfaction of the Court that the said Francis Lucas, at the time of executing said Will was of full age of sound mind & memory & not under any restraint: It is ordered that said Will & the proof so reduced to writing be recorded.

And thereupon on motion of J. A. Stoker, & Daniel Crand the executor named in said Will the Court grant them letters Testamentary thereon & the said executor thereupon fees in Court here their bond in the penalty of thirty six thousand dollars conditioned as the law directs, with Benjamin Hathaway, Abraham Merrill, J. B. Carey, Charles Evans, George B. B. B. Benjamin A. Stoker, Adam W. Morris, & William McElgin their security, which bond & security are approved of by the Court: And it is ordered that John New & Guilford, John C. Armstrong & Prudence Mount, appraise the personal estate of said deceased.

The Will of proof aforesaid are in the words & figures following to wit:

"I Francis Lucas of the County of Warren and State of Ohio, being weak in body but of sound mind & memory & not knowing the day of my death, & for the betterment of my estate do make this my last Will & Testament in manner and form following:

1st My Will is that the expenses attending my last sickness & funeral expenses be paid.

2nd My Will is that my debts due to individuals be paid as speedily as possible as possible in the way & manner herein after mentioned.

3^d I Will & bequeath to my wife Christina the one third of my estate after my debts are all paid.

4th I Will & bequeath to the heir of Sarah McCally late Sarah Lucas dec'd and equal share of my estate after deducting the following sums: 1st Five hundred dollars for taking care & providing for said Christina for said years — 2nd Five hundred dollars for a lot of land in the State of Indiana LaPort County the said lot of land may be known by a reference to a claim I gave to the said Sarah & Sarah McCally during their natural lives & at their decease this said lot to be divided in said Sarah's heirs to be divided between equal.

5th I Will & bequeath to my son David Lucas one equal share of my estate after deducting the following sums: 1st One thousand dollars for two lots of land in the LaPort County & which I bequeathed to him: Also the sum of three hundred dollars which I gave to

Special Bequests

him & took no note for the same.

6th - I Will & bequeath to my son Asmus Lucas one equal share of my estate & allow allow him the said Asmus a reasonable sum for making improvement on two lots of land in the County of St Joseph State of Indiana.

7th I Will & bequeath to my son Francis Lucas, the sum of thirty or thirty five dollars the amt. of a note I hold at this time against him. I bought the land whereon he lives by first buying out the settlers, & putting him the said Francis in possession. the said Francis then proved his claim & before I got out there he the said Francis borrowed the money, made a purchase & took the deed in his name, & when I got there I gave him the money to pay where he had borrowed.

8th I Will & bequeath to my daughters Roda & Lucinda late Rhoda Lucas one full share after deducting the following sums: 1st three hundred dollars which I gave them in money, and seven hundred & fifty dollars for two lots of land which they now occupy & may be known & ascertained by a claim I gave them during their lives to occupy & then the title to be in the children of the said Rhoda & Lucinda & to be equally divided between them.

9th I Will & bequeath to my daughter Mary Warren late Mary Lucas the sum of five dollars.

10th I Will & bequeath to my son George Lucas one equal share of my estate together with five hundred dollars for extra service, during his minority & when he arrived at full age.

11th I Will & bequeath to my daughter Christinae Will late Christinae Lucas one full share part or portion.

12th I Will & bequeath to my daughter Elizabeth fifty Dollars.

13th I Will & bequeath to my son Samuel Lucas one full share of my estate.

14th My Will is that my executor shall & they are hereby empowered to sell lands in the State of Indiana of mine or so much as is required to pay my debt, & legal is contained in this my last Will and Testament & if all my lands in said State be insufficient to pay my debt, as aforesaid then my Will is to sell lands of mine in Marion County Ohio to make up the balance of money to pay debt as above.

15th My Will is that the balance of land which shall remain unsold shall be divided as follows. my wife to receive to receive the one third & the balance to be divided among my heirs as within mentioned the lands to be appraised & set off to each heir agreeable to the amount of their claims as within mentioned & the said heirs to remain in possession of said lands as divided to them & for their use during their natural lives, & at their death the title to be in their respective heirs share & share alike. - My personal property to be disposed of by my executor & the balance to be divided as above.

Special Sessions

Executor to this my last Will & Testament: In witness whereof
I have hereunto set my hand, and seal this 1st day of June 1842
Signed sealed & declared in pres-
ence of who at the request of said ^{his} Francis & Lucas ^{decedent}
Lucas signed the same as witnesses thereto
Antony Corbin
Frederick Mountz
Joseph Mountz

Proof - "Mar. Court, pleas, Special Sessions May 22 1843.
Probate of the Will of Francis Lucas decd."

Be it remembered that on this 22^d day of May
in the year 1843, came into open Court in this court present, Fre-
derick Mountz, & Joseph Mountz, who, on being duly sworn accord-
ing to law did depose & say that they are two of the subscribing witness-
es to the last Will & Testament of Francis Lucas decd. and this
day produced in open Court, that they saw said testator subscribe
said Will by making his marks thereto, that they subscribed the
same as witnesses in the presence & at the request of said testator
& that said testator, at the time of the execution of said last
Will & Testament in manner & form as aforesaid, was of full age
of sound & disposing mind, memory & understanding, and acted
freely & voluntarily & not under any restraint as they truly believe
they then say not.

Sworn to & subscribed in open Court
this day & year aforesaid Frederick Mountz
Joseph Mountz

At a Special Session of the Court of Common Pleas for the
County of Warren & State of Ohio, commenced at the Court House in
said County on the third day of June A.D. 1843 were present William
A. Mickle, Daniel Brand & Richard L. Powell Esquires, Associate
Judges.

The Last Will & Testament of Frederick Ohio deceased is
produced in Court here & proved by the oaths of Anthony A. Dunlop
& Robert P. Conner the subscribing witnesses thereto whose examination
is reduced to writing & filed in Court here: And it appearing to the
satisfaction of the Court that the said Frederick Ohio at the time
of the execution of said Will was of full age of sound mind memory
& not under any restraint: It is ordered that said Will & the proof
be reduced to writing to be recorded - And it appearing to the Court
that Hannah Ohio one of the executors named in said Will de-
clines the execution thereof: On motion of Ambrose Ford the other
executor named in said Will the Court grant him letters