

I James T Tusseberry of the County of Muhlenberg And
State of Kentucky being of sound mind And disposing memory
And knowing the uncertainty of life And the Certainty of death
And being desirous to dispose of what of earthly property it has pleas-
ed God in his mercy to bless me with do by these presents Ordain,
make And declare this to be my last will And testament, that
is to say

Item 1st I will And bequeath if I owe any debts at my death
I desire them to be paid

Item 2^d I have a tract of land in this Muhlenberg County
by survey containing Two Hundred Acres the same which
I formerly lived on And which is now rented to David
Park, It is my will that said tract of land be divided
equally between my daughter Catharine Frazer And Margaret
Tusseberry the wife of my son Erskine E Tusseberry that is
to say One Hundred Acres of said tract to the said Catharine
Frazer to be laid off the South end of the tract And ad-
joining the land of her husband R C Frazer this done
to the said Catharine Frazer to her during her natural

life And then her Children to share And share alike And
 the Hundred Acres devised to Margaret Tusseuberry to be
 care of so as to include the dwelling And Out houses upon
 said land And said devise is to her the said Margaret
 Tusseuberry during her life And then to her Children to
 gotten by my said son E E Tusseuberry they to share And
 share alike

Item 3 If at my decease there should remain any personal
 property money Choses in Action &c I desire the property
 sold And what may be due me collected And divided be-
 tween my two Children Catharine Frazer And E E Tusseuberry
 but out of the proceeds thereof my debts must be paid if any

Item 4 I hereby Appoint And constitute my son E E Tusseuberry
 my executor And request that he faithfully Carry out this
 my last will And testament

In testimony whereof I have hereunto set my signature this
 6 day of September 1878

Signed in Our
 presence this 6 day
 of September 1878

E P Love

E J Adams

James Tusseuberry

I James Tusseuberry do make And Ordain the Addition
 hereunto Attached to this my Will As a Codicil. that is to say
 I want the land mentioned in Item 2 of this will so divided
 as to leave each Hundred Acres so divided in as good
 shape as possible without regard to its Contiguity to the lands
 of S Frazer as mentioned in said Item 2^d

I have a note on Robert J Cerna of date 15 April 1863 due
 at One day for Three Hundred Dollars with a Credit of
 two Hundred Dollars Aug 2 1864 And twenty Dollars paid
 March 3 1869 Also An other note of date 1st March 1872
 for One Hundred And Sixty Six Dollars due at One day
 after date with a Credit of Twenty Dollars April 26 1872
 also thirty Dollars paid June 24 1873 And Ten Dollars of no
 date which I request my Executor to settle with said Cerna
 And if he Can purchase some land of said Cerna a part
 of his land which is to be for the use of my old And faithful
 servant Joe And his wife during their natural lives And
 then to go to my two Children Catharine Frazer And E E
 Tusseuberry

I will during their lives to said Joe And his wife the
 Occupancy of the Caber Garden And lots which they have
 now in possession free of rent And on which ever part
 it falls to in the division of the land must take it subject

to this bequest I also give said Joe as long as he may
wrest the use of the Coal bank on Condition that he fur
nish my son E E Dunsberry and his family each year their
supply of Coal Oct 2 1878

Mulmber
S P Love
W A Park

James ^Y Dunsberry
Mark

State of Kentucky
Mulmber County Court ⁱⁿ
February Term 1879

The foregoing last will and testa
ment together with the Codicil thereto attached of James
Dunsberry Dec^d was produced to Court and the said
Will proven to be the Act and Deed of the said James Dunsberry
by the Oaths of S P Love & E J Adams the two subscribing Wit
nesses thereto. And also the said Codicil was proven to be the
Act and Deed of the said Dunsberry by the Oaths of S P Love
& W A Park the two subscribing Witnesses thereto. Where upon
said Will and Codicil thereto attached was ordered to be
recorded which is now done accordingly

Attest Jno E Reno CLK