

Description: Recorded Will of David Osborn (d. 1879)  
Hendricks Co., IN Will Book 3, Pages 487 - 488

Repository: Family History Library, Salt Lake City, UT  
Format: Microfilm  
Film #: 131657 item #5

These images were scanned by Lee K. Osborne and posted at the Osborne Origins website  
at: <http://www.osborne-origins.org/in/hendricks/in-hendricks-will-3-487.pdf>

## David Osborn's Will.

I David Osborn of the County of Hendricks and State of Indiana, do make and publish this my last will and testament.

- 1<sup>st</sup>. It is my will that my funeral expenses and just debts be paid.
  - 2<sup>d</sup>. It is my will that my wife Anna Osborn keep possession of and retain all the personal property she holds in her own right.
  - 3<sup>d</sup>. I will and bequeath unto my said wife one milk Cow.
  - 4<sup>th</sup>. I will and bequeath unto my step daughter Sarah Montgomery one hundred dollars.
  - 5<sup>th</sup>. I will and order and direct my executor hereinafter named, to sell all my real estate, upon such terms and conditions as may be deemed to the best interest of my estate, and for the purpose of carrying this clause of my will into effect, I hereby authorize and empower my executor to make, execute, acknowledge and deliver to the purchaser or purchasers of said real estate, deed or deeds of Conveyance therefor as fully and completely as I could myself if living and personally present at the execution thereof, and that the proceeds of the sale of my said real estate, as well as the proceeds arising from my personal property not otherwise disposed of, be paid out by my executor as follows.
  - 1<sup>st</sup>. That he pay over to my said wife Anna Osborn the sum of fifteen hundred dollars for the purpose of securing to her a comfortable support during life, and at her death I will and bequeath whatever may be remaining of said sum to my said step daughter, Sarah Montgomery, but if said Sarah should not be living at the death of her mother, then the same shall be divided among my own own children in the same manner of the rest of my property.
  - Second, That the remainder of my estate be equally divided my children, to wit: Mary Kewler, Ruth Johnson, Calena Osborn, Mariah Atkinson, Elizabeth Stanley, Azenath Simmons, Wyatt Osborn, Emeline Hockett, and Job Osborn, and my Grand Children, Rhodens Mendenhall, Elizabeth Shields, Sylvester Osborn, Ruth Ann Osborn, and Flora Anna Osborn, children of my son Addison Osborn and Emeline Anna, Mary Jane, John Melton, Sarah Ann, Simon D., and Job Stewart, children of my daughter Nancy Stewart demand, the said Grand Children to receive the same their parents would have been entitled to if living.
  - And lastly, I hereby nominate and appoint my friend Evan Hadley executor of this my last will and testament.
- In testimony whereof I hereunto set my hand this

## David Osborn's Will, Continued.

8th day of June 1875

David Osborn,

the foregoing instrument of writing was signed by David Osborn the testator in our presence, and declared by him to be his last will and testament, and witnessed by us at his request in his presence and in the presence of each other.

William N. Nichols

N. J. Nadley.

State of Indiana, Hendricks County, ss:

Before the Circuit Court of the County of Hendricks, in the State of Indiana, in open Court, personally came Nicholas J. Nadley and William N. Nichols subscribing witnesses to the foregoing instrument of writing, who, being by me first duly sworn, upon oath depose and say that David Osborn, the testator named in the instrument of writing purporting to be his last Will and Testament, did sign, seal, publish and declare the same to be his last Will and Testament, on the day of the date thereof; that the said testator was, at the same time, of the full age of twenty-one years, and of sound and disposing mind and memory, and that he was not under coercion, compulsion or restraint, and that he was competent to devise his property. And that the said testator so signed, sealed, published and declared the same to be his last Will and Testament, in manner and form as aforesaid in the presence of affiant, the subscribing witnesses thereto; and that they each attested the same, and subscribed their names as witnesses thereto, in the presence and at the request of said testator, and in the presence of each other.

N. J. Nadley

Wm N. Nichols.

Subscribed and sworn to before me, Sworn to of which I hereunto affix the seal of said Court and subscribe my name at Danville this 13th day of March 1879,

LSB

Wm. Irvine Clerk

State of Indiana, Hendricks County, ss:

I, William Irvine, Clerk of the Circuit Court of the County of Hendricks, in the State of Indiana, do hereby certify that the foregoing last Will and Testament of David Osborn has been duly admitted to Probate before the Hendricks Circuit Court. That the same was proven by the examination under oath, of Nicholas J. Nadley and William N. Nichols the subscribing witnesses thereto, and that a full and complete record of said Will, and of the proof and examination of the witnesses by whom the same was proved, has been made and is now of record in Will Record 3 of said County on pages 487 & 488. In testimony whereof, I have hereunto affixed the seal of said Court and subscribed my name at Danville this 13th day of March AD 1879

LSB

Wm. Irvine Clerk

I William Irvine, Clerk of the Hendricks Circuit Court certify that the above and foregoing is a true and complete record of the last Will of David Osborn and the proof of its being an authentic copy of what he said as the same appear on file in my Office.

March 13th 1879