

Description: Recorded Will of Henry Osborn (d. 1877)
Hendricks Co., IN Will Book 3, Pages 416 - 418

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Henry Osborn's Will.

I, Henry Osborn of Hendricks county and State of Indiana, being of sound mind, do make and declare the following to be my last Will and Testament, to wit:

Item 1st I will that my just debts and funeral expenses be paid by my Executor as soon after my decease as he may find practicable.

" 2^d I give and bequeath to my son Edmund Osborn my Sugar Grove farm of 111 acres situate about one and a half miles South of the town of Plainfield in said county - he the said Edmund to pay to my Executor hereinafter named the sum of two thousand dollars within one year from my decease - and which said sum of 2000^l shall be and remain a lien on said lands and be enforced as mortgage liens are enforced, if not paid as herein directed

" 3^d I give and bequeath to my son Elisha Osborn the following described Real Estate in said county to wit - the North East $\frac{1}{4}$ of the South East $\frac{1}{4}$ of Section 20 and the North West $\frac{1}{4}$ of the South West $\frac{1}{4}$ of Section 21 all in Township 15 North of Range One West - containing 80 acres more or less and the same being the North half of the farm upon which I now reside - he the said Elisha to pay to my Executor hereinafter named the sum of Eight hundred dollars within one year after my decease, and which said sum of 800^l shall be and remain a lien upon said lands and be enforced as mortgage liens are enforced, if not paid as herein directed.

Item 4th I give and bequeath to my daughter Mary Ann Jones for and during her natural life the following described Real Estate in said county, to wit - the South East $\frac{1}{4}$ of the South East $\frac{1}{4}$ of Section 20 and the South West $\frac{1}{4}$ of the South West $\frac{1}{4}$ of Section 21 all in Township 15 North of Range One West 80 acres more or less, the same being the South half of the farm upon which I now reside - she the said Mary Ann to have all the rents and profits of said lands after the payment of taxes and repairs for said term of her natural life - and at her death the said lands to go to my sons Edmund Cyrus and Elisha in equal shares and if either of my said sons shall be dead leaving children, at the decease of my said daughter Mary Ann, such children shall take the share their father would have taken if living.

" 5th I give and bequeath to my son Cyrus Osborn forty shares of the Capital stock of the First National Bank of Danville Indiana.

6th All the balance of my property Real and Personal of which I may die seized or possessed I direct shall be converted into money by my Executor - my said Executor to have full power

Henry Osborn's Will, continued

to sell all of such property upon such terms and credits, at private or public sale, with or without notice, as to his judgment may seem to be to the best interests of my Estate - and if he shall find it impossible, after reasonable efforts, to sell any article of property for its appraised value, he shall make sale thereof at the best price obtainable without reference to its appraisement - and the fund thus created, including the 2000.⁰⁰ to be paid him by my son Edmund as provided in Item No 2 hereof and the 800.⁰⁰ to be paid him by my son Elisha as provided in Item No 3 hereof, shall be by him divided Equally between my children, Edmund, Cyrus and Elisha Osborn and Mary Ann Jones, and the descendants of such of my said children as may be dead, such children to take the share their immediate ancestor would have taken if living.

I nominate and appoint my friend and neighbor Jabin Wisner to be Executor of this my last Will and Testament
 In witness whereof I hereunto set my hand and seal this 15th day of 3^d month 1847

Henry Osborn. Test

Signed and acknowledged by Henry Osborn as his last will and testament in our presence and signed by us as witnesses in his presence and in the presence of each other the date above written

Obed Anthony
 Robert Fraizer

State of Indiana, Hendricks County, Wt:

Before the Circuit Court of the County of Hendricks in the State of Indiana, in open Court personally came Obed Anthony and Robert Fraizer subscribing witnesses to the foregoing instrument of writing, who, being by me first duly affirmed, upon affirmations deposed and say that Henry 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 as signed, sealed, published and declared the same to be his last Will and Testament, in manner and form as aforesaid, in the presence of affiants the subscribing witnesses thereto; and that they each attested the same, and subscribed their names as witnesses thereto, in

Henry Osborne Will - Continued

the presence and at the request of said testator, and in the presence of each other.

Obed Anthony

Robert Fraizer

Subscribed and affirmed to before me, in witness of which, I hereunto affix the seal of said Court and subscribe my name, at Danville, this 26th day of March A.D. 1877

William Irwin, Clerk

L.S.

State of Indiana, Hendricks County, ss:

I William Irwin, 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 Henry Osborne has been duly admitted to probate before the Hendricks Circuit Court. That the same was proven by the examination, under oath of Obed Anthony and Robert Fraizer the subscribing witnesses thereto, and that a full and complete record of the said Will, and of the proof and examination of the witnesses by whom the same was proven, has been made, and is now of record in Will Record 3 of said County, on pages 416, 417 & 418.

In testimony whereof I have hereunto affixed the seal of said Court, and subscribed my name, at Danville this 26th day of March A.D. 1877

Wm Irwin, Clerk.

I William Irwin, Clerk, certify that the above and foregoing is a true full and complete record of the last Will of Henry Osborne deceased, of the proof thereof and Certificate of probate thereof as the same appear on file in my office.

Attest Wm Irwin Clerk