The last Will and Testament of Seth M. Hays of the County of Morris in the State of Kansas

In the name of God, Amens.

I, Seth M. Hays a resident and citizen of the County of Morris, in the State of Kansas being over

the age of twenty one 21, Years, and in good health and of a sound and disposing mind and

memory and desirous of Settling my worldly affairs while I have Strength and capacity so to do,

do Ordain establish and declare this to be my last will and Testament in words and figures as

follows to wit.

Firstly---And principally I commit my Soul to God who gave it, and my body to the earth from

whence it came to be, intered (sic) therein as my Executor herein after named may determine

agreeably to my condition in life.

Secondly---As to Such worldly goods and Estate both real personal and mixed with which it has

pleased or Shall please God to bless me and which I may own or be interested in at the time of

my decease I dispose of as follows, that is to say, and I hereby direct my Executor herein after

named as Soon after my decease as may be convenient to pay out of my Estate all my funeral

Expenses and all Expenses attending my Sickness and death, and all my just debts of every kind

and character.

Thirdly---I give and bequeath to the heirs of Pemretha Hays now deceased One Dollar, in

Money---to the heirs of Knox Hays now deceased one Dollar in money---To the heirs of Richard

Hays now deceased One Dollar in money. To the heirs of Robert Hays now deceased one Dollar

in Money. To Preston Wilcox Hays one Dollar in money To Sarah Hays one Dollar in money To

Mary Hays one Dollar in money. To Elijah Wilcox Hays one Dollar in money To Wade Hays one

Dollar in money---To Mary W. Hays one Dollar in money And to Van Hays one Dollar in money

(here it appears there is a line, or part of a line, of the original will that has been omitted in the

copy process. At the top of the next page is this single line---We the undersigned do Solmenly-)

And I hereby direct by Executor hereinafter named to pay and discharge each and every of the

foregoing Legacies out of my Estate as Soon after my decease, as it can reasonably be done.

Fourthly---The whole of the remainder of my estate both real personal and mixed of which I

may die possessed entitled to or interested in after the payment of the expenses of my last

Sickness and funeral and after the payment of all my just debts and the Several Special legacies

herein before named. I give and bequeath the whole and every part and parcel thereof to my

beloved daughter Kittie Parker Robbins Hays for and during the term of her natural life, and

after her death, the the heirs of her body begotten forever and in fee Simple, but if my Said

daughter Kittie Parker Robbins Haysshall die without heirs of her body begotten and living or

inesse at the time of her said death, then and in that case I give and bequeath the whole and

every part and portion of the property both real personal and mixed remaining at the time of

her death to the following named persons absolutely and in fee simple in equal parts Share and

Share alike to Wit. To William B. Hamilton one Share To James G. Hamilton one Share To Ann R. Hamilton one Share To John B. Hamilton One Share To Cornelia C. Hamilton one Share To

Bernard F Hamilton one Share to Ellen D. Hamilton one Share To Fanne B. Hamilton one Share

and to Mary A. Hamilton one Share. The above named persons being the children of James

Hamilton now deceased late of Jackson County in the State of Missouri.

Fifthly---and I do hereby nominate and appoint my friend John B. Hamilton of Council Grove

Kansas to be the Guardian of the person and Estate of my beloved daughter Kittie Parker

Robbins Hays during her minority or until her marriage, this appointment to take effect and be

in force, immediately after my death.

Sixthly---And I also hereby Nominate and appoint my friend John B. Hamilton of Council Grove

Kansas to be the sole Executor of this my last will and testament. with full power and authority

to do and perform every act and thing necessary and proper to be done in conformity with the

foregoing provisions, and in Executing the powers herein granted and in discharging the duties

herein and hereby imposed upon him.

Seventhly---And I hereby revoke any and all former wills by me at any time heretofore made

and I declare all Such former will or wills by me made to be null and void as fully as if the same

had never been made.

In testimony whereof I have hereunto Subscribed my name in my own handwriting and here

affixed my seal to this my last will and testament in the presence of W. H. White and X. K.

McCordell who at my request have hereto subscribed their names as witnesses to this my last

will and testament on this Eleventh day of September A.D. 1872.

 (Signature and seal of Seth M. Hays)

ATTESTATION

The above and foregoing Will is Subscribed, Sealed, published and declared by the above

named Seth M. Hays to be his last will and testament in our presence and to us and each of us

on this 11th day of September A.D. 1872 and we are called by him to witness the same and at

his request and in his presence and in the presence of each other, we hereby subscribe our

names as witnesses hereto on this Eleventh day of September A.D. 1872.

 (Signature and seal of W. H. White)

 (Signature and seal of X. K. McCordell)