

Name: **Jabez S Casts**
Probate Date: 15 Dec 1873
Probate Place: Vigo, Indiana, USA
Inferred Death Year: About 1873
Inferred Death Place: Indiana, USA
Item Description: Will Record, Vol 2, 1874-1887

Danita's Note: Jabez Smith Casto (1807-1879) is the son of William C. and Mary (Cain) Casto

Will of Jabez S Casto. decd.

"In the name of the Benevolent Father of All.

I Jabez S Casto. of Sugar Creek Township. Vigo County. Indiana. being of sound mind and disposing memory do make and publish this my last Will and Testament.

Item. 1st I bequeath and devise all my real estate. possessed by me in said County and State, to my beloved wife Margaret Casto. Also all the Bridge Stock I own in the Terre Haute Draw Bridge Company amounting to about thirteen hundred and twenty dollars. and all my household and kitchen furniture. farming implements now on my farm where I now live. wagons and buggy. and three horses. to be selected by her. and wagon and buggy harness. four good cows. to be selected by her. to have and hold said real estate. and the above described personal property. for and during her natural life.

Item. 2. I give and devise to my son Webster M Casto. the following described real estate. subject to the life estate of my said wife. as follows: The west half of the north west quarter of Sec.

Will of Jabez S. Barts decd. (Contd)

tion twenty six (26) Town twelve (12) range ten (10) west also the west half of the southwest quarter of section twenty three (23) said town and range. Also the east half of the south east quarter of section twenty two (22) said town and range. Also a piece of ground described as follows: beginning twenty rods south of the north east corner of the west half of the north west quarter of section twenty six (26) said town and range and running thence east ten (10) rods thence north to the middle line of Sugar Creek in said Township thence west ten (10) rods to have and hold the above described real estate to him and his heirs forever. Subject to the condition named in the 9th Item of this my will.

Item 3rd. I give and devise to my beloved daughter Sarah & Meredith subject to the life estate of my said wife the following real estate: The east half of the north west quarter of section twenty six (26) and the east half of the southwest quarter of section twenty three (23) all in town twelve (12) range ten (10) west except the portion thereof devised by me in this my will to my said son Webster A. Barts to her and her heirs forever.

Item 4th. To my beloved daughter Alice M. Barts. I give and devise the following real estate: The south east quarter of section twenty three (23) and forty acres off of the south side of the north east quarter of section twenty three (23) all in town twelve (12) range ten (10) west. Subject to the life estate of my said wife to have and hold the same to her and her heirs forever.

Item 5. To my grand-son Jabez S. Barts. heir of John S. Barts I give and devise the following real estate: The east half of north east quarter of section twenty six (26) Town twelve (12) Range ten (10) west also the south two thirds of Lot No two (2) of Dale's Subdivision of out lot No seventeen (17) and the south fourth of Lot No ninety (90) as the same appears on the recorded plat of the City of Terre Haute. to have and hold the same to him and his heirs forever. The foregoing devise is subject to the life estate of my said wife.

Item 6. I give and devise to my son Webster A. Barts and my two daughters Sarah & Meredith and Alice M. Barts. Lot number one (1) in Dale's Subdivision to the City of Terre Haute. as the same appears on the recorded plat of said City. Subject to the life estate of my said wife. Share and share alike to them and their heirs forever.

Item 7th. I give and bequeath my shares of Bridge Stock owned by me in the Terre Haute Draw Bridge Company to my son Webster A. Barts and my two daughters Sarah & Meredith and Alice M. Barts subject to the life interest therein of my said wife. Share and share alike.

Item 8th. It is my devise that all the hogs and cattle now on my farm shall be fed and cared for on and out of the corn hay and stocks now on hand until the same is consumed and then the hogs put on clover and the cattle on grass and hogs and cattle be kept until May or June 1874. and then disposed of by my Executors as they shall deem best and for the best price at private sale with the wheat I now have which shall be sold at private sale at said time and all demands, notes and accounts due me shall be collected and out of the

Will of Jabez S. Caste (Contd.)

proceeds of said sales and collections, my Executors shall pay all my just debts and out of the balance thereof shall pay my daughter Sarah & Meredith, Two hundred dollars, and my Grand-son Jabez S. Caste Five hundred dollars, to be expended in clothing and educating him. ✓

Item 9. Desiring to have my unfortunate brother Abel Caste cared and provided for, I impose upon my son Webster N. Caste, as a condition to Item 2nd of this my will, to make a reasonable provision for the clothing, keeping and care of my said brother as he shall think best for his comfort and happiness during his life.

Item 10. My Life Scholarship in the Indiana Ashbury University, I give and bequeath to the children of my daughter Sarah & Meredith.

Item 11. I give, and it is my desire that my said wife shall have so as to manage stock hogs, of these I now have, and all necessary corn to feed the same, and all other stock, cows &c. I have bequeath to her in this my will, for one year from my decease free of charge.

Item 12. All the rest and residue of my real and personal property I give and bequeath and devise to my son Webster N. Caste, and my two daughters Sarah & Meredith and Alice N. Caste share and share alike.

Item 13. I hereby appoint my wife Margaret Caste and my son Webster N. Caste my Executors under this my will.

In testimony whereof I hereunto set my hand and seal, this the 15th day of December 1875.
J. S. Caste

Signed and acknowledged by said Jabez S. Caste as his last will and testament in our presence, and signed by us in his presence.

Isaac A. Pierce
Andrew Wickman

Whereas J. Jabez S. Caste on the 15th day of December 1875, did make my last Will and Testament of that date, I do hereby declare the following to be a codicil to the same.

Item. I do hereby give bequeath and devise to Mrs. Ursula Caste wife of William S. Caste, Lot number one (1) in Sales Subdivision to the City of Terre Haute, Indiana, as the same appears on the recorded plat of said City, subject to the life estate of my wife as set forth in my said Will and Testament, to her the said Ursula and her heirs forever. It being my intention hereby to revoke the 6th Item of my said Will and Testament.

Item 2. All the rest and residue of my real and personal property, I give, bequeath and devise to William S. Caste, Webster N. Caste, Sarah & Meredith, Alice N. Caste, and Jabez S. Caste son of John S. Caste, share and share alike, to them and their heirs forever, subject to the life estate of my said wife as set forth in my said Will and Testament. It being my intention hereby to revoke and change Item No. twelve (12) in my said Will and Testament.

Jan. 26th 1875.

J. S. Caste
Signed and acknowledged by said Jabez S. Caste as a Codicil to his

Will of Jabez S. Casto died. (Contd)

last Will and Testament in our presence and signed by us in his presence.
Andrew Wiseman
J. M. Pierce."

"Whereas J. Jabez S. Casto on the 15th day of December 1873 did make my last will and testament of that date. I do hereby declare the following to be a codicil to the same:

Item 1st I do hereby devise to my beloved daughter Sarah & Meredith the following described real estate: Beginning at the south west corner of the south east quarter of section 25. Township 12. Range 10. west. in Vigo County, Indiana. and running east to the Darwin Road. thence on a line with said Road to a point two rods north of a large gate now opening into the field. being 45 rods more or less. thence west parallel with the south line. to the west line of said south east quarter. thence south to the place of beginning. containing 12 acres more or less. to her and her heirs forever. And I do hereby revoke so much of Item 4 of said will as conflicts herewith.

Item 2. I hereby revoke so much of Item 8. of my said will as bequeaths to Sarah & Meredith the sum of Two hundred dollars.

Item 3. The whole of Item 4. of my said will is hereby by me revoked and the same shall be void.

Item 4. Out of my Bridge Stock. now converted into County Bonds. I bequeath to my beloved daughter Alice M. Casto (now Mrs. Harris) three hundred dollars and the balance thereof to my beloved wife Margaret Casto.

Item 5. So far as Item 5. and Item 6. of my said Will and Item 2 of the Codicil to my said Will. executed January 26. 1875. gives and devises to my Grand-Son Jabez S. Casto an absolute and fee simple estate in the property therein given to him is hereby revoked. and I hereby give and bequeath to said Jabez S. Casto. all the real and personal property described in the said Items subject to the following condition. That if the said Jabez should die before he arrives at the age of twenty one years without heir or heirs at law then and in that event the real and personal property by me devised to to my said Grand-Son. shall go to my children now living. share and share alike. In testimony whereof I hereto set my hand and seal. October 12. 1878.

J. S. Casto.

Signed and acknowledged by said Jabez S. Casto as his last Will and Testament in our presence and signed by us in his presence.
October 12. 1878.

J. M. Pierce
Andrew Wiseman"

"Whereas J. Jabez S. Casto did on the 15th day of December 1873. make my last Will and Testament. and whereas I did by my Codicil to said Will bearing date October the 12th 1878. give and bequeath to my beloved daughter Alice M. Casto (now Mrs. Harris) by Item four of said Codicil three hundred dollars out of my said Bridge Stock. now converted into County Bonds of Vigo County.

Item 1st So much of said Item 4 of my said Codicil to my said

Will and Testament as gives and devises to my said daughter Alice M. Barts (now Mrs. Harris) three hundred dollars out of my said Bridge Stock. So converted as aforesaid. I do hereby revoke and the same shall be void.

Item 2. And the foregoing I do hereby declare to be a Codicil to my said Will & Testament.

In testimony hereof I hereunto set my hand and seal this the 15th day of November 1849

J. S. Barts (Seal)

Signed and acknowledged by said Jabez Barts as a Codicil to his last Will and Testament in our presence. and signed by us in his presence.

J. N. Pierce

Wm Peppers.

"Proof of Will

State of Indiana, Vigo County:

J. N. Pierce personally appeared before the Clerk of the Vigo Circuit Court and being duly sworn says that Jabez S. Barts signed his name to the above writing of date of 15th day of December 1849. and for his last will and of date of Jan'y. 26th 1845. & October 12th 1848. & Nov. 15th 1849. as and for his Codicils and that the same was attested and subscribed by said affiant and Andrew Roseman & respectively William Peppers. as witnesses thereto. in the presence of said testator and by his request. and that said testator declared the same to be his last will & Codicils. and that said testator was not at the time of executing said will an infant or of unsound mind. or under coercion.

J. N. Pierce.

Subscribed and sworn to before me this 14th day of December 1849.

Attest the hand and seal of office of said Clerk. the date last above said

John H. Durkan. Clerk

State of Indiana. County of Vigo.

I, John H. Durkan Clerk of the Vigo Circuit Court, do certify the foregoing to be a true and complete record of the last Will of said Jabez S. Barts died. and of the Codicils to said Will. and the testimony and attestation in proof thereof. this 14th day of December 1849.

John H. Durkan. Clerk.

