

Harrodsburg, Ky.,

May 17, 1922.

Mercer Circuit Court.

Lucy B. Thacker, ~~XXXXXX~~

Appellant

Vs Judgment

Annie Noland, Etc.

Appellees

This day again came the parties, and the jury and having heard the remainder of the evidence, the instructions of the Court and the argument of the counsel, said jury retired to consider their verdict and afetr some time spent therein returned into Court the following verdict: "We the Jury find the paper offered for probate not to be the will of S. L. Bailey. G. M. Carr, I.D. Coovert, A. Sanders, ~~XXXXXX~~, L.E. Graves, Carroll Smith, B. D. Horn, A. G. Brown, Jas. King, Harry Davenport, R. S. Coghill, Rome Sanders,"

It is therefore found and so adjudged and held by the Court that the paper dated January 16, 1911 probated in the Mercer Circuit Court as the last will and testament of S. L. Bailey recorded in therein in will book 20, Page 158 and the same paper propounded in this case in this Court, is not the true last will and testament of S. L. Bailey; the Court holds and so finds and adjudges that said S. L. Bailey, a resident of Mercer County, Kentucky, died intestitate.

It is therefore found and adjudged by the Court that the order and Judgment of the Mercer County Court probating said paper as the last will and testament of S. L. Bailey, be, and it is hereby, set aside and held for naught and said Court is directed to enter an order setting the same aside and holding said will for naught; the Clerk of this Court is ordered and directed to transmit to the Mercer County

to all of which W. W. Ensminger Guardian Ad Litem for the infantd Court a certified copy of this order<sup>4</sup> appellees, Sarah Noland, Stephen Noland, Annie C. Bailey & Stephen Bailey objects, excepts and pleays

*Order Book 67*  
*Page - 25* am appeal to the Court of appeals which is granted. Charles A. Hardin, Judge.

A Copy Attest:--

*P.B. Snodley*  
Clerk, Mercer Circuit Court.