

State of Kentucky
County Court of Boyle County 3rd Set
January (15th) Term 1847

J. Thomas B. Nichols, clerk of the County Court for the County aforesaid, do certify that the foregoing Deed of Trust from John Grant to Thomas W. Fry, Trustee of Mary Carlan was this day produced in open Court to said Court at its January (15th) Term 1847 and examined.

Whereupon it was ordered to be recorded, which has been truly done in my Office - Given under my hand this 15th day of January A.D. 1847 -

att. W. B. Nichols clk

W. C. Cann M^r

Will

I, William M^r Cann, of Boyle County & State of Kentucky being feeble in body but of strong disposing mind and Memory do make this my last will and Testament - "First, my will is that all my just debts shall be paid - "Second, - I will and bequeath to my youngest Daughter Catherine five dollars & no more. "Third, my will is and I give & bequeath to my three oldest Daughters Mary-Elizabeth - Lucy-Ann and Mildred all the rest and residue of my property of every description both real and personal, to be theirs for ever & equally divided among them at my death. "Third I hereby appoint and ordain my friend A. G. Kyle, Executor of this my last will & Testament.

In testimony whereof, I have this 25th day of July 1848. set my hand

William M^r Cann

Witness

A. G. Kyle

W. R. Boice

Addison Mitchell

Commonwealth of Kentucky
County Court of Boyle County 3rd Set
December (17th) Term 1849 -

J. Thomas B. Nichols, clerk of the County Court of the County aforesaid, do certify that this Instrument of writing purporting to be the Last will and Testament of W^m M^r Cann Dec^d was produced in open Court to said Court at its December (17th) Term 1849 - and proven by the Oaths of W^m Boice and Addison Mitchell to be the true last will and Testament of said M^r Cann Dec^d, and was ordered to be recorded which has been truly done in my office -

In Testimony whereof, I have hereunto set my hand this 17th day of December A.D. 1849

attest. W. B. Nichols clk

I, Jesse Smith, of Mercer County and State of Kentucky, make this my last will and Testament in manner and form following -

First - I will and direct that all my just debts be paid -
Secondly - I give to my gran-son, Zachariah, child of my son Zachariah Dec^d, Sixteen Hundred Dollars, to be paid to him when he becomes twenty one years of age with Interest thereon, from and after two years from my death. But should my said gran-son die before he becomes of full age, and without heirs of his Body, then in that case, this devise to be considered as elapsed and return to my Estate and descend accordingly -

Thirdly - I give to my two gran-daughters, twin children of my son Barbee Dec^d, Sixteen Hundred Dollars, to be equally divided between them, and paid to them when they become of full age of twenty one years, or maries; the money to remain in the hands of my Executor, or placed in some other safe hands, and the interest thereon to be paid to them annually for their benefit and support; the payment of Interest to commence one year from and after my decease. If either of my said gran-children should die before they become of age, and without heirs of their body then in that case, her part or proportion to go to Survivor. If both should die before they become of full age and without heirs of their body, then in that case this devise to be considered as elapsed and go to my Estate and descend accordingly.

Fourthly - I will and direct that from and after six-months after my death, my Negro-mans "Harry", be free, and enjoy all rights and privileges of a free man-of-colour -

Fifthly - I will and direct that one year from and after my death, my negro woman Caroline be free and to enjoy the rights and privileges of a free person of colour forever thereafter -

Sixthly - I give to my four children now living (to-wit) Nancy, Fanny, Robert, and Joseph all the residue and remaining part of my Estate both real and personal to them and their heirs for ever, to be equally divided between them in such manner and way as they may think best so as to do equal justice to all and each of them - but it is to be understood, that in the distribution regard is to be had to those who have received in advance; the amount given in advance to each one can be seen by referring to my acc^t Book to be deducted from their respective portions of the remaining part of Estate.

As the devise made in the second and third article depend on Contingencies and the money may return to my Estate, in that case it is my intention and meaning that it go to, and be divided among my four last children named -

Seventhly - I will and direct that one-eight or twenty square poles of ground to include the graves of my dec^d wife and eldest son in the center be reserved, and forever kept sacred - I also reserve the same quantity of ground to include ~~to include~~ the graves of my black or negro family in the center to be kept sacred forever -

I would guard my Executors against any old state debts or claims against my Estate as I have been in the habit of paying