

Kentucky Buckhannon County Court Vol.

County Court February Term 1830

I copy of the opinion of the Court of Appeals confirming the judgment of the Court are exhibited in this Court and recorded in the minutes of the Court and then upon the Will & Certificate are recorded

Attest J. Allen Clerk 18.6.60

I Richard Stephens of the County of Buchanan being old and of sound mind & memory do declare that my last Will & Testament truly expressing all former Wills by me made

1st It is my Will that my executors hereafter named pay as my just debt out of my personal Estate, Ist I bequeath to my sons Robert Stephens and Daniel I Stephens Negro Eliza Solomon Sarah & Daphny and their increase. 3rd I devise to Robert & Daniel I Stephens or the survivor of them in trust for my daughter Mary Ann Stephens the following property: To Wit: Negro man Tom, Sarah Harvey, Mary Louisa, Melly, Brizilla and Egan and their increase—also an undivided half of one thousand acres of land which I now live on also an undivided half of 500 acres of land including Harmons old place where the Widow McGill now lives also an undivided half of a 500 acre tract including the 8 mile grove purchased of D. Gibson also 200 acres adjoining Harmonsburg purchased of J. W. Anderson also 200 acres including the place on which Mrs. O'Harmon now resides also one Level Mead which she now has in possession also a good Saddle & Bridle. The whole of said property is to be managed at the discretion of said trustees for the support of said Mary Ann and out of the profits to support her decently and in case the said Mary Ann die without she has the right to dispose of said property by Will provided she have it to some of her relations. 4th I devise to Robert and Daniel I Stephens in trust for the use and benefit of Lemuel Stephens the following property: To Wit: Negro Adam, Eliza, Lattat, Sarah, Mariah & Minerva also an undivided half of 1000 acres of land on which I now live also an undivided half of 500 acres including Harmons old place on which the Widow McGill now lives also an undivided half of 500 acres including the 8 mile grove purchased of D. Gibson also 200 acres including the place improved by Joel Haynes and now occupied by Buchanan also one Level Mead which she now has in possession also a good Saddle & Bridle. The said trustees are to manage said Estate for the support & maintenance of my said daughter to the best of their judgment them or either of them and should she die without issue she has the right to said said property to whom she pleases provided she have it to some of her relations. The said trustees for my two daughters I have confidence in and do not wish them accountable for him or her but leave that matter to their discretion and integrity.

5th I devise to my grand sons Richard S. Holt & Joseph Holt three hundred acres of land in Hardin County being a part of Harris and 12825 $\frac{3}{4}$ acre survey to be laid off on the South East side line of said survey at any part of said line they may choose provided it does not interfere with land heretofore sold. This devise is made to my said

two ground lots in consideration of the love and affection I bear them they being having been almost entirely raised and educated by my mother having constituted a part of my family for several years.

6th I devise to my Son in law Charles Dorsey a fatherless child such an one as my executors may choose to give him.

7th I devise to my grandson Richard C. Dorsey, Ippena Dorsey & Washington Dorsey each one cheap House to be paid when convenient to my executors hereafter named.

8th I devise to my grand Daughters Eliza Harrell & Sally ^{Dorsey} each one beautiful to be paid when convenient to my executors.

9th I devise to my grand Son the Elizabeth Lapley Negro girl Malima & her increase to her & her heirs for ever.

10th I devise to my Sons Robert & David I Stephens for the use & benefit of my two Daughters Mary Ann & Lemima Stephens each of my beds & bedding household & kitchen furniture as they may choose to take to be subject to the discretion of Mr. Gustus & the balance of the house hold furniture I devise to Eleanor Holt & Sally Stone and their heirs.

11th I will and devise to Robert, David, Mary Ann & Lemima Stephens all my stock of every kind and for my animals which I may possess at my death to be disposed of as they may think proper.

12th It is my will and devise that after the payment of all my debts and the foregoing devised that an equal division of all my debts bonds, money & notes then due to me and after my executors are paid there reasonable expenses & charges be divided into six equal parts and assigned without increase also all the land or lots which I may then own may be also equally divided into ^{six} equal parts, one sixth equal part of which debts, money & lands I hereby devise to Robert Stephens & his heirs for ever.

13th I devise one 1st part of said debts, money & lands to David I Stephens and his heirs for ever. 14th I devise one sixth equal part of said debts, money & lands to Sally Stone and her heirs for ever.

15th I devise to Eleanor Holt and her heirs for ever one equal sixth part of said debts, money & lands.

16th I devise the remaining two sixths of said undivided bonds, debts, money & lands to Robert & David I Stephens in trust for the use & benefit of my Daughters Mary Ann & Lemima Stephens to be by said trustees managed and disposed of as to be in their judgement best calculated to advance the interest of my said two daughters & should my said daughters die with out issue they shall have the right to dispose of the same by will provided they begeth it to some relative.

17th I devise all the rest & residue of my personal estate crops &c &c of what ever description the same may be which is not herein before devised to Robert Stephens, David I Stephens, Mary Ann Stephens & Lemima Stephens & their Survivors.

18th My executors Robert & David I Stephens or either of them are hereby authorized to make conveyance to lands which I have sold or may sell and do any & every act in the betterment of my business which I could in life and in the various claims in the will where power is left and vested in my executors the said Robert & David they or either of them

are hereby ruled with full powers to act separately or jointly or in case of death or disability to act the other is ruled with full power.

18th I hereby appoint Robert Stephens, David J. Stephens, Jefferson Livingston and Richard S. Holt Executors of this my last will and testament and request the Court not to require Security of such of my Executors as may qualify. In testimony whereof I have set my hand and seal.

December 25th 1829.

Richd. Stephens

(Seal)

Test

Wm. W. W. W.

James Livingston 1829

Robert Holt

Henry Gear

James Bennett 1830

Mar. and Barclay 10.8.1831

Codicil

In my foregoing will I have left to Jefferson Livingston in clause 7th a bequest he having since departed this life, I hereby revoke said bequest.

April 11th 1831

Richd. Stephens.

This codicil passed by

Marmaduke Barclay

Wm. W. W.

J. Allen

Henricus, Buckenridge County, Va. Wit

County Court Monday August 15th 1831.

This writing purporting to be the last will & testament of Richard Stephens decd. was produced in Court by Robert Stephens & Richard S. Holt two of the Executors therein named who made oath to the same according to law. and this writing was duly proved by the oaths of William W. W., Henry Gear, James Bennett and Marmaduke Barclay subscribing witnesses thereto and the Codicil thereto endorsed was proved by the oaths of Marmaduke Barclay, William W. W. & J. Allen who severally swore they were well acquainted with the hand writing of Richard Stephens. that they had frequently seen him write and that they verily believed the signatures to the Codicil to be in the said Richard Stephens hand writing and thereupon the said Will & Codicil and ordered to be recorded.

Attest

J. Allen Clerk Buckenridge County

I Eliza Murray of Buckenridge County and State of Kentucky and one of the children and heirs of Joseph Baston decd. knowing it is appointed and for all to do. do make this my last will & testament as follows: to wit.

Altho my father died seized and possessed of a considerable landed property amongst which was a tract of land on the Ohio River on the upper side of lower branch and at the mouth thereof part of which was laid off as a town and then called & known by the name of Lewisville. Now called lower part a chart or plan of which is recorded in the County Court of Buckenridge County and in a division of the lands amongst the children & heirs of Joseph Baston decd. who died intestate the above mentioned town lots with other lands was allotted to Mrs Eliza