

We Harold P. Jansley & Joel Cusley, two of the Commissioners to settle with Administrators do hereby report our settlement with John P. Greiter, Administrator of the estate of Nancy Spence deceased and do find said John P. Greiter, Adm^r indebted to said estate in the sum of \$77.25⁰⁰ Cents all of which we respectfully report the Hon^{ble} County Court of Cumberland. Given under my hands this 4th day of March 1839.

State of Kentucky
Cumberland County & District

H. P. Jansley
Joel Cusley
Comon^{rs}

I Milton King the Clerk of the County Court for said County, do Certify that the within settlement was produced in Court at the March Term 1839 ordered to be filed & at the May Term 1839 ordered to record. which is truly copied of record in my Office in Will book C, page 291 Witness my hand this 16th day of August 1839

M. King

Elisha Embrey's Will

State of Kentucky

In the name of God Amen.

I Elisha Embrey of the County of Cumberland and State aforesaid being somewhat advanced in age, but of sound mind and disposing mind and knowing it is appointed for all men to die, have thought proper to dispose of my worldly estate, in the following manner, exhibit and I declare this to be my last Will and Testament for that purpose.

In the first place I recommend my Soul to God, and that my body be decently interred and that all my just debts be paid.

Second. I give & bequeath to my wife, Nancy Embrey all my estate both real & personal consisting of Land, negroes, Stock of all kinds & all my evidences of debt due me and likewise every species of property whatever, that may be in my hands at the time of my death, should she survive me, for & during her natural life, likewise the produce arising out of it, after my decease.

Third. I nominate, constitute, & appoint my son Andrew J. Embrey and my son Elisha Embrey (so soon as he shall arrive to lawful age) my Executors and my wife Nancy as Executrix to this Will & they are fully authorized to sell or manage any part or the whole of my said Estate, in any way they may deem proper for the ultimate interest and benefit of my legatee herein after named & any title or transfer they may make shall be valid, as though I was in life & did the same - and they are not to be held responsible to the other legatee for any of their acts connected with estate, but it is expressly to be understood that no sale or transfer shall be valid unless it is approved & sanctioned by my wife Nancy.

Fourth. I wish my two sons Elisha & John Nicholas to have a liberal Education and my wife Nancy is fully authorized to perfect that much desired Object out of my Estate placed in her hands, and no account to be kept against them, and in the event of my wife Nancy's death previous to

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The completion of their Education. My Son Andrew S. Embury is to retain and sell apart in his hands as an Executor, a sufficient portion of my Estate for the use, benefit, Support, & Education of my said Sons Elizabeth & John Nicholas. Which Amount is not to be considered as forming a part of their distribution. I have on a final division of my Estate arranged my Legatee.

The remainder of my property is then to be disposed to the best advantage under the direction of my Son Andrew S. Embury and my son Elizabeth should be of age, said divided equally amongst all my Legatee after taking into consideration the respective Sums which each of my Children has already received as herein after set down to each; So as to place all upon equally. All the Children of my Daughter Elizabeth who has departed this life, are to form a distribution share and the Am^t provisionally given to her as herein set down is to form a part of that distribution share together with some Note which I now hold on her Husband William H. Blodson, which is not to carry any interest and now is to be charged.

I have sold among girl named Lucy for the Sum of \$450. which girl is charged to and forms a part of the Sum as charged herein to my Daughter Elizabeth late Elizabeth Payne, which sum has been lent at interest which has increased the Sum of \$534. 37/100 for which amount I now hold Brydon & Incey note. It is Equity that the Child even which my said Daughter had by her first husband, William H. Blodson should receive that sum together with all interest it may have produced at the time of my death over and above their distribution share. My Executor & Executrix if in life are therefore directed to pay out of my Estate that sum with its interest as provisionally stated to Hannah H. Tenney, Agnes and William Blodson as they may require it or to their legal representatives.

I have given to my Daughter Minerva Purger formerly Minerva Embury to her and the natural issue of her body the Sum of \$590 50/100 cents as a part of her distribution share which she is to be charged with on a final division of my Estate.

I have given and handed off to my Daughter Elizabeth Blodson, late Elizabeth Payne the sum or value of \$62. which my Grandchildren Harrieth Nancy Agnes & William Blodson Children by her first Husband, and Elizabeth Francis Payne her Child by her last Husband are to be charged with, together with the notes as provisionally alluded to on William H. Blodson as a part of their distributive share. I handed off and provisionally given my Daughter Francis M^{rs} Daniel the amount or value of \$93 1/2 which forms a part of her distributive share for which she is to be charged on a final division.

I have given to my Daughter Margaret James in property the value of Six hundred & ten dollars which forms a part of her portion of my Estate & for which sum she is charged to account for on a final settlement of my Estate. The negro Girl Susan forms a part of this charge which I give to my said Daughter Margaret & the issue of her body forever. I have given to my Daughter Julia Winfrey the value of \$488. with which she is chargeable on a final division of my Estate as a part of her distribution share. The negro Girl Miller forms a part of this charge which I give to my said Daughter Julia Winfrey and the issue of her body forever. I have provisionally given my Daughter Sarah Langhley the value of \$256. which forms a part of her

Distribution Share, and she is charged with that amount.

If after my death, my wife Nancy Embury should marry then &c. that went immediately after her marriage, my son Andrew J. Embury & Elisha if of sufficient age as Executors shall into possession the whole of my property on hand and her powers as an Executive shall cease & determine, and one third part of my property shall be set off to her during her natural life which shall remain to be divided amongst my legates.

I should my wife Nancy depart this life before me, I wish at my desire that all my property be equally divided or sold at public sale & the proceeds divided or sold at public sale and the proceeds divided amongst my Legates being first a portion sufficient for the Education & Support of John & Elisha, and my said son Andrew J. Embury, who take charge of the same for that purpose as stated in the 11th Item of this Will, and on a final division each Child or Legatee is to be charged with the amount set down & charged them as above as a part of their distributive Share.

I nominate, constitute, and appoint my son Andrew Jackson Embury, a minor, with full power to take charge of whatever distributive portion of property or money which may be allowed to my daughter Sarah Pangborn on a final division of my estate to take charge of & manage the same to the best advantage for the benefit of my said daughter Sarah and the issue of her body.

Minerva, Nuryun, Sarah Pangborn, Francis Mth. Daniel, Margaretta Brown, Andrew J. Embury, Julia Minisoye, Elisha & John Nicholas Embury I declare to be my Legates of this my last Will and entitle each to distributive Share together with the Grand Children, Harrieth, George Agnes and William Plator and Elizabeth Francis same Children of my daughter Elizabeth who are entitled to one distributive all under the direction & upon the principles as previously set forth.

On Witness Whereof I have hereunto set my hand and likewise acknowledge the same to have been duly executed & its contents perfectly understood before its execution. Given under my hand this 16th day of January in the year of our Lord one thousand eight hundred and thirty seven.

Test
Elisha Embury Secy
Hugh W. Nixon
Jesse S. Parks
Jas. S. Woodson

Codicil

As a Codicil to the annexed Will I Elisha Embury have thought proper to alter my said Will so far as the negro girl Fanny is concerned she being generally known as yellow Fanny and one of my Slaves Willed to my wife Nancy during her natural life - In as much as said Fanny has been a faithful and obedient Slave I have thought proper to declare that after the death of my wife Nancy that said Slave yellow Fanny shall be permitted to enjoy all the priviledges of liberty and remain no longer in a State of Slavery - and my Legates as named in the annexed Will are not to be permitted to take her into a division of my property - If I should survive my wife - at my death she is to enjoy the same priviledges of liberty as previously set forth - And I like my direct that the sum of \$100 be set apart out of my estate at the death of my wife or at my should I survive her for the use, benefit and Support of (yellow Fanny) in her old age should it be required which if not needed or expeditious previous to her death, if my wife shall return & become

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