

35 By Cash paid John Parmer paid £ 0 0
 By the corn sales hemp wheat &c. consumed
 in the family as per sale act 118 1 6
 By 23 Lbs for meat for the family as per
 act of sale amount 13 18 0
 36 Cash paid Leffer Bryant as per act 5 18 7
 37 By Cash paid Benj Robinson per sale act 4 10 ~
 38 By Cash p. Ch. Mays back 2 17 0
 39 By Cash paid Jas. Bennett Sch. J. 2 11 0
 40 By John Edmiston's tit 14 11 0
 Ball in the hands of the Executors £ 135 11 9

Fayette County Set

In pursuance of an order from the County
 Court of Fayette we have proceeded to state and
 settle the ac^t of Elyh McCann Adm^r of Joseph
 McCann dec^d agreeable to the above stated ac^t.
 and we find a ball^c in the hands of the
 Adm^r £ 135 11 9 1/2 Given under our hands
 this 4th of Dec^r 1807.

W. Harrison
 W. Dudley
 Jas Parrish
 E. Darnaby

Fayette County Set April Court 1808

This settlement of the accounts of Elizabeth
 McCann Administratrix of the Estate of
 Joseph McCann dec^d returned to Court and
 ordered to be recorded
 Teste John O Young clk.

Allotment of Elyh McCanns Dower in the
 Estate of Joseph McCann Dec^d £ 900 0 0
 12 Negroes valued to in all
 1500 acres of land in all £ 135 11 9
 Ballance of sales as per settled 105 0 0
 Cole and his children 200 0 0
 Now Will & Leg^y £ 90 275 0 0

Elyh McCann pay the children five pounds
 West Point Negroes 7 0 0

1/2 of the land being 50 acres including
 the mansion house 1
 1/2 of the ballance of Sales £ 115 11 9
 Fayette County Set

In pursuance of a Decree from the County
 Court of said County we have proceeded to allot
 Elyh McCann Widow of Joseph McCann
 Dec^d her Dower in the Estate of the dec^d
 agreeable to the above ac^t. Given under
 our hands this 9th day of Dec^r 1807.

W. Harrison
 W. Dudley
 Jas Parrish
 E. Darnaby

Fayette County Set April Court 1808
 This allotment of Dower to Elyh McCann
 Widow of Jas. McCann dec^d returned to
 Court and ordered to be recorded
 Teste John O Young clk.

Dr Will. O. Jas. Smith Exec^r of Benjamin Smith dec^d
 1807. To the rent of the plantation in Shelby
 County for 1807 £ 5 0
 11 16 0
 11 16 0
 By Cash paid Sheriff Taxes for 1806 5 0
 0 12 11
 Ball in the hands of the Exec^r £ 4 3 3
 11 16 0

Fayette County Set In pursuance of an order
 from the County Court of the County aforesaid to us
 directed, we have proceeded to state and settle the ac^t of
 Will. O. Jas. Smith Exec^r of Benj Smith dec^d agreeable to
 the annexed stated ac^t and we find a ball^c in the hands
 of the Exec^r of four pounds three shilling 9d Given under
 our hands this 30th of March 1808
 Francis Redley
 Benj. Jones
 W. Harrison

Smiths Estate
Dr Williams & Joseph Smith Execs of Benj Smith dec
in ac with the Estate
in S. D.

1805
July 12 To a balance in the hands of the Execs
in pt settlement 2.91
The plantation in Shelby county, we
could get no rent for it this year 1805
Is money due the Execs Balld? 2.74
\$ 4.16.5

1805 (Extra)
Aug 28 To taxes paid on the land in Shelby as
per shipp recd 2/5 1.15
By 5 days services in going to Shelby in doing
to rent the plantation on which I gave a
lease for four years to come 3.15.0
\$ 4.16.5

Wayne County Act In pursuance of an order from the County
Court of the County aforesaid to us directed we have proceeded
to state & settle the acs of 10th of Joseph Smith Execs of Benj
Smith dec^d and compare the same with the vouchers to us
produced, and give it as our opinion that the same is just
& right Given under our hands this 10th day of July 1806.

Benj Graves
Frank Hestley
S. Thomson
H. Harrison

Wayne County, January Term 1806.

This settlement of the accounts of Wm Smith & Joseph
Smith Executors of the Estate of Benj Smith dec^d was
returned to Court examined approved off and ordered to
be recorded

John Levi Todd Clk

A list of property of the Estate of Bernard Lempert
dec^d appraised by us this instant this 29th of October 1805

One deer horse	12.0.0	One clock	18.0.0
One d ^o horse colt	15.0.0	One dozen of silver tea spoons	2.8.0
One mare (man)	12.0.0	One corner cupboard	3.12.0
One bay (man)	24.0.0	80 parts gun iron hammer (shells)	6.0.0
One black (man)	15.0.0	One chest of drawers	4.10.0
One bay mare colt	12.0.0	One bed bedstead of furniture	6.0.0
18 Sheep w/ 9 cacks	7.4.0	One bed bedstead of furniture	9.0.0
One milk Cows	3.0.0	One bed bedstead of furniture	9.0.0
One red stand	2.8.0	Three bed corns	1.10.0
One black do	2.8.0	42 lb of 10 th Nails	2.15.4
One black cow	3.0.0	100 8. by 10 Window glass	2.10.0
One red do	3.0.0	Six Windsor chairs	1.16.0
One pig knives	2.0.0	one flat wheel of wood	1.18.0
One pig stand	2.0.0	Sheep shears & plow	6.0.0
Two Calves	1.16.0	2 pair of Statelys	1.4.0
One red cow with a white face	3.0.0	One hog meal cistern & Jug	1.9.0
Five hogg lught size	3.0.0	Six turn ^d chairs	1.12.0
Seven hogg decond size	2.2.0	One square table	1.18.0
One sow & 3 small pigs	15.0.0	One mile tape & 2 iron Caddislets	8.0.0
One waggon brought two horse lines	20.0.0	3 pair locks & hammers	7.6
Two pair of hind gear for a waggon	3.0.0	One brass cask lamp & tin quart can	6.0
One wheel saw	3.0.0	Shovel tongs & pair of sack iron	12.0
One bar shorn plow from 1805	1.10.0	One dining table	6.0
One do do 1805	1.10.0	One candle wood box & bundle	18.0
1 pitchfork dunghill shooks	13.6	One side saw	12.0
One pair of Iron hipplag	7.6	One wooden wheel & 2 pair axle	15.0
One bar shorn plow from 1805	1.10.0	Seven linen bag	1.1.0
One hemp brake	3.0	One bed of glass	4.10.0
three traces 9 pair of harness	3.0	Churn & spickel stand	6.0
back bands & 2 blue bands	1.16.0	Iron kettle & plate	1.10.0
3 halter chains & shoches	1.1.6	One large copper kettle & bales	4.10.0
One waggon sheet	6.0	Iron pot and bales	18.0
two Mallocks	10.6	Small do & do	9.0
two Shovels	12.0	One dubel iron shooks	10.6
four hogs	1.0	One do do Vlas	13.6
the fire plow, small calves	10.0	Small pot lid & bales	7.6
three cows	16.6	One water pot	6.0

Dr. William & Joseph Smith Executors of Benjamin Smith deceased

1797	Mar 15	To Henry Smith bond due 15 th Mar 97	£52.16.0	} 67.15.1 1/2
		Interest on the same until Nov 15 1802	14.19.1 1/2	
	19 th	To Isaac Vandiver note collected	3.17.1	
	May 12 th	To Samuel M. Williams note do	10.5.1	
	June 15 th	To Jacob Wolff note do	2.10.0	
	Oct 19	To Aaron Hamblin note do	6.6.0	
1798	Jan 11	To Bull of principal & interest Sam. Comers Bond collected	57.0.0	
	Dec 17 th	To Sam Comers Bond due 15 th Feb 1797	£100	} 108.3.0
		Interest	8.3	
	Aug 29	To Isaac Vandiver bond due 15 th April 1797	£25	} 26.14.4
		and interest thereon	£1.14.4	
1799	May 10	To Isaac Vandiver bond due 15 th April 1798	£25	} 26.10.0
		Interest	1.10	
	15 th	To Isaac Vandiver bond due 15 th April 1799	£25	} 25.2.6
		Interest	2.6	
	15 th	To Isaac Vandiver bond due 15 th April 1800	£25	} 25.1.6
		Interest	1.6	
	May 8 th	To Isaac Vandiver bond due 15 th April 1801	£25	} 26.19.7
		Interest	1.19.7	
		To Isaac Vandiver bond due 1 st August 1801	£7.10	} 7.19.8 1/2
		Interest	9.8 1/2	
	April 15 1801	To Sam Comers Bond due 15 th Feb 1800	£100.0.0	} 101.0.0
		Interest on same	1.0.0	
	Aug 18	To Isaac Vandiver bond due 15 th Feb 1801	£100.0.0	} 102.10.0
		Interest on same	£2.10.0	
		To 100 Dollars of currency for the year 1796 to 1800		} 51.4.0
		Bankers and Isaac Wolff note of two plantations		
	1790	do do do do 1797	58.0.0	
	1790	do do do do 1798	36.5.0	
	1790	do do do do 1799	29.0.0	
	1790	do do do do 1800	36.5.0	

In the year 1801 the plantation by sale being out of repair and no person would bid it
 By cash paid by Jacob Wolff's securities in account of his not complying with an article of agreement to Benjamin Smith not to bid the same for clearing said do

		To cash paid by Isaac Vandiver for the damage on account of his not appearing since assumed to buy on with Isaac Vandiver	11.0
		To interest on £189.54 which was in Henry Smith's hands four months after the death in favour of Drugg & Parson was paid as interest I received	3.12.6
		To cash found in possession of the deceased at his death	8.19.4
		To George Carey note for	4.11.0
1798		To John Kirkman note	3.17.0
		To Robert Douglass note	0.18.0
		Tenant of plantation in Shelby County on Oulskin for the year 1799	0.0.0
		Taxes for the year 1800 support 22 acres	8.16.0
		Taxes for the year 1801 do	8.16.0
		Taxes for the year 1802 do	8.16.0
		Edward Outbanks note due 12 th of July 1784	2.0.0
		John Devens note due the 1 st of June 1795	0.0.5
		Christian Hooper note due 1 st of February 1802	5.16.0
		Jonathan Hyman & Hugh Devens five notes for £25 each payable annually for rent the 1 st payment due 25 th of December 1802	175.5.0
		Abraham Joseph & William Rawley five notes for £6 each payable annually for rent the 1 st payment due 25 th of December 1802	30.0.0
		To 1/2 of a negro boy slave which was secured by the last will & testament of our father to be divided between Messrs Henry Conyer, William Smith and the boy was valued 1802 to £80 and William Smith took him Henry Smith was to have half which William Smith pays up and owes Conyer Smith £42.10 for his part of said boy	£12.10.0
		Total amount of	1087.8.2

3

my last will & Testament. And I do hereby utterly revoke
 all gifts in any wise before mentioned and con-
 firming this to be my last will and testament and do nomi-
 nate and appoint my brother William Smith and my brother
 in law Joseph Smith Executors of this my last will & Testament
 In witness whereof I have hereunto set my hand and affixed
 my seal this 12th of October in the year of our Lord

1797

Benjamin Smith Seal

James Nichols
 Martin Smith
 William Shannon
 James Nichols

Fayette County Kentucky January 2nd 1798

This last will and testament of Benjamin
 Smith recd of which this is a true copy was this
 day produced in court by the Executors therein named and
 proved by the oath of James Nichols and Martin Smith subse-
 quently witnesses thereto and ordered to be recorded

And thereupon William Smith & Joseph Smith executors as aforesaid
 came into court entered into and executed Bond in the penalty
 of three hundred pounds conditioned as the law directs with George
 Maxwell and George Smith their security and made oath as
 required by law. In testimony whereof I hereunto set my hand
 and affix the seal of the said County this 12th day of June

1798 in the 7th year of the Independence

A Copy Teste Geo York Clerk

Fayette County Nov 14th 1803

This attested copy of the last will & testament of Benjamin
 Smith deceased was produced before me as Clerk of the said
 County and is admitted to record the former will being duly
 proved

Teste Geo York Clerk

The Appraisement Bill of the estate of John Marshall decd

- 13 hams tallow 10/6 0. 19. 6
- 1 Oven 30g the 9/ one 8. 3/ 0. 12. 0
- 1 old iron 3/ 1 pair Sattycars 15/ 0. 18. 0
- 1 Iron knife & kind 3/ 1 saw 7/6 10. 0
- 1 small chisel 1 Cogham 6/ 1 shildon 10/ 1. 1. 0
- 1 large wheel 1/6 2 sills of gear 2. 2. 2. 6. 6
- 1 Dutchman's Whips 2. 1. 3 small wheels 1. 4. 2. 5. 0
- 1 check out 4/6 2 pc of wood cards 6/ 2. 0. 6/ 0. 16. 0
- 1 cutting knife Steel 9/ 2 iron hays 1/6 0. 10. 6
- 1 set of spools 3/ 1 Dutch saw 7/6 0. 10. 6
- 1 table 6/ 1 B. 6/ 1 cup 1. 0. 2. 2. 2. 14. 0
- 20 quon ware 400 spoons 1/6 2 Dishes 1/6 0. 11. 6
- 20 hunting needles 1/6 10 knives 1/6 0. 7. 0
- 1 bag 3/ 1 Bowl 6/ 1 watering pot 2/6 0. 28. 0
- 20 candlesticks 500 pins 1/6 0. 1. 6
- 20 one pair of shoes 0. 1. 6
- 20 sundry locks 10/6 2 sundry chairs 2. 4. 1. 14. 0
- 1 smocking iron 3/ 1 looking glass 4/6 0. 7. 6
- 1 Bowl 2/ 1 lamp 1/ 1 tea kettle 18/ 1. 1. 0
- 1 Barrel of Widdow 4/6 2 cranks 12 1. 2. 6
- 1 Small pot 1/6 1 large 2/ 11. 1/6 1. 5. 0
- 1 Oven 3/ 1 cup 2/ 1 B. 1/6 1. 0. 9. 6
- 6 pewter plates 2. 3. 1. 15. 3
- 20 Siles Shimmers 4/6 1/6 200 sundry piggs 7/6 0. 15. 0
- 2 bags of sing fat 3/ 2 chains 1/6 1 long 2/ 1. 1. 9. 2. 1

John Graves jun
 James Patterson
 James Henselph

Fayette County December 1803

This Inventory & Appraisement of the estate of John Marshall
 decd was returned to court and ordered to be recorded

Teste Geo York Clerk

90
Smith
1750

In the name of our Lord I Benjamin Smith of Fayette
County and State of Kentucky being sick and weak of body but
in perfect mind and memory calling unto me the vicar of my
body and knowing it is appointed for all men once to die to make
and ordain this my last will & testament in manner & form as follow
First I give and bequeath to my beloved wife Polly my negro
man named Harry my horse cattle & sheep hogs household furniture
and kitchen furniture all my farming utensils together with
all my crops on the plantation and one hundred pounds in cash to
be paid next to pay just debts to her forever. I also allow her the
use of my plantation where we now live during her natural life
or widowhood. I also allow her the use of my negroes hereafter men-
tioned to wit Ben Braxton Peter Moses Grace Caroline and Liza
and their issue until my children shall call upon them in manna-
which I shall hereafter direct in this my last will and testament.
I give and bequeath to my son Benjamin Smith all my lands in
Virginia in Rockingham County and two negro boys to wit Braxton
and Moses to him and to his heirs forever & to be in full possession
of the above legacy at the age of twenty one years. I give and bequeath
to my daughter Mary the plantation I now live on and two hundred and
fourty acres on Big Bottom in Shelby County to me by Benjamin
Logan and two negroes to wit Peter and Caroline to her and her heirs forever
and to be in full possession of the above legacy when she comes of age
whenever my wife being pregnant at that time. It is my will & desire
if the child should be born alive and continue to live that it shall
have three hundred acres of land purchased of William Allen in
Shelby County on Clear Creek and one half of one hundred acres of
military land that I purchased of Richard Harrison lying on Ameri-
cans Run also three negroes Ben Grace and Ruth and the issue that
shall arise from said negroes and one hundred pounds in cash to it and
to be in full possession of the above legacy when
it shall come of age.

91

I give and bequeath to my nephew Benjamin Smith one to my
brother Richard Smith fifty pounds Kentucky currency to be paid
when he comes of age. My will and desire is that the balance of my
money after my just debts are paid and the legacy left my wife in
charging the annual rents collect of my land in Virginia to be put
out at interest for my children and to pay the legacy left Benjamin
Smith and to be divided as follows. After the child now unborn
getting one hundred pounds then an equal division to take place
amongst the whole of them Benjamin Arny and the child unborn
and each one to draw their part as they come of age if either of
my children should die without lawful issue it is my will that
the surviving one or ones as the case may be to have to the double
legacy. It is my will and do order my executor to make Samuel
Comer of Rockingham County in Virginia a title to the land I sold
him which he holds my bond for when he pays the balance of
the purchase money it being five hundred and fifty pounds exclusive
of interest some part of the bond in my brother Henrys hands to col-
lect the rest in my town to where all my papers are at my brother
Henrys. I also allow my executor to make Sebastian Stonebraker
a title to the land he purchased of me when he pays up the purchase
money it being one hundred and thirty seven pounds. It is my will
that my wife create board and school my children for the use of
my negroes that I have bequeathed to her. I also allow my execu-
tor if she should be exempt by ^{schooling} ~~schooling~~ or cloathing my children
that my executor shall assist her out of my estate. It is my will
also I do hereby allow my executor to exp. own any person they may
shall think proper to collect my debts and rent my lands and receive
the rents of said lands in Rockingham Virginia. It is my will and
desire that my lands in Shelby County shall be sold out as my execu-
tor shall think proper and the money arising after paying the debts
of said land to be divided amongst my children as before mentioned.

90
In the name of God Amen I Benjamin Smith of Fayette
County and State of Kentucky being sick and weak in body but
in perfect mind and memory calling unto mind the mortality of my
body and knowing it is appointed for all men once to die to make
and ordain this my last will & testament in manner form as follows
First I give and bequeath to my beloved wife Polly my negro
man named Parney my horse cattle & sheep hogs household furni-
ture and kitchen furniture all my farming utensils together with
all my crop on the plantation and one hundred pounds in cash to
be paid next to my just debts to her forever. I also allow her the
use of my plantation where we now live during her natural life
or widowhood. I also allow her the use of my negroes hereafter men-
tioned to wit Ben Braxton Peter Moses Grace Caroline and Lido
and their issue until my children shall call upon them in manner
which I shall hereafter direct in this my last will & testament.
I give and bequeath to my son Benjamin Smith all my land in
Virginia in Rockingham County and two negro boys to wit Ben
and Moses to him and to his heirs forever & to be in full possession
of the above legacy at the age of twenty one years. I give and bequeath
to my daughter Ann the plantation I live on and two hundred acres
of land lying on Big Bottom in Shelby County to me by Benjamin
Smith and two negroes to wit Peter and Caroline to her and her heirs forever
and to be in full possession of the above legacy when she comes of age
whenever my wife being pregnant at that time. It is my will I desire
if the child should be born alive and continue to live that I should
have three hundred acres of land purchased of William Allen in
Shelby County or Clear Creek and one half of four hundred acres of
military land that I purchased of Richard Richardson lying on Lincoln
land also three negroes Ben Isaac and Ruth and that issue that
shall arise from said negroes and one hundred pounds in cash to be
paid her forever and to have full possession of the above legacy when
it shall come to her.

91
I give and bequeath to my nephew Benjamin Smith son to my
brother William Smith fifty pounds Kentucky currency to be paid
when he comes of age. My will and desire is that the balance of my
money after my just debts are paid and the legacy left my wife in-
cluding the annual rents collectible of my land in Virginia to be put
out at interest for my children and to pay the legacy left Benjamin
Smith and to be divided as follows. After the child now unborn
getting one hundred pounds then an equal division to take place
amongst the whole of them. Eleazar Army and the child unborn
and each one to draw their part as they come of age if either of
my children should die without lawful issue it is my will that
the surviving one or ones in the case may be to heir to the deceased
legacy. It is my will and do order my executors to make Samuel
Comer of Rockingham County in Virginia a title to the land I sold
him which he holds my bond for when he pays the balance of
the purchase money it being five hundred and fifty pounds exclusive
of interest some part of the land in my brother Benings hands to col-
lect the rest in my hands where all my papers are at my brother
Benings. I also allow my executor to make Sebastian Stonbraker
a title to the land he purchased of me when he pays up the purchase
money it being one hundred and thirty seven pounds. It is my will
that my wife clothe board and school my children for the use of
my negroes that I have bequeathed to her. I also allow my execu-
tor if she should be exempt by ^{schooling} ~~boarding~~ or cloathing my children
that my executor shall assist her out of my estate. It is my will
and I do hereby allow my executor to empower any person they may
shall think proper to collect my debts and sell my lands and receive
the rents of said lands in Rockingham Virginia. It is my will and
desire that my land in Shelby County shall be sold and my execu-
tors shall think proper and the money arising after paying the
debts of said land to be divided amongst my children as follows.

12 bags of 1 lb 4 D^s 1/12 £38 0
 1 old wagon 69 3 Shps 19/6 9 19 6
 1 Birt. of 1 leather by 1 Shingled 7/6 0 17 6
 £532 12 6

We have appraised the estate of George Wynn dec^d amounting to £532. 12 6 as stated above Given under our hands this 20th day of September 1803.

Wm. Innes

Robert Marshall
 Henry McDonald

Jaytes county Feb

This day came before me one of the Justices of the peace of said County William Dawson Robert Marshall and Henry McDonald and made oath to the above inventory agreeably to law Given under my hand this 20th day of Sept 1803.

H. Bradley

Jaytes county November Court 1803.

This inventory and appraisement of the estate of George Wynn dec^d was returned to Court and ordered to be recorded.

Wm. Innes

Exam^d

Calender

I John Caldwell taking into consideration the uncertainty of human life (have made my last will as follows, first) After my wife gets what she law directs, I give my daughter Polly that now lives at Jacob Toddliners One hundred fifty pounds and a horse or mare and some more fifty five pounds and a feather bed and furniture, next I give to Mary Kellys daughter Rebecca near Blairtown fifty pounds, next I give my watch and wearing apparel to my brother Samuel and the remainder I give to a legal child or children provided I have any, if I should have no child or children I give what was to be given to them to my brothers to be equally divided among them And witness whereof I have set my hand and seal this day of 1795.

John Cooper
 John W. Hays
 James Caldwell

John Calender

Of Support through the heirs and my brother Samuel Caldwell my Executors

Jaytes County February Court 1799.

This last will and testament was produced in Court proved by the oaths of John McRae a subscribing witness thereto and ordered to be recorded. A Copy Teste Jese Lee Todd C^lck.

We James McDevetts Henry Paynes & David Logan in obedience to an order of Jaytes county Court directing us to allot to Elizabeth Caldwell her dower of the Estate of her deceased husband have allotted the same in the following manner (that is two negroes one by the name of Soperly values to thirty five pounds the other by the name of Denney at Eighty five pounds and two hundred thirty pounds sixteen shillings which is one third of the personal estate agreeable to accounts rendered us also one third of the rents for the mills and one third of the lands to include the houses where the widow now lives to be laid off in the following manner

Allotted
 Doves

Beginning in the road where the line of said tract crosses the road that runs through the plantation next Mr. David Logan and with the line of the tract round until it comes to the said road then along the middle of the same to the corner of the meadow fence opposite the Barn then with the meadow fence so far that a line parallel with the road to the line of the tract and with that line to the Beginning will include the quantity and as to any other part of the estate we have not concerned in this allotment reserving at the same time the free use of the water to supply the stillhouse for the benefit of the Orphan. As witness our hands this 9th day of September 1800. James McDevetts

Jaytes county December Court 1800. This Henry Paynes & David Logan Notaries in and this day produced in Court examined approved of and ordered to be recorded. A Copy Teste Jese Lee Todd C^lck.

Exam^d

Jaytes County November Court 1800. This allotment of the said will and testament of John Caldwell dec^d and allotment of dower to Elizabeth Caldwell who's dower of said deceased which original papers have been destroyed in the office of the county were produced in Court & ordered to be recorded.

Jese Lee Todd