

1834 In the name of God Amen. I the twenty ninth day of the
year of our Lord One thousand Seven hundred and eighty three
do William Preston of the County of Montgomery being in
perfect health and of sound mind and memory do make and
ordain this my last will and testament. First I recommend my
soul to God and restore my body to the earth in all humble hope
of a blessed immortality to the one and a glorious resurrection to
the other, through the all sufficient merit of my Redeemer, and
when he ushers his immortal Kingdom to his Father, I pray
after the reunion of my body and Spirit be an humble attendant
in that most glorious triumph. And as touching such worldly
estate as it hath pleased God to bestow upon me in this life

I devise and dispose of the same in the following manner
and form. First, it is my will that all my just debts of whatever
kind be paid as soon as possible after my decease out of the
due me and such part of my effects and stock as can best be
spared without prejudice to my family and if that be not suffi-
ent, out of the sales of such lands as I shall hereafter direct to be
sold by my Executors for that purpose. In Order to this I would recom-
mend it to my Executors to employ Mr James Buchanan, who is
Capt Francis Smith I would request to examine all my books and
and papers at my house and so to regulate my accounts that all my
transactions may be fairly settled and stated, for which my Executors
are to make Mr Buchanan a handsome allowance.

I give and bequeath to Susannah my dearly beloved and
affectionate wife the use and profits of all my plantations,
and that such such stock may be sold as above

sold by my Executors for the best price I can get. I would also
commend it to my Executors to employ Mr. James Buchanan, who
Capt Francis Smith I would request to examine all my books and
and papers at my house and so to regulate my accounts that all
transactions may be fairly settled and stated, for which my Executors
are to make Mr. Buchanan a handsome allowance.

I give and bequeath to Susanna my dearly beloved and
affectionate wife the use and profits of all my plantations,
and stock of every kind, except such stock may be sold as above
directed for the decent and comfortable support of herself
my children, as also for the education in which it is my
that no reasonable expense may be spared, especially for
sons where their capacities will admit of it and also to
to assist in the payment of my just debts under the fol-
restrictions. First that she will continue single and sub-
the raising and education of her children, particularly
daughters. Secondly, that she will within five years after
disease determine on which tract she intends to reside
spend the remainder of her days. And thirdly, when
of my daughters are married or my sons of age
she will give each child or children such part of my
and she or money in lieu thereof as she with the
consent of my Executors shall think proper. I
just and equal share to be divided among them
least

State of Kentucky

At a County Court held for Jefferson County
State aforesaid at the Court house in the Town of Louisville on the
twentieth day of April One thousand eight hundred and twenty
the within instrument of writing purporting to be a certified copy
the last will and testament of William Preston dec'd of Montgomery
County Virginia was produced in Court and ordered to be received
it appearing to the Court that the said copy was certified according
to law and that I have recorded the same in my Office as Clerk
the said Court.

Test Warden Pope to Cts

I Matthew Stewart being of sound and disposing mind but
indisposed in my bodily strength, do make this my last will and
testament in writing. After my just debts are paid by my son
Hugh and William Stewart.

I devise and give to my son William Stewart the plantation I now
own, likewise a negro slave Sam, a negro slave Silas, a negro
Lum, a yellow boy slave George, my wagon horses and gear, the
and hogs with my farming utensils, my household and kitchen
furniture, my rifle gun and fiddle.

I do my son Hugh I give a negro slave Bob a female slave
a slave Eliza.

I give to my daughter Sally Woods a girl slave
which is his with the brother that I give to his brother.

I be doeb to my will to my will bearing date the 29th day of March
and acknowledged before James Byrn, John Buchanan and Alexander
inridge.

Whereas my friend Colonel George Shillem is greatly engaged
both in publick affairs as well as those of his family which has increased
and of course engrosses his time and attention and Mr Francis Smith
hath since March 1777 unhappily rendered himself incapable of trans-
acting his own business and Mr Robert Poston hath removed to the
County of Washington, from whence it would be both inconvenient and
expensive for him to attend to transact the affairs of my estate; For these
reasons they are not to take the burthen of the execution of my will upon
them, although I still retain the same confidence in them that I had
when I made the appointment, but in their place and stead do hereby
nominate and appoint my worthy Son in law Mr William Meadison
and my dear nephews Mr John Breckinridge and Mr John Brown my
Executors with Colo John Floyd who are to have all the powers and
are humbly requested to do the duties required in my said will to which
this be doeb hath a reference. And they are hereby empowered or any
two of them to make conveyances for any lands I have sold, particularly
a small tract of about 250 acres on Pances Spring, a branch of
Catawba, which I lately disposed of to James Snodgrass by a verbal
agreement for the sum of Fifty five pounds Virginia money, at a
rate, with credit one year and then to bear interest. And on a
proviso that in paying off the bond he is indebted to me, the money
is to be of the same value as when the said bond was given, this being
my verbal agreement.

proviso that in paying the debt to be paid by the said bond was given, this is to be of the same value as when the said bond was given, this is my verbal agreement.

I also direct that two tracts of land lying on the South side of Keenoke be sold to the best advantage and a small tract of seventy acres in the waters of Craig's Creek for which I have 10th Dec bond to make me a title.

I also direct that the several specific sums to which I have subjected my sons to the payment, to their mother may be paid in Gold or the value thereof and those to their sisters may be made void, as I have given my daughter Elizabeth Headiben, One thousand acres of land on Polk's Creek, called the point bank and sent a warrant to Mr. Stoy for One thousand acres more which I assigned to Mr. Williams and directed it to be surveyed in his name, with some other things of value, together with the sum I paid for the land Mr. Stoy purchased for him which I believe I charged and for which he is to have credit. I therefore must in justice to my other children and therefore must either draw the devise I made to her in the above mentioned will of the land called the Walnut bottom on Polk's Creek and the tract adjoining, and do hereby give and devise the said two tracts with all the other lands I have in said bond including the Forks tract, but no higher, to my daughters Sarah and Anne, to be divided quantity and quality between them and Sarah to have her first choice. This they are to accept in lieu of the devise made them in my will above mentioned of the tracts at the Forks of Bohus Creek and thus as to the tract patented in my name.

several specific sums to which I have subjected my sons to the
payment, to their mother may be paid in full or the value thereof
and those to their sisters may be made void, as I have given
my daughter Elizabeth Meadison, One thousand acres of land on
Potts creek, called the point bank and sent a warrant to Mr. Floyd
for One thousand acres more which I assigned to Mr. Williams
and directed it to be surveyed in his name, with some other
things of value, together with the sum I paid for the land Mr. Floyd
purchased for him which I believe I charged and for which he
is to have credit. I therefore must in justice to my other children
I therefore must either draw the devise I made to her in the above
mentioned will of the land called the Walnut bottom on Potts
Creek and the tract adjoining, and do hereby give and devise
the said two tracts with all the other lands I have on said land
including the Forks tract, but no higher, to my daughters Sarah
and Anne, to be divided quantity and quality between them
and Sarah to have her first choice. This they are to accept
in lieu of the devise made them in my will above mentioned
of the tracts at the Forks of John Creek and thus all
Forks of Potts Creek. The tract patented in my name on the
Forks of Potts creek, is the property of late John Floyd to be
bequeathed or for whose benefit it is to be held as he may
it is for the benefit of his heirs and assigns.

children or their lawful representatives.

I also direct and order that my books may be equally divided to my four sons except such as my wife may choose to keep for the use of herself and of theirs.

It is my will that a negro boy named Lenden which my mother gave me be given by my wife and any two of my Executors to one of my mother's children or their representatives as may be in lawful circumstances and that to be done when the said boy is twenty one years old. Should any of my sons die before he or they are of age and has children born in wedlock, such part of my estate as the said son or sons enjoyed, shall be equally divided amongst my surviving sons, quantity and quality according to the judgement of any three of my Executors or any judicious men chosen by them for that purpose. And should any of my daughters die before they are married or of age, the share of my estate allotted to her or they shall be sold in long credit and the money arising from such sale to be equally divided amongst my surviving daughters their legal representatives.

Should my wife die single and before she has made a distribution of my personal estate as above directed amongst any or all of my children my Executors are after deducting or reserving one hundred pounds for each of my four sons to be laid out in their education, to have the residue equally divided amongst all my surviving children or their heirs lawfully begotten and the same taken proper care of until my children come of age upon which time such distribution is made.

Or should my wife marry before the distribution is made, then
and in that case her lawful share of my estate real and personal
is to be laid off for her and the remainder after the above distribu-
tion of One hundred pounds for each of my sons is equally to be
divided amongst all my sons and daughters and taken care of
for them as directed in the last clause and this to be done with-
out making sale of the slaves.

My intention is as near as I can judge to put all my sons on
an equal footing with regard to what they shall enjoy out of my
estate, as also their education; but should any of them be neglected
in their education or be deficient in point of genius after a proper
trial made, it is my will that such son or sons be bound to some
gentle trade or calling till they come of age that they may know
how to make a living by their labour.

It is my will and I am
very desirous that should any differences arise between my wife
my children, or any other person with my Executors or any of them
that the same may be decided by Arbitration to save the expense
and delay of going to law. And my Executors are hereby em-
powered for that purpose, as I have no brother and as my sons
are not yet come to the age of majority. I am under the
necessity of troubling some of my friends and relations to
act as Arbitrators until my sons come to the years of maturity to
manage the business of the purchase.

I do therefore appoint Colonel George
B. Smith, Captain Francis Smith, Captain John Floyd and
Colonel John Floyd as Arbitrators of this my last will and testamen-

brethren of the Executors thereof and that they see the same justice
to my widow and children that I have uniformly endeavored through
my life to have done to families in their situation.

And I do further appoint my Sons John and Francis Executors of
my will under this restriction, that they are not to possess the same till

John is twenty and Francis nineteen years of age, then they are to act,
but not without the directions, advice and consent of my other Executors
or the survivors of them. And under such advice and directions my
said sons are to do all business relating to my estate and thereby ease
my friends as much as possible of all further trouble.

I do hereby empower and enable my Executors or any two of them
to make lawful deeds and conveyances or cause them to be made for
all lands that I have sold and not conveyed agreeable to any bonds or
contracts I have made in the fullest manner. As also to sell and dispose
of any lands not mentioned or devised in this my will, if there be
occasion to do so for the payment of my just debts in as long credit as
those I am indebted to will admit even on interest. And they or any two
of them are enabled and hereby authorized to convey such lands to
the purchasers in securing the payment.

It is my will and desire that
my Executors have this my last will and testament in the County
Court of Botetourt as the greatest part of my estate both real and
personal is in that County.

I request a second time that they will do all in their power to give
my Sons a good education and to prevent them all they can
from running into the follies and extravagancies to which un-

my Sons a good education, and prevent them all they can
from running into the follies and extravagancies to which un-
garded youth are but too liable.

So it is impossible for me to make an allowance to my Executors
exactly adequate to the trouble and expense they must necessarily
be at in performing the trust I have reposed in them. It is therefore
my will that the Court of the County where it is proven make them
and each of them such a just and generous allowance for their
trouble and expenses as to them may seem proper, as also to any
person they may have occasion to empower to transact business
for them relating to my estate. I do hereby revoke and make void
all former or other wills or testaments by me made, declaring this
to be my last will and testament. In Witness whereof I have hereunto
set my hand and seal the day and year above written,
Signed, Sealed, Published, pronounced and declared by the said William
Preston as his last will and testament in presence of us the Subscribing
Witnesses James Byrn

William Preston

Jane Buchanan
Alexander Breckinridge

The above last will with the
of this date was acknowledged before us by Wm Preston this
Feb 17 81 James Byrn

James McGasick
Joseph Lloyd
John S. Sayers

In this case I would recommend to her to make no promises
their marriage and to give rather sparingly at first until she is
satisfied of their frugality. And that she may at a future day
it in her power to supply them more amply in case of misfortune
to which all are liable.

But should she choose to marry again then and in that case
is to have and enjoy what the laws of the State allows to widows
whose husbands die intestate. I give and devise to my daughter
both two tracts of land on Potto Creek joining and above the land
of Henry Smith, the Walnut bottom containing three hundred
and the other tract containing two hundred and fifty acres
her and her heirs and assigns, as also such other part of my
personall estate as her mother thinks proper as above directed.

I give and devise to my son John Preston his heirs or assigns
that tract of land called and known by the name of Green
containing two thousand One hundred and Seventy five acres
Provided: my wife does not choose to settle there for life, but she
should she make choice of the place to reside on, then I give and
devise to my said son the tract called Smithfield, wherein
now dwell, containing in the whole Eighteen hundred and
sixty acres and to his heirs or assigns. And it is my will
he takes possession of either place as above ordered, at the
of twenty one years or sooner if he marries. On this proviso
from the time he takes possession he is to pay his said mother
yearly and every year the sum of twenty five pounds de

yearly and every year during her widowhood if demanded, and at twenty five years of age to pay my daughter Anne the sum of fifty pounds current money of Virginia. The sum to be paid to my wife is enable her to support the other children and that to my daughter to put her on a footing with her sisters. My said son is also to have such a part of my personal estate as his mother may think reasonable as above directed. I also give him my small sum.

I give and devise to my son Francis Preston his heirs assigns all that tract of land on Catawba where James Webb dwells, containing twelve hundred and thirty three acres also that tract called Marshall's Old place on the Lick hills containing three hundred and fifty acres and a tract on the hills South of the place James Powell lives on of three hundred and forty five acres, likewise Mayley's Old place of five acres or thereabouts, On the proviso that he pays his mother five pounds yearly and every year during her widowhood if demanded, to commence when he takes possession of the place at twenty one years of age or sooner if he marries, as also to pay his sister Anne fifty pounds current money when he is at the age of twenty five. And when he takes possession he is to have such a share of my personal estate as his mother may think fit to give with justice to herself and my other children.

I also give him my watch and wedding ring as also I give and devise to my daughter Sarah and her heirs or assigns all that tract of land on which William Comstock dwells con-

to put her on a footing with my sisters. My said son is also
to have such a part of my personal estate as his mother
deemeth reasonable as above directed. I also give him my small sum

I give and devise to my son Francis Preston his heirs
assigns all that tract of land on Catawba where James
dwells, containing twelve hundred and thirty three ac-
also that tract called Marshall's Old place on the Lick River
containing three hundred and fifty acres and a tract on
hills South of the place James Powell lives on of three hun-
dred and forty five acres, likewise Dayley's Old place of 60
acres or thereabouts, On the proviso that he pay his mother
fifty pounds yearly and every year during her widowhood
demanded, to commence when he takes possession of the place
at twenty one years of age or sooner if he marries, as also
pay his sister Anne fifty pounds current money when he
is at the age of twenty five. And when he takes possession he
is to have such a share of my personal estate as his mother
shall give with justice to herself and my other children.

I also give him my watch and wedding ring as also
I give and devise to my daughter Sarah and her heirs or assigns
all that tract of land on which William Comstock dwells contain-
ing one hundred and sixty acres on John's Creek and two hundred
acres more or less adjoining and below the same, as also such share
of my personal estate as the land when William Comstock leaves
it to him or his heirs or assigns, as he shall think fit and generous.

on my part. Also that this part of my personal estate
shall choose to give as above directed.

I give and devise to my daughter Anna
and her heirs or assigns, three hundred and twenty acres of
land of Pick Creek, also two hundred pounds in money to be paid
by her brothers as I have already ordered and shall order by this
my will. Also such other part of my personal estate as my wife
may give her as above directed. I give and devise to my son
William all that tract or parcel of land known by the name
of Robinsons tract on Pick Creek a branch of New River, except
seven hundred acres to be laid off the lower end on the creek
from line to line by my Executors and devise that the title of the
whole may issue in the name of any two of my Executors who
are hereby ordered and requested to make a legal conveyance thereof
as follows to wit, Seven hundred acres part thereof to my daughter
Susannah her heirs or assigns, and the residue to my said son William
his heirs or assigns. The Statute relating to the title as in the hands
of Messrs James Hubbard Attorney at Law in Williamsburg, out of
which the said William is hereby ordered to pay his Sister Anna
fifty pounds current money when he arrives at the age of twenty
years or interest from that time till paid. And he is to have
such other part of my personal estate as his mother chooses to
give him when he takes possession or is of age as above directed
but not to pay any yearly sum to her as her land is not cultivated.

I give and devise to my daughter Susanna her heirs and
assigns seven hundred acres of land, the lower part of the
Robinsons tract, the title to be made and the land laid off for

assigns her to her husband, the lower part of the
Robinson tract, the title to be made and the land laid off for her
by my Executors as directed in the last clause of this my will
as also such part of my personal estate as my wife may think
proper to give her as before directed.

I give and devise to my son James Patton
the tract of land called Greenfield containing two thousand
two hundred and seventy five acres in cash my wife chooses
to reside thereon during her life; but should she reside at any
field, then the said James is to have hold and enjoy that tract
in fee simple and my son John is to have hold and possess the
Greenfield tract as before directed. My said son James Patton is
hereby ordered to pay his sister Ann the sum of fifty pounds
being of the age of twenty one years or interest from that date
onwards, but he is not to pay his mother any yearly gratuity as
ever tract she resides on during her life, he is to enjoy as his share
of my real estate, but he is to have such a part of my personal
at the age of twenty one years or on his marriage as my wife
proper to give him as before directed.

I give and devise to my daughter
Mary One thousand acres of land in the County of Kentucky
and devise that the title for the same may issue in her name
the land is called and known by the name of the land upon
the Waters of Elkhorn, a part of my personal
my wife chooses to give her as before directed.

The residue of my estate I give and devise to my son James Patton
in fee simple and my son John is to have hold and possess the

proper to give her as before directed. I give and devise to my son James Patton
the tract of land called Greenfield containing two thousand
One hundred, and Seventy five acres in cash my wife chooses
to reside thereon during her life; but should she reside at
field, then the said James is to have hold and enjoy that tract
in fee simple and my son Robert to have hold and possess the
Greenfield tract as before directed. My said son James Patton is
hereby ordered to pay his sister Ann the sum of fifty pounds
being of the age of twenty one years or interest from that date
haid, but he is not to pay his mother any yearly gratuity as
ever tract she resides on during her life. He is to enjoy as his share
of my real estate, but he is to have such a part of my personal
at the age of twenty one years or on his marriage as my wife then
proper to give him as before directed.

I give and devise to my daughter
Mary One thousand acres of land in the County of Kentucky
and devise that the title for the same may issue in her name
the land is called and known by the name of the Land of
on the Waters of Elkhorn, a part of my personal
my wife chooses to give her as before directed.

The residue of
County of Kentucky after any further
the obtained and

I have allowed my oldest sons more than my younger, as
of the care of their mother and the family, will after some time
upon them.

I declare this Codicil wrote with my own hands
the will referred to my last will and testament

In Witness whereof I have
Signed, Sealed and Acknowledged
in presence of

this 11th day of February 17th
Wm Preston Esq.

James Burn
James McFarock
Simeon Lloyd
John T. Sayre

At a Court held for Montgomery County the fifth day of August
the last with and testament of William Preston last deceased
presented in Court by John Preston, Francis Preston and John Brown
his therein mentioned and ordered to be recorded. And on the motion
of the said Executors, who made oath according to law, Certificate
granted them for obtaining Administration thereof, they having with
Security entered into and acknowledged this bond according to law
For Testimony that the foregoing will is truly copied from
the records of the County Court of Montgomery
Charles Taylor, Clerk thereof have hereto set my hand and
affixed the seal of said Court this 20th day of May 1822
in the 47th year of the Commonwealth

Charles Taylor

Virginia Montgomery County Sep

A. H. H. H.

Virginia Montgomery County Set
I Daniel Howe Presiding Justice of
the Peace for said County do hereby certify that Charles Taylor who hath
signed the foregoing certificate is now and was at the time of sign-
ing the same Clerk of the County Court of said County And as such
full faith and credit is and ought to be given to all of his official acts
Given under my hand and seal this 5th day of June 1823
Daniel Howe *[Signature]*

Kentucky Set:
I Achilles Sneed Clerk of the Court of Appeals for
the State aforesaid, being duly authorized by law to receive and
admit to record deeds and other writings in my office, do hereby
certify that the foregoing Instrument of writing purporting to be
a Copy of the last will and testament and Codicil thereto annexed
of William Preston Gentleman deceased, with the certificates thereto
annexed was produced to me in my Office in Frankfort the 23rd
of December 1823 and that the same is truly recorded.
In testimony whereof I have hereunto set my name the day and
year aforesaid
Achilles Sneed Clerk