

Maria 1 black when pack	7 ⁰⁰	
Eliza Roberts 1 pair butler	7 ⁰⁰	
David Davidson 1 brood cow	8 ⁰⁰	
Maria one red heifer	4 ⁰⁰	
Anthony Phillips one pair butler	7 ⁵⁰	
John Kelly a no white-cuckoo cow	10 ⁰⁰	
Mary one black	8 ⁰⁰	
Elizabeth one do	2 ⁰⁰	
do one do	3 ⁰⁰	
John Birmingham black black (pony)	1 ⁰⁰	
Wm. Miller one black black	1 ⁰⁰	
Richard Butler 1 large cow black	7 ⁰⁰	
do one small do	3 ⁰⁰	
Philip Prather 8 pigs	11 ⁰⁰	
Anthony Phillips 13 hogs first choice	18 ⁰⁰	
do 13 do 2 nd do	16 ⁰⁰	

Philip Prather Simon

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870 25

At a County Court held for Madison County on Monday the 4th day of December 1830 this will of David Davidson of said County being returned and ordered to be recorded and the same has been done accordingly

Attest David Irvine Clerk

In the name of God, I, Samuel Gilbert of the County of Madison and State of Kentucky being of an advanced age and conscious of the uncertainty of all subinary affairs and desiring that no part may arise on my family after my death whereby the property accumulated by a life industriously devoted to the interest of my children may be squandered in litigation so by this instrument which sheweth to be my last will and testament I make the following dispositions of my estate both real and personal. —

In the first place I desire that my executors after my decease, be bound in manner suited to my situation in life according to the custom of the Country. —

In the second place I direct all my just debts to be paid and my executors are hereby informed that those debts which I hope ~~and~~ will be but few, are to be paid out of the funds which may be on hand at my death or bonds and notes, or should both these sources fail or be insufficient, then they are to be discharged out of the other personal estate of which I may be possessed. —

In the third place I give and bequeath to my son

William Gilbert twenty six acres of land lying on the waters of muddy creek and County of Madison and bounded as follows, to wit: Beginning at an ash tree, at the old corner of the tract of land on which the said Samuel Gilbert now lives, thence with the old line North 15° West 134 paces to a large black locust tree thence North 77° East 90 paces to a white hickory and red haw on the bank of the fork thence South 80° East 34 paces to a black walnut tree, in the line of Samuel Gilbert's late home tract, thence with the line of Samuel Gilbert's late home tract South 18° West 134 paces to the corner of a tract in the old line thence with the same South 88° West 80 paces to the BEGINNING. —

I also give and bequeath to my son named John William Gilbert two Negroes named Gabriel and Cyprian. —

In the fourth place I give and bequeath to my son Samuel Gilbert twenty six acres of land, Beginning at a large black walnut tree on the road, corner to the late home tract of Samuel Gilbert thence with the old line and road North 15° West 90 paces to a hickory, a white oak, and sugar tree thence North 82° East 134 paces to a white oak tree, thence South 8° West 134 paces to a white hickory in the line of Samuel Gilbert's late home tract thence with said line South 88° West 87 paces to a big corner a white oak tree thence with another of his line South 18° West 32 paces to a black walnut tree in said line corner to William Gilbert thence with said line North 84° West 34 paces to a white hickory and red haw on the bank of the fork thence South 77° West 70 paces to a hickory said fork to the BEGINNING. —

I also give and bequeath to my before named son Samuel Gilbert two Negroes named David and Abby, and all the interest my said son has in the payment of two mules due to me from him the principal and interest of which amounting to \$158.00. —

In the fifth place I give and bequeath to my daughter Emily Clements a tract of land containing one hundred and thirty one acres lying on the said County of Madison and bounded as follows, to wit: Beginning at a hickory white oak and sugar tree in the old line thence with the corner North 15° West 134 paces to a white oak black oak and dogwood in our line thence North 80° East 34 paces to a white oak thence South 80° East 34 paces to a white oak corner to the land here be bequeathed to Samuel Gilbert thence with the line of the same South 88° West 80 paces to the BEGINNING. I also bequeath to my before named daughter Emily Clements two Negroes named David and America. —

In the sixth place I give and bequeath unto my son Stephen Gilbert a tract of land containing one hundred and thirty one acres lying in the County of Madison and bounded as follows, to wit: Beginning at a

Mary 1 black and white pack	7 ⁰⁰
Eliza Roberts, 1 pair hufes	7 ⁰⁰
David Leland and 1 brand cow	8 ⁰⁰
Mary and 1 pair hufes	4 ⁰⁰
John Phelps and 1 pair hufes	7 ⁰⁰
John Phelps and 1 white-backed cow	10 ⁰⁰
Mary and 1 pair hufes	8 ⁰⁰
Eliza Roberts and 1 pair hufes	2 ⁰⁰
John and 1 pair hufes	3 ⁰⁰
John and 1 pair hufes	1 ⁰⁰
Henry Miller and 1 pair hufes	1 ⁰⁰
Richard Butler and 1 pair hufes	7 ⁰⁰
Philip and 1 pair hufes	8 ⁰⁰
Anthony Phelps and 1 pair hufes	11 ⁰⁰
Anthony Phelps and 1 pair hufes	18 ⁰⁰
Anthony Phelps and 1 pair hufes	16 ⁰⁰

Philip Phelps and 1 pair hufes

At a county court held for Madison County and Monongalia County on the 18th day of December 1820. This case being called for the estate of Mary Edwards and was returned and decreed to be recorded and the same has been done accordingly.

Attest David Irvine Clerk

In the name of God, I, Samuel Gilbert of the County of Madison and State of Kentucky being of an advanced age and conscious of the uncertainty of all subinary affairs and anxious that no feud may arise on my death after my death whereby the property accumulated by a life industriously devoted to the interest of my children may be questioned in litigation so by this instrument which I hereby declare to be my last will and testament in which the following directions of my estate both real and personal.

In the first place I declare that my heirs, after my death, be bound as in and to my situation in life according to the custom of the Country.

In the second place I direct all my just debts to be paid and my executors are hereby informed that those debts which I owe and which will be but few, are to be paid out of the funds which may be my hand at my death, or bonds and notes, or should both these sources fail or be insufficient, then they are to be discharged out of the other personal estate of which I may be possessed.

In the third place I give and bequeath to my sons

William Gilbert twenty five acres of land lying on the waters of Mud Run and County of Madison and bounded as follows: Beginning at an ash tree, at the old corner of the tract of land on which the said Samuel Gilbert now lives, thence with the old line North 15° West 150 paces to a large black walnut tree, thence South 77° East 70 paces to a white hickory and red oak on the bank of the fork, thence South 31° West 80 paces to a black walnut tree, in the line of Samuel Gilbert's late home tract, thence with the line of Samuel Gilbert's late home tract South 18° West 130 paces to the corner of a large line of land, thence with the same South 88° West 80 paces to the BEGINNING.

I also give and bequeath to my before named son William Gilbert two negroes named Gabriel and Pompey.

In the fourth place I give and bequeath to my son Samuel Gilbert twenty five acres of land, Beginning at a large black walnut tree on the road, corner to the land hereby bequeathed to William Gilbert, thence with the old line and road North 15° West 90 paces to a hickory, white oak, and sugar tree thence North 82° East 150 paces to a white oak tree, thence South 89° West 150 paces to a white hickory in the line of Samuel Gilbert's late home tract, thence with said line South 89° West 80 paces to a white oak tree, thence with another of the line South 18° West 80 paces to a black walnut tree in said line, corner to William Gilbert thence with said line North 84° West 80 paces to a white hickory and red oak on the bank of the fork, thence South 77° West 70 paces to the BEGINNING.

I also give and bequeath to my before named son Samuel Gilbert two negroes named David and Nell, and all the interest my said son has in the payment of two or three acres of land from him, the principal and interest of which amount to \$1000.00.

In the fifth place I give and bequeath to my daughter Emily Clements a tract of land containing one hundred and thirty one acres lying in the said County of Madison, and bounded as follows: Beginning at a white hickory and red oak on the bank of the fork, thence with the same North 15° West 150 paces to a white oak tree, and a sapling in said line, thence North 89° West 150 paces to a white oak tree, thence South 89° West 150 paces to a white oak tree, corner to the land hereby bequeathed to Samuel Gilbert, thence with the line of the same South 88° West 150 paces to the BEGINNING. I also bequeath to my before named daughter Emily Clements two negroes named David and America.

In the sixth place I give and bequeath unto my son William Gilbert a tract of land containing one hundred and thirty one acres lying in Madison County and bounded as follows: Beginning at a

white oak black oak and cypress, corner to the land
belonging to my daughter Emily. Beginning thence
with the old line North 110° West 63 paces to a small white
oak the old corner thence with the old line North 58° East
91 paces to a hickory sugar tree, and then pointing with the same
to the old corner thence North 20° West 87 paces to a stake
in the water thence North 27° East 29 paces to a stake thence
North 6 paces to Robert Fleming's death, most corner, a
white oak thence with the line of William Green East 73 paces
to a stake in the line of a line, thence with the same South
21° East 121 paces to a stake in a stream with several pines
thence South 89° West 119 paces to the Beginning.

I also give and bequeath to my son Stephen Gilbert two Negroes
named Coker and China.

In the ninth place, I give and bequeath to my daughter
Fanny Smith a certain tract of land lying on the adjacent
county of Madison and bounded as follows, that of Beginning
at a white oak and small hickory corner to the land formerly
belonging to my son Samuel Gilbert, and in the line of
Samuel Gilbert's former tract, thence with the same North
28° East 190 paces to a stake in the line thence with
the same North 20° East 67 paces to a stake in the line
thence with the same South 89° West 123 paces to the corner
between said three with another of the old line North
3° West 123 paces to a stake and pointing thence South 27° West
53 paces to the old line of the line thence South 3° East 123
paces to the old line North 27° East 87 paces to the Beginning
and containing one hundred and twenty acres.

I also give and bequeath to my daughter
Emily Smith one Negro named China.

In the eighth place, I give and bequeath to my daughter
Fanny Smith a tract of land containing one hundred
and twenty three acres lying on the water of Madison creek
in the county of Madison and bounded as follows, that of
Beginning at a white oak corner thence with the same North 3° West 123 paces to a white oak corner to
William Green's line with his line East 127 paces to a white oak
corner thence South 8° West 73 paces to William Green's corner
and thence with his line South 2° East 75 paces to
Shirley's old line, thence with the same South 89° West 123 paces

to the Beginning.

I also give and bequeath to my son Stephen Gilbert two Negroes named China and Coker.

In the tenth place, I give and bequeath to my daughter Emily
a certain tract of land lying on the water of Madison creek in
Madison County and bounded as follows, that of Beginning at a white
oak corner standing near a post and corner to the land of
William Green thence North 28° East 66 paces to William Green's line, thence
with his line South 2° East 123 paces to Shirley's old line, thence
with the same West 75 paces to the old line of Shirley's tract
thence North 123 paces to the Beginning. — I also give and bequeath
to my said daughter Emily a certain tract of land lying on the water of
Madison Creek.

In the tenth place, I give and bequeath to my daughter Emily
Burgess a tract of land lying on the water of Madison Creek in
Madison County containing one hundred and thirty three acres, and bounded
as follows, that of Beginning at a stake with pointing corner to the line of
Shirley's tract thence with the line West 123 paces to the corner of the line
of the line, and hickory, in the line of the line thence with the same North
3° West 123 paces to the corner a hickory thence with another of the line
West 75 paces to the line of the line thence with Shirley's line South 89°
West 23 paces to the corner a red oak tree, thence with his line West
75 paces to a white oak in William Green's line, thence with the
same South 2° East 123 paces to the Beginning.

I also give and bequeath to my daughter Emily Burgess one
Negro named Lucy and China.

The bequest made in this my last will to my sons, William Gilbert
Samuel Gilbert, and Stephen Gilbert, and to my daughter Emily
Smith, Fanny Smith, and Shirley Smith, and to my daughter
Emily Burgess, I hereby again bequeath to them, my sons, and
daughters, all property which I have heretofore given them,
and I further direct that none of my before named sons or daugh-
ters shall be entitled to claim or receive any other part or portion of
my Estate than the lands bequest and property before mentioned.

The remainder of my Estate both real and personal, not hereby bequeath-
ed and so the residue which I may hereafter acquire, or be entitled to
at my death, whether the same may consist of lands, negroes, stock or
other property, or of debt due from others, I reserve of as follows

133 This is I give and bequeath to my beloved wife Luannah Gilbert, all the estate of whatever kind it may be, of which I may be possessed, or which I may be entitled to claim or receive, for the following purposes, that is, to support my said wife, and for the support and education of my sons, James John Gilbert and Joseph Rice Gilbert, under the direction of this will, until they shall arrive at the age of twenty one years, and should both or either of my said sons, after they shall arrive to the age aforesaid, think proper to make a division of the property here by my will bequeathed to their mother and themselves, I hereby will and direct, that they or either of them shall be entitled to receive one hundred acres each, part of the same tract, or on the tract of land on which I now live; also two negroes and good horse, bed and furniture and such other articles as may seem to me proper, and at the death of my said wife all the property of every description given by this will to my said wife to be equally divided between my sons, James John Gilbert and Joseph Rice Gilbert share and share alike except two negroes named Joe and Lucy, which two negroes I give and bequeath to my said wife Luannah, as her own separate property and to be disposed of at her death in such manner as she may think fit and should other my sons, James John Gilbert, or Joseph Rice Gilbert, are before they arrive to the age of twenty one years, or have together in that or that part of my estate, twenty seven hundred and thirty six acres, and should both or either of them die without leaving in either of them, in that respect the property hereby bequeathed to them, or either of them shall belong to my wife Luannah Gilbert for her life and at her death shall be divided among all my children share and share alike, or among the heirs of such as have been deceased according to the intent that their father or mother would have been entitled to if they had lived.

My will and desire being to dispose of my property in such manner as might prevent all disputes among my children for my death to effect which, and to prevent any litigation among my family I direct as follows. That should any part of

134 this will appear confused, or not so expressed as to be perfectly understood by all those interested therein, my will and desire is that each part may be left to the determination of Humphrey Jones, John Spud Smith, and John Patrick who shall, by an examination of my will, have all the power that any court in this town may with full power to decide upon the meaning and intention of this will and testament, and the decision of the said commissioners or the decision of a majority of them shall be taken and considered as my last will and testament, and being obligatory upon all my executors respecting any clause or portion of this will which may be necessary to be done.

I also will and direct that should any of my children after my death attempt to go into court for the purpose of disputing or setting aside any clause of this will, in opposition to the decision of the aforesaid Humphrey Jones, John Spud Smith and John Patrick, to whom I had to be the settlement of all disputes should any arise, in that case, I hereby declare that any of my executors who might attempt to dispute the decision aforesaid shall on that day forfeit all claim to any property I may have given to such person, and the estate shall revert to my other children and be divided among the whole of them, share and share alike.

I hereby constitute and appoint my beloved wife Luannah executrix and my friend William Beattie executor of this my last will and testament. In testimony whereof I have hereunto set my hand and seal this 2nd day of September 1820. Samuel Gilbert.

Samuel Gilbert
John Brooke
Jas. O. Briggs

He who took the above from the book.

I David David Clerk of the Court of the County of Essex do hereby certify that at a lawful Court held for the County on Monday the 1st day of January 1821. This instrument of writing was produced in open Court and proven to be the last will and testament of Samuel Gilbert deceased by the oath of James O. Briggs and Anthony M. Polling both subscribing witnesses thereto and ordered to be recorded and the same has been done accordingly. That David David Clerk of the Court.

