

North 44¹/₂ West 45 poles to the Begin-
ing to include fifty two and three fourth acres
and personal property as followeth (Viz) One
Cow and half one bed and furniture one table
one floor wheel five Chairs farming uten-
sels Peter Coopers Ware tea Ware Coffee
Mills Books knives and forks Plow gears
Pot mettles & bedstead the whole appraised to
£18 6 6 also One bay mare 3 Sows one
Cow & one tub to the amount of £31 12 also
the Guardians bond for £87 8 the whole
amounting to £58 6 2 the above agreed
to by the parties Concerned Given under our
hands this 30th day of July 1798

Lewis Bullock

Peter Davis

At a Court held for Mason County the
24th of Sept 1798 This Assignment of the dower
of Milley in the Estate of Gabriel Philips
Dec'd her late husband was returned & or-
dred to be Recorded

Teste Tho^s Marshall Jr. Cmg.

399 By Virtue of a Commission to us John John-
ston and Miles W Conway ^{directed} together with John
Machin from the County Court of Mason Author-
izing and requiring us or any two of us to take de-
positions tending to establish the boundaries of the
Special Calls of a preemption granted by the Court
of Com^{rs} to John Sinner and entered Surveys
& Patents to Joseph Willson we have this the
20th day of Sept 1798 assembled ourselves at
a Spring near to the home of John Taylor and
there being produced to us three successive papers
of the Kentucky Gazette by which it appeared
to us that the time and place of our meeting had
been duly advertised we proceeded to Examine
Bartholomew Fitzgerald who being of full age
and first sworn deposed and said that in
February 1776 this deponent with John Sinner
rel. and others came to the mouth of Mill Creek
with an intention to build cabins & make
improvements that it was the duty of this depon^t
(attested to him by the Company) to mark the
places where the improvements were to have
been made, that in pursuance of that duty
he marked on Mill Creek the spot marked (2)
in the annexed plate and shewn by him to
Miles W Conway that he also marked the
spot marked in the annexed plate with

28 North 14 1/2 West 45 poles to the Begin
ing to include fifty two and three fourth acres
and personal property as followeth (viz) One
Cow and calf one bed and furniture one table
one flax wheel five Chairs farming uten
sils Peter Cooper Ware tea ware Coffee
Milk Books knives and forks Plow gears
Pot mettles & bedstead the whole appraised to
£18 6 6 also One bay mare 3 Sows one
Cow & one tub to the amount of £31 12 also
the Guardians bond for £8 7 8 the whole
amounting to £58 6 2 the above agreed
to by the parties Concerned given under our
hands this 30th day of July 1798

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24th Sept 1798 This Assignment of the dower
of Milley in the Estate of Gabriel Philips
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399 By Virtue of a Commission to us John John
ston and Miles W Conway ^{directed} together with John
Machin from the County Court of Mason County
reizing and regreiving us on any two of us to take de
positions tending to establish the boundaries & other
Special Calls of a preemption granted by the Court
of Comrs to John Sinnerel and entered Surveys
& patented to Joseph Willson we have this this
20th day of Sept 1798 assembled ourselves at
a Spring near to the home of John Taylor and
there being produced to us three Successive papers
of the Kentucky Gazette by which it appeared
to us that the time and place of our meeting had
been duly advertised we proceeded to Examine
Bartholomew Fitzgerald who being of full age
and first sworn deposeth and saith that in
February 1776 this deponent with John Sinnerel
and others came to the mouth of Mile Creek
with an intention to build cabins & make
improvements that it was the duty of this depon
(attested to him by the Company) to make the
places where the improvements were to have
been made, that in pursuance of that duty
he marked on Mile Creek the spot marked (2)
in the annexed plate and shews by him to
Miles W Conway that he also marked the
spot marked in the annexed plate with

200 the figure (3) as being the place where and
the improvement was to be made that he as-
sisted in making the lower improvement which
was for John McGrew that the Company
always told him they had built a Cabin
at or near the spot marked (3) in the plan
and that that Cabin was also for John
McGrew but this depo was not present when
the last Cabin was built that he always
understood that Simerel had two improvements
near above McGrews he well recollects to have
been with Simerel at at this Spring at that
time that he thinks there was a deadening
and that an Ash tree worked IS at the
Spring which letters are now visible and the said
Simerel told this depo: that that was his im-
provement but in consequence of his being other-
wise engaged he this depo did not assist in
making the improvement (Ques) by Duval
Payne can you point out the place where
the improvement now about to be established
or any other of Simerels was built (Ans?)
he told me this at this Spring was his the
and the Company built one for him near
the mouth of this branch but I do not

201 know that I could now find it (Ques) what time
in the year was it that this improvement was made
Ans? I had thought it late in January but the
Company who kept a Journal told me it
was in February 1776 (Ques) did your Compa-
ny keep keep to gather hickory here improving
Ans? (Yes) ~~Ques? I am not sure~~
~~was place improved for~~ (Ques) you were
never here improving that once (Ans?) no never but
once (Ques) did you point out this Spring as a
place to improve at (Ans?) no I never saw this
place till Simerel showed it to me and he has
then improved it and said he meant to live here
(Ques) at the time Simerel showed you this im-
provement were the marks new or old (Ans?)
they were new and just made and all the Com-
pany admitted the improvement was Simerels
none of them claimed and Simerel boasted a
great deal about his Spring Ques do you
know Simerel made this improvement (Ans?)
I have already ^{observed} ~~observed~~ that I was engaged
otherwise but when the Company met of nights
it was the Subject of Conversation what im-
provements fell to each individual and this
place was given up to Simerel and known
in the Company by the name of Simerels
big Spring but I did not help to make
the improvement I did not see it made

2 nor did I see Simere work at it (Quest)
do you know where McGrews improvement
was made (Answer) I was not pre-
sent when it was built but I marked in that
Small flat opposite or nearly opposite to Richeys
distillery and the Company told me they
had improved there but the Company did
not always improve at the precise spot
marked they were regulated by the convenience
of the logs and farther this depts Saith
not

Sworn to before Bartholomew Fitzgerald
as two of the Comrs
John Johnston
Miles W. Conway

We John Johnston & John Machir two of the
Comrs in the Case aforesaid have also caused the depo-
sition of Miles Wilkins Conway of full age
to be taken at the time and place aforesaid
and in the Case aforesaid this depts Saith
having first been sworn that he has ex-
ecuted a Survey on the grounds alluded to in
the Depo. of Bartholomew Fitzgerald that the
Annexed plat and the references represent

403 that Survey and that the figure (2) represents
the Spot shown by him to this depts as being
pointed out to the Company by him for them
to build a Cabin at and assisted in build-
ing a Cabin at for McGrew and the figure
(3) being nearly opposite to Richeys distillery
is the Spot said by the said Fitzgerald to
have been pointed out as the place to build
another improvement for said McGrew
and for this depts Saith not

Sworn to before us } Miles W. Conway
the Comrs aforesaid }
John Machir
John Johnston

We have also taken the deposition of
James Farley of full age at the time &
place aforesaid in the Case aforesaid who being
first sworn deposes and Saith that he
was among the first persons who settled
in the small flat opposite distillery of
Adam Richey and marked in the An-
nexed plat with the figure (3) that when
he settled at that place there was evident
marks of there being an old improve-
ment at that place but he does not
know by whom it was made