

187. State of Kentucky }
 Mandamory County } 3rd October Court 1825.

A Sale Bill of the estate of James Wells deceased was returned and examined by the court and ordered to be returned which is duly done in this office. Attest

W. Harrison clk

Dudley Long
 Mandamory County 1825. We the undersigned commissioners have met Thomas M. Hart and Elizabeth James Adams of Dudley James deceased for the purpose of adjusting the estate of said James deceased and will find that they have produced vouchers and receipts to the amount of said estate as follows (viz)

Thomas M. Hart services as adme	1	50
To cash for recording deed	1	50
To do allens paid for brood	6	00
To sewing thread	1	00
To dooms Bill	25	37 1/2
To receipt from Harrah for coffin	6	00
To receipt from Porter	2	00
To note on Bagby	59	87 1/2
To Taxes paid	1	50
To shiffs receipt	1	62 1/2
Ditto	0	37 1/2
Ditto	0	43 1/2
Ditto	0	43 1/2
Ditto	2	24
Ditto	1	00
Ditto	7	16
Support of <u>Sanction</u> James 2 years	12	00
Ditto Allen 2 years	12	00
James James 2 years	12	00
Larisa James 2 years	12	00
Pally James 2 years	12	00

Given under our hands this 3rd day of October 1825.

State of Kentucky }
 Mandamory County } 3rd October Court 1825.

A report of the commissioners returned as appraised the estate of Dudley James deceased upon the day produced in court examined by the court and ordered to be recorded which is duly done in said office. Attest

W. Harrison clk

John Payne of the County of Mandamory

and State of Kentucky, being in my common sense, and at the time in the exercise of sound and disposing mind and memory and understanding, as at any other period of my life - Contemplating the certainty of that inevitable decree of my great Creator in records which cannot be misunderstood, and which small ages, experience, promote to be true "Dust thou art and into dust thou shalt return." to which sentence, I believe that myself and all the human family must submit, and I desire to do so, with entire resignation, whensoever in his pleasure he shall execute that Decree against me, which time, cannot be many years, months, or days distant from the present period - Believing, as I do, that it is a duty due and ought to be complied with by me to my Creator and to those who he hath placed under my care, within record to settle my temporal concerns, as completely as I can, while I possess life, health and understanding, I do therefore make and publish this my last will and Testament in manner and form following, that is to say, The first regulation, and which I first wish to be known, is to be plain by a just inventory of all the personal property which it has pleased the great giver of every good and perfect gift to place at my disposal, which is as follows in manner and form following - I possess the following personal property, exclusive of my personal lands and estate contained in the following inventory, and it is to be understood that I shall name my Negro Slaves by families, and those next who have no family, individually, as the first item, and the balance of my personal estate will follow in succession, annexing my judgment of the value of said Slaves by families, and the value of those named individually, and also the value of other articles of property, to wit, -

1st Family of Negroes - George, Connor, his wife, his childrens names, July, Nelson, Eliza, Stephen, Caroline, and Thomas, appraised to \$1800 - In Gold or Silver

2nd Family of Negroes -

1st Family of Negroes - His wife, her children names are
 Jimmy, Samuel, Moses, Percy, Smith, Sam, Peter, Mary and
 Virginia the younger appraised to \$3000 in like money \$3000-00
 2d Family of Negroes - Sam, and his son Henry
 appraised to \$600 in like money 600-00

4th Family of Negroes - Toby, and his daughter
 and his children names are, Tommy, David, Polly,
 and John appraised to \$1150 in like money 1150-00

5th Family of Negroes, Fannie, daughter of Jacob
 Sam, his children names are, Charles and Emily
 appraised to \$750 in like money 750-00

Individual Negroes, having no families which
 I own (twelve) appraised to \$400 in like money 400-00
 Harry appraised to \$400 in like money 400-00
 Solomon appraised to \$200 in like money 200-00

Charlotte, appraised to 400 in like money 400-00
 Equire, old man, appraised to \$500-00 500-00

Total valuation of thirty four Negroes and
 \$7700 in like money

Silver Plate (twelve)
 One Silver Pitcher engraved with the letters J.P.
 value at \$80 in like money 80-00

One Silver Tea pot, engraved with the letters J.P.
 value at \$75 in like money 75-00

(The foregoing appraisement brought over \$7955)
 One Silver Can engraved with the letters J.P.
 appraised to \$30 in like money 30-00

Two Silver Tumblers engraved with the letters P.
 value at \$25 in like money 25-00

One Silver Cream pot, engraved with the
 initials of my Father & Mother names E. & P.
 value at \$15 in like money 15-00

One pair of Silver Sugar tongs engraved
 with the initials of my Father & Mother names
 E. & P. which was one of Silver brought from
 England by my Grand father, Connors, on my
 Mother side, value at \$4 in like money 4-00

One Silver Spoon engraved with the letters J.P.
 value at \$20 in like money 20-00

One dozen Silver Table spoons engraved with the letters
 J.P. value at \$40 in like money 40-00

One dozen Silver Tea spoons engraved with the
 letters J.P. value at \$12 in like money 12-00

Two cream spoons engraved with the letters
 J.P. value at \$5 in like money 5-00

The whole amount of plate value at
 \$309

Pieces of Furniture (twelve)
 Two Bedsteads, one with glass mounting
 and the other with brass - the glass
 mounted at \$75 the other with brass mount-
 ings at \$15 in like money 40-00

One Side board value at \$100 in like money 100-00

Two Presses value at \$10 each in like money 20-00

One Cupboard with oak and glass doors
 above, value at \$20 in like money 20-00

One Secretary, with glass mountings value at
 \$30 in like money 30-00

Two high Tables, one Walnut, the other of
 Cherry value at \$10 each in like money 20-00

Two half round tables of Cherry value
 at \$6 each in like money 12-00

One case of drawers, Walnut, Old fashioned
 mountings, and the first piece of furniture
 made North of the Kentucky, within the state
 value at \$15 in like money 15-00

Four Looking glasses, two of which large
 gilt value at \$15 each the other two value
 at \$5 each in like money 40-00

One Sugar Cask value at \$4 in like money 4-00

Two pair of Brass candle sticks value
 at \$12 in like money 24-00

Four pair of Steel tongs value at \$1 in like money 4-00

One eight day clock value at \$100 in like money 100-00

Two round Walnut Tea tables value at \$12
 each in like money 24-00

Ten Beds, twenty pair of sheets, twenty pair of
 pillow cases, twenty Coverlets of Cotton and

Upon, ten pair of blue keds, ten Bersteads
two sets of ladies curtains, four white (cotton)
curtains, all of which are valued at \$500, in like money \$ 500-00

Four French, valued at \$15 in like money 15-00

Twenty four Windsor chairs, twelve of which
cushioned bottoms, four Armchair chairs, two
of which cushioned bottoms, two flag chairs
and one settee, valued at \$70 in like money 70-00

Three Turkey Carpets, valued at \$60 in like money 60-00

Three domestic Carpets, valued at \$30 in like money 30-00

Six Japan and gilt lacation, valued at \$20 in like money 20-00

Four dozen of knives and forks, two dozen of
which are silver handled, with carving knife
and fork, the silver valued at \$40, the other

two dozen, with horn or bone handles, with
one steel, valued at \$10. in like money 50-00

Books-

Two Bibles, twelve Vol. American State Papers

eight Vol. Spectator, twenty five Vol. British

Prose, two Vol. of the London history, three

Vol. of Josephus, twelve Vol. of a Nicholson's

Encyclopedia, Thompson on the Seasons, Plain

Lectures, two Vol. on Bucken, the other

Thomas, on family Medicine, Lething and

Commings geography, and two Atlases, two

Distances, one American the other Walker,

from 1800. One the Youngs Practice works,

Three Bagatelles, one American the other Brooks,

Six bound volumes Ky Laws, one Vol.

of Constitutions, containing the U. S. Con-

stitution, and of each state, one Vol.

of Jeffersons notes on Vir. March 1800

One Vol. of Murray's grammar

One Vol. Concordance of the Holy Scrip-

tures - One Vol. of Shalons & Spiritual

Songs, One Vol. the other Piffon

One Vol. the Clocks Magazine, One Vol.

of Dr. Romneys History of the American

Revolution, One Vol. of Dialogues of Swift,

Belshazzers Sweetmeats, McLanns & Sharp, also

a number of pamphlets upon on various
subjects - the whole of the books, valued at
\$100 in like money 100-00

One gold watch valued at \$60 in like money 60-00

One Set of Black Smiths tools, Valued at \$100 in like money 100-00

One Copper Still, Capacity eighty gallons, and 30 lbs

heads and barrel, valued at \$100 in like money 100-00

One four wheel riding Carriage, valued at

\$300 in like money 300-00

Six and iron, valued at \$12 in like money 12-00

One Short Cane tong, polished steel valued at

\$10. in like money 10-00

Kitchen and Dining furniture

Three 18 Gal. Kettles, two 10 gal. do, one 10

gal. do. one 10 gal. pot, three ovens, three

pot, three Skillets, and one brass do, three

pair of pot hooks, two pot racks, two

tea Kettles, two Coffee Mills, one pair

of tongs, spits and shovel, two Coffee

bricks, two washing tubs, Six pails and

buckets, twelve tin gal. pans, two paste

boards, four milk pails, one pair of and

iron, one pair of flat iron, Six butter

pot, four pressure pots, valued together at

\$40 in like money 70-00

Plantation utensils

Eight pious, one Iron tooth saw, one

wooden horse, two Spades, three grubbing

hous, three narrow axes, One horse saw

One hand axe, three pair of iron wedges, one

claw hammer, one Whip saw, One cross

cut saw, one hand saw, one tenon saw,

four planes, two drawing knives, four chisels

four screw augers, two Stone hammers

One a Slog, one Crowbar, one log chain

all valued together at \$100 in like money 100-00

One Corn, Glays and other maps from 3 to

10" valued at \$20 in like money 20-00

One Cooper, ady. Crow, Compass and some

valued at \$5. in like money 3-00

Two pair of Scales, one pair of Scales and

weights, one pair of money scales, and weights

And one hundred, valued at \$20-00
 This pair of Spectacles, One Silver frame, the
 other steel frame valued at \$7 in like money 7-00
 One double barreled, London Chat gun,
 powder horn and shot pouch, brass
 mounted valued at \$25 in like money 25-00
 One pair of Silver mounted, rifled barrels
 pistols, moulds, and scipers valued at
 \$50 in like money 50-00
 One Mignon t gear, valued at \$50 in like money 50-00
 One On cart valued at \$30 in like money 30-00
 Two Yokes of Oxen & Yokes, valued at \$40
 each in like money 80-00
 Forty head of cattle, valued at \$30 in like money 300-00
 Fifteen head of horses, valued at \$60 in like money 600-00
 Fifty head of Sheep valued at \$50 in like money 50-00
 One hundred sheep of dogs valued at \$100 in like money 100-00
 One pair of silver shoe buckles, formerly owned
 by my mother, Ann Holland Payne, one pair
 of Silver buckles valued at \$8 in like money 8-00
 China, Liverpool and glassware valued at
 \$50 in like money 50-00
 Total amount of the above named property \$1145-00
 \$1145-00

I may have overlooked sundry articles of
 property which my Ex. Executor named is requested
 to make out a full Inventory of the same, together
 with all increase of personal property, annexing by
 his own judgment the valuation thereof, and also an-
 nexing thereto due which may be found, every
 species of which property at my death, not included
 or named in the foregoing Inventory, I request and
 desire may be inventoried as aforesaid.

My wish and desire is to dispose of the above
 property in manner and form following. (To wit)

First, my wish and desire is, that all my just
 debts be paid forthwith with promptitude out of the
 above named property. — V. Then, my wish and

desire is, that my wife Ann Payne have her thirds
 out of the above named property, and out of my
 lands, in manner and form following (to wit)

First, the thirds of my land I propose, to be laid
 off in the following form (to wit) (Beginning at the
 North East corner of the Old part of my dwelling
 house used as a Kitchen, to run thence East such a distance
 as a due South course will take one third part of the
 apple Orchard, having no regard to the four frontons
 in the Garden, which South course is to be continued
 until it strikes the line, on the East boundary of my
 land, thence with the same so far as to include one third
 of my lands, which lies west of said line, so as a line
 to include to include said quantity, will strike the South
 West corner of my dwelling house, thence from said
 corner East with the wall of said house to the Old part
 of the building, thence through the said house North, with
 the partition wall, to the North wall of the Old, thence East
 with the wall of said Old to the Beginning. and if on run-
 ning this last line, of the above thirds of my lands, should
 include the spring or family spring, I wish it, the said line
 so altered with an angle as will leave one half of said
 spring to the North of said line. The other part of my
 dwelling house is reserved exclusively for the use of my
 daughter, Ann Holland Payne, &c. But if my said
 wife shall not be pleased to live or dwell in that part
 of my dwelling house, included in the above named thirds
 of my lands, my will and desire is, that no other per-
 son or person shall occupy the same, but my said
 daughter, Ann Holland Payne. And my wish and
 desire is, that my said wife to take her thirds of the
 Negro slaves which may remain, after taking out back
 of them as may be hereafter disposed of, and my wish
 and desire is that my said wife thirds of all my plate
 shall be made up to her in other property — the said
 plate above named, being family pieces, engraved
 with the initials of my said daughters, grandfathers,
 grandmothers, her Father and Mother names, my own
 and desire is that the whole pieces of said plate shall

he reserved for the exclusive use of my said daughter
Ann Holland Payne, as I presume that no other
person or persons could not reconcile it, themselves to
use said plate to his disquietude or transmit any part
thereof to any other family. And my wish and desire is
that my Clock, Side Board, Book case, Secretary, the
Dining Room table, and the two round Dining Room
Tables, and all my books, be reserved for my said daughter
use only, and that my said wife thirds of the furniture
be made up, out of the balance of the furniture, all the
other things of my personal estate will follow without dis-
crimination. And my wish and desire is, that no part of my
said wife's things shall be removed off to any other place, than
within the bounds of her thirds of land above named, hoping
and believing that my wife will do to my daughter, as I
have done to her Children, not to use or convey from
them, any portion of property, which then fallen pro-
vided for them.

4th Item. My Brother Jimmy's Children, Edward, Ann
Payne, Calais Payne and George Rex Payne, have
been placed under my care and direction. I have con-
sented, and hope for their welfare and promotion in
life, and have used the best that I could to protect
from a misapprehension of their personal property, which then
fallen left to them, and I have reserved a balance at
my death out of the land, which my books will show
and my wish and desire is, that my said wife should
in settling the same, do this for purposes, such as they the
said Children, of my said Brother will, or such as they
take their equal (mole) out of the following Negroes, as a final
settlement, and as a testimony of my respect for them, that
my wish and desire is, that the above named family of
Negroes, (first) George and Conna his wife, and his Children
Judy, Nelson, Eliza, Eliza, Emeline and Thomas, and their
increase. This legacy is left to my said Brother's Children upon
the express Condition above stated; but if either of them object
to accepting the same, that one is to have no part thereof
of said Negroes, then of them who may be pleased to accept

1st Item. I give and bequeath unto my said daughter Ann
Holland Payne, she being my only child, the whole of
my tract of land on which I dwell, containing about
three hundred or one thousand acres, be the same
more or less, to her the said Ann Holland Payne
and after her natural life, my will and desire is that
the said land be equally divided, in equal portions
amongst her Children, and if she has no Children
then to such person as she shall please to give the same.

5th Item. I also give and bequeath unto my said daughter
Ann Holland Payne all the above named Negro Slaves,
excepting those left for my Brother Jimmy's Children
as above named, and all the other above named
property, together with all increase of property, real and
personal, which I shall have right and title to at my
death, whensome it may be found to be the said Ann
Holland Payne, and after her natural life to be disposed
of as I shall direct. Now my land shall descend to her
Children, and in case she has no Children, she may give
it to any person or persons, that she shall think proper.
But nothing in this will shall be so construed, as to
prevent my said daughter, Ann Holland Payne, from
emancipating of any of those Negro Slaves, she shall
prop. propit, who for their faithfulness to her or to me.
Nor shall any part of this will be so construed, as to
prevent my said daughter Ann Holland Payne from
selling any one of said Negro Slaves, who may prove
disobedient to her.

6th Item. My will and desire is, that there shall be no
further appraisement of my personal estate shall be
made, but such as I have above provided for, and
my said Executor shall choose to have the same valued
at the law direct, which may become necessary.

7th Item. My will and desire is, that my Executors shall
sell such articles of property in their judgment is most
liable to waste.

8th Item. My will and desire is, that the first named
Executor shall have the sole management under this
will, if he well qualify; if not, the next named

1833. The above is a true and correct copy of the
will of my said father, as given to me by him.
July 1st 1835. Ann Holland Payne

Executor and so on, so as to have but one acting executor at one time. I have the promise of the said named that he will act, and I have confidence in the other that he will act, if the first is prevented by death or other disability.

And lastly, I do hereby constitute and appoint my much esteemed friends, bel. James Mason & Capt. of Michigan Harrison to be sole Executors of this my last Will and Testament to act, one at a time, in the Order above directed, revoking and annulling all former Wills by me heretofore made, ratifying and confirming, this, and none other my last will and Testament.

In Testimony of which, I have hereunto set my hand and affixed my seal, and in Testimony that the whole of this Will and Testament, is written with my own hand this fifth day of February, in the Year of our Lord one thousand eight hundred and twenty four. —

Signs, sealed, published and declared by John Payne, the above named Testator, as and for his last Will & Testament, in the presence of us, who at his request, in his presence and in the presence of each other have subscribed our names as witnesses thereto. —

James Thomas
John Mason Jr.
Elkanah Smith
John B. McIlwain

The following is a further arrangement which I have this 15th day of August 1825 made to this my last Will and Testament, and is hereby annexed as a part thereof, and an additional Item. —

I the said John Payne and again, that my Nephew Orlando Payne shall receive, four of my Slaves to be valued at Eight hundred dollars by my Executors. Charleston, where George R. Payne shall

receive four of my Slaves to be valued by my Executors at Eight hundred dollars, and to be chosen by them from among any of my Slaves, except Fannie, Charlotte and their children. In Testimony of which last Item, I have hereunto set my hand, and again affixed my seal the day and date above written.

Signs, sealed, published and declared by John Payne, the above named Testator, as and for his last Will and Testament, in the presence of us, who at his request, in his presence and in the presence of each other, have hereunto subscribed our names as witnesses.

John P. Harrison
Benjamin Garrett

At a Court held for Montgomery County the 30 day of October 1825

James Mason produced in Court the foregoing instrument of writing, purporting to be the last Will and Testament of John Payne deceased which was proved by the oath of Elkanah Smith one of the Witnesses thereto subscribed, and the after part of said Will, or Codicil, proved by the oath of John P. Harrison, one of the Witnesses thereto subscribed, and the same is ordered to be recorded. — The said James Mason, one of the Executors therein named, qualified thereto according to law, and who together with Benjamin A. Lister and Reuben McDaniell his securities entered into and acknowledged their bond in the penal sum of Twenty four thousand dollars conditioned for the true and faithful administration of said Decedent's Estate and performance of his Will, and thereupon Probate thereof is granted him in due form of Law. — (The foregoing Will is entered of record in the same manner, in which it presents itself on the face, with Erasures and mutilations, and Marginal note of the Testator.)

John P. Harrison Clerk
Montgomery County