

In the Name of God Amen I Jesse Benton of the County of
Orange and State of North Carolina, do make this my last
and Testament in manner following (to wit) Whereas I have
before purchased of Col^d David Hart of Caswell County
one moiety of his Sixteenth part of two hundred thousand
Acres of Land granted by the Assembly of Virginia to
Richard Henderson & Company as tenants in Common
Situate on the Ohio and Great Rivers, which said moiety
containing by estimation, six thousand two hundred
fifty Acres, be the same more or less, I afterwards sold
Capt. Nath^l Hart, late of Kentucky, deceased and have
received the Consideration agreed on for the same, but
not made any title in Law to the said Nathaniel for
said premises. I do therefore Will and devise all my
in the said Lands to the Devisee here or assigns of the
said Nathaniel in his life time, if any such descent
and if not then to the heirs at Law of the said Nathaniel
according to the rules of legal descent to the use of the
said Devisee, heirs or assigns of the said Nathaniel
forever. And do request that the said David Hart, may
execute a Deed or Deeds for conveying the said Lands
accordingly if necessary. I Will and Devise my
Plantation called the meadow place which I purchased
of John Kitzmiller on Elk Gowers Creek in Orange Co.
to my beloved Wife Nancy, to her and her heirs and
assigns forever, which said plantation contains by
estimation two hundred and thirty Acres, be the same
more or less I also Will to my said Wife, three Negroes
(to wit) Jack, Phillis and Rose, together with all my
Stock of Horses, Cattle, Sheep, Hogs and fowls, such
as many of my Horses as my Executors may think
necessary to sell and dispose of, receiving a sufficient

Sum for my said Wife, also all my household & Kitchen furniture
Lute Naggon, gear and all my plantation utensils, Meat
Corn wheat and forage on hand at the time of my decease and
also one hundred pounds current money to her and her heirs
and assigns forever. I Will that when the first of my
Children come of Age or either of them or arrive (which ever
first happens) that all the rest of my Negroes may be
divided by two respectable freeholders, and put into as
many lots as there may be of my Children then living, so
as to make said lots of Negroes as nearly equal in value
as may be, and the said lots be drawn by my said
Children or some Judicious person in a fair and equitable
manner, and that each of my said Children shall have
such lots so drawn for them, to them their heirs and
assigns forever, but whereas some of the lots so laid
off may be of more value than others, it is my Will
that those of my Children drawing such lots shall pay
unto them a Sum of money sufficient so as to make all
the lots or shares of equal value.

But it is nevertheless my
Will and desire that my said Wife shall have the benefit
of the work and labour of all my Negroes in consideration
of her cloathing and boarding my said Children, and
also for her cloathing, feeding and paying taxes for
said Negroes, until the marriage times of Marriage
or coming to full age of my said Children, and it is
also my Will and desire that my said Children may all
receive reasonable education at the expense of my Estate,
and that my Sons may at all events be taught the English
language as perfectly as may be found necessary.

And in order to establish a fund for the payment of
my Debt due Col^d Thomas Hart of Maryland and
William Cain and Company of the town of Hallowborough

and other Creditors of any, It is my Will and desire that
my Executors collect the Debts due to me by Bonds, Notes
or otherwise as far as may be in their power, and
disposed of my Law Books, and it is also my Will
and desire that my Executors or a majority of them
or survivors of them do as soon as may be convenient
and necessary sell and convey (and make and
execute a Deed or Deeds in fee simple) my estate
and plantation called Northford, or the estate and part
of the Land, or such other of my Lands situate in
Orange County aforesaid, or all or any part of my
Lands on the Western side of the River Mississippi, or any
other Lands I may be possessed of or entitled to at
the time of my decease at their discretion sufficient
for the purposes hereafter mentioned, that is to say
for the payment of my Debts the legacy before mentioned
to my Wife, my funeral expenses, and reasonable
allowance to my Executors, for their trouble and expense
in executing this my Will. And all the rest and
residue of my Lands I give and devise to each of
my children as may arrive to the full age of one
year or marriage, to be vested in them at that
period as the one or the other may first happen
which said Lands so intended for my children
I will may be put into as many lots as there is
of my Children (when the first of them arrives
to full age or the first of them marriage which may
first happen) then being as so to make each lot
nearly equal in value as may be convenient and
that the said Lots may be drawn for by my said

Children, or two Indecorous freeholding, and that each and
every of the said Lots be vested in my said Children respectively
as they shall marry or come of Age (as before then born
and apportioned forever.

And it is further my Will that in order
to do Justice to my said Children, and to prevent disputes
between my Executors may appoint some skillful person to
survey the boundaries and describe particularly the Lands
and Negroes (which may be drawn) among my children
and cause the same to be attested by a Member of the Justice
and recorded.

And I do also Will and desire that my
Wife and house be repaired at the discretion of my
Executors, and at the expense of my estate, and also
that my Executors advance such sums of money for
surveying the title to my Western Lands as may be
necessary.

And it is further my Will and desire that
my Wife & Nancy enjoy all the profits and benefits, arising
from my Mills and Lands, until my Executors shall
make Lots thereof, or until the division of my said Lands
shall be made amongst my Children as aforesaid.
And I do make my said Wife Nancy my residuary
legatee of all the rest and residue of my Estate.

And lastly I do appoint my said Wife
Nancy my Executrix, and Col. Alfred Moore William
Miller and Abner Tatum my Executors of this
my last Will and Testament, hereby revoking
all other Wills and bequests by me made
Confirming and confirming this only to
be my last Will and Testament In
witness

In witness whereof I have hereunto set my hand and
affixed my Seal, this Twenty first day of October
the year of our Lord One thousand Seven hundred and

Ninety

Signed, Sealed, published, pronounced
and declared by the said Deft. Benton
the testator to be and contain his last
Will and Testament, in the presence
of us who in his presence and the
presence of each other and at his
request, have subscribed our
names hereto as Witnesses

J. Benton Test
J. Benton

State of North Carolina
Orange County

August Term 1798

The Execution of the above last
Will and Testament of Deft. Benton
Esquire deceased was duly proved
in Open Court by the oath of
Benton one of the subscribers
Witnesses thereto and ordered
to be recorded

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