

Last will and testament of Philip White

July 6, 1822

/Franklin/KY Will Book 1 pg 103

I, Philip White of Franklin County do hereby make and ordain this my last will and testament revoking all others heretofore made in manner & form following (to wit) I confirm and ratify the gift already made my son John B. White of a negro man named Sam, also nine hundred and fifty dollars to purchase land also the stock already given furniture, etc.

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Item I give and bequeath unto my daughter Elizabeth Mc Brayer the property which she has already received, to be disposed of as follows, when Lucy Clark comes of age and her sister Ellen or Mary, the Negroes Nannie and her children, and Ann or her price for which she was sold to be divided into three parts, One third to Lucy and one third part to Ellen and the balance with furniture stock etc. to my daughter Elizabeth. Should Ellen or Lucy die without issue, their part of the property is to revert back to their mother Elizabeth their mother and her heirs also the amount of sales and purchase money which is now in the hands of Matthew Clarke to be received by their guardian James Mc Brayer and divided in like manner as the property above mentioned.

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Item I confirm and ratify the gift of a negro woman named Jane and other property which has been received to my son Zachariah White together with one half of the Sherifalty and the proceeds arising there from. I also give him a Negro boy named Willson.

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Item I give and bequeath to Everard & Thomas White all the lots and buildings with their appurtenances in Lawrenceburg also the tract of land recently purchased of Memican Allen lying on Hammons Creek to be equally divided between them. I also confirm and ratify the gift of one half of the Sherifalty on the south side of the Kentucky River to Thomas. I also give unto him two hundred dollars in cash and Everard White three hundred dollars.

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Item I confirm and ratify the gift already made to Joseph M. White of a Negro woman Judith, horses books and money to him and his heirs forever.

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Item I give unto Jefferson and Phillip White the farm called Pleasant Level containing 426 acres to be divided as follows (viz) All that part of the farm on the Southside of the Springfield road beginning at the end of the lane next to A. Mc Brayer Farm and along said lane with a straight line to where it will strike the land purchased of Allen I give unto Jefferson, and all on the north side of the Springfield Road including the dwelling house etc. unto Philip White which division shall take place when he come of lawful age.

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Item I lend unto my daughter Martha Foster two negro girls Polly and Caroline and their increase during her natural life and at her death go to her heirs if any she has together with a horse, cow, bed and furniture which she has received. I also lend that proportion of money and property that may fall to her part at her mothers death when equally divided unto her & her heirs forever to be held in Trust by my executor for her use and the use of her heirs and handed over to them when in their judgment they may think proper which money is to be kept upon interest until received by him and her heirs.

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Item I direct that my executors shall make sale of all the Farming utensils, stock & Furniture together with my horse mill and distillery which two articles is to be removed from off my land. I also direct my executors to rent out the farm Pleasant Level under particular restrictions until Jefferson & Phillip shall come of age at which time they shall have a right to take possession. I also direct that the farm now in dispute in law near Lexington shall be rented, sold or compromised by my executors in their judgment they may think most advisable. I also direct that my negroes except those that are otherwise disposed of and a negro woman named Esther together with anyone that my wife Lucy White may think proper to select or make choice of to keep during her natural life shall be hired out until her death. I also wish that my wife Lucy White is to be at liberty to call on & draw from my executors any money that she and they think necessary for her genteel support during her life. And I direct that Jefferson and Phillip be kept at school and well educated, clothed etc. out of the proceeds of rent of the land and hire of negroes or any money which may be in the hands of the executor until they may come of age. I also direct that at the death of my wife Lucy all of the money arising from the hire of Negroes, rent of land and sale of property after deducting the amount otherwise appropriated shall be equally divided between my legatees, my executors reserving in trust Martha Foster's part as before directed and at the death of my wife Lucy all the property not otherwise disposed of shall be sold and divided as above mentioned unless my executors think it advisable to have an equal division of the Negroes remaining unsold or otherwise disposed of.

I do hereby appoint Zachariah White, Everard White, and Thomas White executors of this my last will and testament made this 6th day of July in the year of Christ one thousand eight hundred and twenty two.

Phillip White SEAL

Test (witnessed)

Wm Mc Brayer
Gabriel Robinson
John M. Pulliam
John Wash
William Robinson

Notes:

Sherifalty, n The office or jurisdiction of sheriff. (Webster's 1828 English Dictionary)

Philip White was appointed Franklin Sheriff in 1820

Transcribed from original document housed in Franklin County Clerk's office being the same document used to transcribe the probated will in Will Book 1 Pages 103 – 106 Franklin / KY

by:

Del White
875 Cornishville Road
Harrodsburg, KY 40330
Email: dbwhite3@mac.com