

Campbell Co., Virginia Will Book 1, page 6 - (Transcript by Victor Hairston and Ed Bregenzer, 1997)

Will of Samuel Hairston

In the name of God, Amen, I Samuel Hairston Gent, of the County of Campbell, being of sound mind, Do make and Ordain this my last Will and Testament, I lend to my well beloved Brother Andrew Hairston my whole Estate, real and Personal during his natural life and at his death I direct that my ? House where I now live together with one Thousand and sixty acres of land appertaining thereto may be sold by my Executors hereafter mentioned [blurred] who is hereby empowered to convey the same to the Purchaser or Purchasers in fee simple. And six Hundred pounds of the money arising from such sale to be equally divided between **my brother Robert Hairston's three sons, viz: George, Peter and Samuel Hairston** and the remainder of the money arising from such sale to be divided between **my brother Andrew Hairston's three daughters, viz: Priscilla, Margaret and Susanna Hairston.**

Item: after the death of my brother **Andrew Hairston** I give and bequeath to **Samuel Philips**, my negroe fellow named Jack to him his heirs and assign forever.¹

Item: my tract of land at Kentucky containing two thousand acres I give and bequeath as follows, viz: Two Hundred acres to **Samuel Amos [Amyx], Two Hundred to his wife Eleanor Amos [Amyx]** and the remainder fourteen Hundred acres to be divided among my said **Brother Andrew Hairston's three daughters Priscilla, Margaret and Susanna.** I also give to the said Priscilla, Margaret and Susanna another tract of land at Kentucky containing three Hundred and eighteen acres to them their heirs and assign forever. ²

Item: I give and bequeath to my **Brother Andrew Hairston's Daughter Priscilla** my negroe boy Davie to her and her heirs and assign forever.

Item: after all my just debts and funeral charges are paid I leave all the rest of Personal Estate of every kind together with my Negroe Back to my said Brothers three daughters **Priscilla, Margaret and Susanna** Hairston to them and their heirs and assigns forever. The negroe Back to remain in the possession of their Mother during her natural life and it is to be understood that the Legacies bequeathed the said **Priscilla, Margaret and Susanna** shall be divided in such manner that allow Margaret and Susanna shall have each as much money or land more than **Priscilla** as will be equal in value to the Negroe Boy Davie.

Lastly I constitute and appoint my Trusty friend **Robert Alexander** Executor of this my last will and testament, Ratifying and confirming this and no other. In witness whereof I have hereunto set my hand and seal this 9th day of February 1782.

Samuel Hairston

Signed .sealed and acknowledged before us: John Wily, Thomas Nunnally

Codicil to the above Will:

When the money due me from the Estate of Cury Smith and David Rick is recovered I direct my Executor to pay the same to Jenny Forbes wife of Alexander Forbes.

Witness my hand, date as above.

Samuel Hairston

Test: John Wiley. Thomas Nunnally

Schedule to the Will of Samuel Hairston, Gent, of Campbell County.

Item: my will and desire is that my Brother Robert Hairston's three sons **George, Peter and Samuel** have only one Hundred Pounds each out of my Estate and that the other Three Hundred Pounds which I had willed to them shall be divided as follows, viz: One Hundred Pounds to **my nephew Samuel Phillips**, fifty Pounds to **my niece Jane Phillips** and one Hundred and Fifty Pounds to be equally divided between my Brother Andrew Hairston's three daughters **Priscilla, Margaret and Susanna** and all my household furniture which is not sold to pay my debts and taxes shall be equally divided between the aforesaid **Priscilla, Margaret and Susanna** Hairston. In witness whereof I have hereunto set my hand and seal this sixteenth day of March One Thousand Seven Hundred and Eighty Two.

Signed and sealed **Samuel Hairston**

in the Presence of:
 John Wily, Son Todd
 James Davisson. John Davison

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At a court held for Campbell County April 5th 1782

The within last will and testament of Samuel Hairston Gent. deceased together with the codicil and schedule thereto annexed was Proved by the oath of John Wily one of the witnesses thereto subscribed and at a court held for the said County the second day of May following the said Will and Codicil was further Proved by the oath of Thomas Nunnally another of the witnesses thereto subscribed. And ordered to be recorded. And at a court held for the said County the sixth day of June following the schedule to the said will was further proved by the oath of James Davison one of the witnesses thereto subscribed. And ordered to be recorded. And on the motion of Robert Alexander the Executor therein named who made oath thereto according to same certificate is granted giving security whereupon he together with John F. Patrick and John Hunter Gent. his securities entered and acknowledged their Bond in the Penalty of Two Thousand Pounds conditioned according to same for the said Executors due and faithful Administration of the said Decedents Estate and Performance of his will.

Teste *Ro. Alexander c.c.c*

witness John Wily and Thomas Nunnally
 executor Robert Alexander
 surety John T. Patrick & John Hunter

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Campbell County Deeds, Page 50. May 5, 1785

From Robert Alexander, Executor of Samuel Hairston, Gent., late of Campbell County, deceased, to **Peter Hairston and Samuel Hairston** of Henry County, by authority of Samuel Hairston's will and for 400 pounds, Alexander sells to Peter Hairston and Samuel Hairston the following tracts of land in Campbell County on Beaver Creek and the branches thereof, one tract containing 310 acres bounded by the south side of the creek at a fine place for a mill. The other tract contains 550 acres bounded by his own corner heap of stones and pointers of the new patent on the line of the old patent, a black jack near the long mountain, thence across the spurs and the valleys of the mountain, the main road, the old mill place.

Signed – *Robert Alexander*

Witness – none

Recorded May 5, 1785.

Campbell County, Virginia Will Book #6 – Pages 141-146, July 14, 1828

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The Estate of Samuel Hairston dec. In a/c with Robert Alexander

	The Executor	L	S	P
1782	To cash paid the Rev John Holt for preaching the funeral sermon.	2	-	-
	To cash paid John Wily his account	2	18	-
	To cash paid Peter Williamson Do	2	4	-
	To cash paid William Fleming Do	-	12	-
	To cash paid Williston Talbot DS for taxes	-	19	6
	To my fees 450 lbs. tobacco	2	16	3
Oct 15	To household and kitchen furniture delivered to Margaret, Pricilla and Susanna Hairston at their appraised value	16	11	11
	To 1 negro boy Davie delivered Pricilla Hairston at his appraised value	30	-	-
	To 1 negro woman Beck delivered Elizabeth Hairston during her life	65	-	-
	To cash paid the estate of William Arnold for 2/3 of the hire of a negro for the year 1781	14	-	-

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To cash paid Josiah Bullock his ares 2 7

	To my fees 15 lbs Tobacco		1	10 ½
1783 Sept	To amount of a judgement Jefferson E___ v Hairston Executor and Charles Lynch	76	10	3
	To my fees 157 lbs Tobacco		18	10 ½
1784 June 6	To Cash paid Josiah Bullock. Ds of Campbell	5	16	4 ½
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	To Do paid Robert Watkins his proved a/c		17	6
August 6	To Do paid John Caffry his ditto	5	7	10
	To Cash paid George Hairston	66	13	4
	To Ditto paid Peter Hairston	66	13	4
	To Ditto paid Samuel Hairston	66	13	4
1785 May 3	To Cash paid Wm Hawkins his proven a/c	1	10	
	To Do paid Edmond Winston for Anglins Judgment	3	6	6 ¾
	To Do paid his fee ads Caffry	1	10	
	To Do paid his fee v Rork & Whalen		15	
	To Cash paid Harry Innes his fee ads Caffry	1	10	
	To Do paid W S Crawford Do Do	1	10	
	To Do paid H Clark Do Do	1	10	
	To Do paid John Dabny Do Do	1	10	
	To Do paid Eaml Winston fee ads Howards admin in Bedford		15	
	To Do paid Clerk Bedford his fees	1	5	4 ½
	To my fees for 85 & 86 313 lbs	1	19	1 ½
Augsh	To Cash paid Francis Thorp his a/c proven		12	11 ½
	To Do paid Edmond Winston a fee v Smiths Exec.	1	10	
	To Do paid H Clark Do aos Deprests Exec.	1	10	
	To Do paid Do aos Depiest Sr.	1	10	
	To Do paid John Davis	4	18	
Augst 29	To Do paid Register of Land Office	2	3	1 ½
	To Do paid D L Hilton ___ a/c proven	8	8	
	To Do paid Do note	1	9	4
	To Do paid Thomas Whalen	5	18	11
	To Do paid Alexander Forbes	95	12	11
1787	To my fees 40 lbs Tobacco		5	
1796	To Do Do 40 cents		2	5
1800	To Do Do 261 cents		15	8
1801	To Do Do 558 cents	1	13	5
1802	To Cash paid ? Taylor 2 fees in high Courts Chancery	10		

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	To surveyors fee for S_?_ Land	1	11	1
	To 2 surveyors fees 31 lb	3	3	-
	To cash paid Williston Talbot & sheriff	-	10	6
1803 Dec 12	To cash paid Samuel Phillips and Sister Jane	202	5	10
	To my fees 21.40 cents	6	8	5
	To my services as executor for 22 years at \$20 per annum	132	-	-
1802 Jan 19	To sheriff of Campbell for crying 200 acres land	-	6	-
	To sheriff of Campbell for crying 50 acres Do	-	6	-

To cash paid Register of land office for 1786	-	10	77
To 1 horse delivered Pricilla Hairston at the sale in April 1782 purchased by him for which she Executed her land to me of that date	13	-	-
To clerk of Bedford for 1 Ticket 35 Lbs. tobacco	-	4	4 ½
	940	17	3 ¾
To Balance <u> ?</u> the estate to this 7 day of June 1804	359	5	6
	1300	2	9 ¾

1782	----- ???			
April 5	By the sale of Personal property	61	10	-
August 5	By ditto Do	8	7	8
6	By ditto of Brickhouse tract of land 860 acres	400	-	-
	By Bourne prices Bond	7	10	11
	By Judgement against Guy Smith	95	12	11 ½
	By do do Gabriel Smith	81	6	-
	By Cash of Peter Williamson	4	-	-
	By household and kitchen furniture	16	11	11
	By 1 negro boy Davie	30	-	-
	By 1 negro woman Beck	65	-	-
1803				
Dec 16	By interest on Peter and Samuel Hairston and Harry Innes bond	102	5	10
1804				
Jan 19	By the sale of the balance of the Brickhouse tract of land	48	-	-
	By the sale of 30 acres of land	18	-	-
	By judgement against Charles Rhork	9	2	10
	By Cash wrong changed	4	6	4 ½
		957	14	5
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	By Pricilla Hairston bond changed in the a/c being for 1 horse bought at sale of personal property in 1782 and now in the possession of the executor	13	-	-
	By interest on 300 (pound) balance sale 860 acres of the brickhouse lands	312	10	-
	Interest of the other 100 (pound) being already estimated and credited In this a/c 16 Dec 1803			
	By interest on 2 bonds (viz) 13 (pounds) Pricilla Hairston and 9 (pounds) Elizabeth Hairston now in possession of the executor on 20 years 10 months	212	18	4
		1300	21	9 ¾
1804				
June 7	By this sum paid to Samuel Phillips & Sister Jane over their proportion of the Estate	4	7	11
	Due the Estate	636	13	5

We the ? appointed by the worshipful Court of Campbell at their November Term 1803 to settle the account current of the Estate of Samuel Hairston deceased with the executor and to divide and allot the Estate amount the Legatees. Report that we have carefully examined and compared the vouchers with the different charges exhibited in the account and find both from the information the Executor and vouchers provided that the account is just and right in balance appearing in favor of the Estate of three hundred and sixty three pounds thirteen shillings and five pence which included the interest on the four hundred pounds for which the 860 acres of the brick house land sold.

The interest on one hundred pounds of which is estimated 16 December 1803 as appears by the account also includes the interest on two bonds due to the Estate in 1782, one for thirteen pounds and one for nine pounds which bonds are now in the hand of the Executor. Also includes four pounds seven shillings and eleven pence which sum **Samuel Phillips and Jane Jackson [Hays] late Jane Phillips** have received more than their just portion and are dividing and allotting the

The Estate among the legatees agreeable to the decree and their testers last will and testament find their respective net proportions to stand after deducting from each what we decree fair proportions of the expenses as follows; viz To **George, Peter and Samuel** Hairston the sum of one hundred and thirty three pounds & three shillings and seven pence each, in all three hundred and ninety nine pounds ten shillings and nine pence and it appearing the have received of the Executor the sum of sixty six pounds thirteen shillings and four pence each in all two hundred pounds leaving a balance now due them of sixty six pounds ten shillings and three pence each, in all one hundred and ninety nine pounds ten shillings and nine pence.

To **David Moore and Pricilla his wife late Pricilla Hairston** the sum of sixty four pounds fourteen shillings and two pence half penny including the boy Davie which said boy they have received agreeable to the will came equity the balance now are theirs is thirty four pounds fourteen shillings and two pence half penny.

To **Margaret Hairston** the sum of sixty four pounds fourteen shillings and two pence half penny and to **Sally Hairston infant daughter Susanna** the sum of sixty four pounds fourteen shillings and two pence half penny making in all now due the said **David, Margaret and Sally** the sum of one hundred and sixty four pounds and two shillings and eight pence.

To **Samuel Phillips and Jane Jackson [Hays] late Jane Phillips** the sum of one hundred and ninety seven pounds seventeen shillings and eleven pence and it appears they have received the sum of two hundred and two pounds five shillings and three pence which is four pounds seven shillings and eleven pence more than their due. We also deem in one up any to rework that from information of the Executor there is a suit or suits yet despairing and undetermined all which is respectfully submitted given under our hands this **7 day of June 1804.**

Joel Yancey
Wm Harrison
Jesse Burton
Achillis Moorman Sr.

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At a Court held for Campbell County **July 14 1828.** The written account current of the Estate of Samuel Hairston received with his Executor was produced in Court and ordered to be recorded. Teste John Alexander

Transcribed from microfilm copy of Campbell County Will Book 6, pages 142-146, Library of Virginia, Richmond, Virginia

Transcribed by Robert E. Hairston, Jr. 2015-2022

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GENEALOGY NOTES:

1. Nephew - The New and Complete Dictionary of the English Language published in 1775 states "The son of a brother or sister; a descendant, a grandson, but this sense has now grown obsolete".
2. In his will, Samuel Hairston leaves a tract of land he describes as "my tract of land at Kentucky containing two thousand acres". Kentucky County, Virginia was established in 1777 from Fincastle County, which was formed from Botetourt in 1772. However, in 1780 Kentucky County was dissolved and three smaller Virginia counties were formed: Fayette, Jefferson and Lincoln. George Hairston, Samuel's nephew, was granted a land warrant for 2,000 acres in Jefferson County in 1786. These 3 counties were split again into smaller counties. During the 1780s these counties were further split into smaller counties until they were all transferred to Federal control in 1789.