

Miller Sutherland Papers - m. 116 9a

John Sutherland (Nelson et) ally - for  
George H. Ayclott. Nov 14, 1801  
Tute: John Dan  
Janet Sutherland  
(Hand-laid paper - water-mark)

1801 - 1838 - 17 pins

copy

Sutherland, John  
(Father of William Sutherland)

2 pins -  
Sutherland will to  
" vs. Simpson

John Sutherlands  
vs.  
John Simpson

1812, July 1

Sutherland, John.

(Inscribed  
willed as  
property)  
m.v.

Will, Oct. 27, 1817.

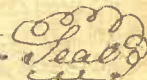
Probated in Nelson County, Ky,  
Aug. 17, 1818.

Benjamin Grayson,  
(Clerk, Nelson et, confid.) \*  
(Certified copy, May 11, 1822) m.v.  
\* Water marks. \*\*  
Nelson et Seal  
m.v.

Know all men by these presents that I George Howard Adulott of the County of Nelson and state of Kentucky for diverse good causes and considerations to me do appoint and constitute my trusty friend Jm Sutherland of said County and state attorney my true and lawfull attorney for me and in my name and behalf to Demand and Survey receive all & every part of any part that he may think proper to contend for of a certain Survey on the waters of Green river made in the name of Jm Morrison & Jm Handley the sd Survey containing 23813 3/4 Acres of which Jm Morrison has the one half and the said Morrison's part being set up at publick sale to satisfy the publick tax on sd land Benjamin Helms and myself become purchasers and do hereby invest him with as ample a power therein as if I was ther myself in person to Survey and divide sd land with Jm Handley and then receive my part out of Morrison's part agreeable to sd Sale made in the name of the common wealth by the Sheriff of Hardiny County and the sd Sutherland is to attend to sd business till finis'd according as the law directs <sup>for which</sup> he is to receive for his services the one third of sd land by me

52x28

so purchased equal in quantity and value to be divided to him his heirs or  
assigns and to get a deed for the same equal in substance as land full  
as my own I likewise bind and oblige myself to pay <sup>all</sup> charges for the past  
time on a land given under my hand the 14<sup>th</sup> Day of Nov<sup>r</sup> 1801  
Signed sealed and  
delivered in the presence

George H. Apelott 

of us

Test John Davis  
Janet Sutherland

State of Kentucky &c

Be it Remembered that on the 1<sup>st</sup> day of July in the Year of our Lord One thousand Eight hundred and twelve John Sutherland by Benjamin Hardin his Attorney filed in the Clerks Office of the Nelson Circuit Court the following Declaration against John Mamon &c

Nelson Circuit &c

Declaration

John Sutherland complains of John Mamon in Equity of a piece of note that he made unto him the sum of \$189<sup>18</sup>/<sub>100</sub> Cents which to him he owes and from him unjustly detains for this town at the Parish of Kentucky and Circuit aforesaid the said Defendant executed and delivered to Plaintiff his certain writing obligatory signed with his hand and seal and with his seal and bearing date the 10<sup>th</sup> of May 1811 and now here to the Court bears the date whereof is the same day and year aforesaid whereby he the defendant promised as is before the face of said note (meaning after the date of said writing) to pay the Plaintiff or order the sum of \$189<sup>18</sup>/<sub>100</sub> for value received. Notwithstanding the said sum or any part thereof the Defendant has neither paid to Plaintiff or his order altho often therunto requested to the Plaintiffs Damage \$600 and therefore he brings suit

Hardin P. Q.   
 Sworn as follows: This Declaration was filed in my Office this 1<sup>st</sup> day of July 1812

And thereupon at the instance of the Plaintiff by his Attorney aforesaid the following writ of Capias and Respondendum was issued &c

52x34

Copia The Commonwealth of Kentucky, to the Sheriff of Union  
County greeting; You are hereby commanded to take  
John Manson if he be found in your bailiwick  
and him safely keep so that you have his body before  
the Judge of the Nelson Circuit Court at the Courthouse  
in Paris Town on the first day of an October Term  
next to answer John Southard of a plea of  
Debt for one hundred & Eighty nine dollars & Eighty  
seven & a half cents Damages first Dolan  
Dolan have then that this writ Witness  
Thomas Speed Clerk of said Court this 21<sup>st</sup>  
day of July 1812 and in the 21<sup>st</sup> year of the  
Commonwealth

Thomas Speed

indorsed Note: This is an action of debt and bail in debt  
Paris 1812

Done The Speed etc

Witness  
"Executed the 21<sup>st</sup> day of July 1812 and Martin  
A. Wickliff Special Bail

Ben Briggs Esq for D. Strother Jnr;

Special  
bail  
I Martin A. Wickliff do hereby acknowledge myself  
special bail for the within named John Manson  
in the sum named in the within writ Witness  
my hand and seal this 24<sup>th</sup> day of July 1812

Martin A. Wickliff

Ben Briggs Esq  
for D. Strother Jnr;

And as a Court held for the Nelson Circuit at the  
Court house in Paris Town on Tuesday the 1<sup>st</sup> day  
of October in the year 1812 came the parties by  
their Attornies and the Defendant came into Court and  
confessed Judgment might be entered against him

Oct 1812  
and  
confessed

for the Debt and Costs. It is therefore considered by the Court  
that the Plaintiff recover against the Defendant the sum of  
One hundred and Eighty nine Dollars Eighty seven and a half  
Cents the debt in the Declaration mentioned with Interest  
thereon at six per Centum per annum from the first  
day of June 1811 till paid and his Costs in this behalf  
expended and the said Defendant in Mercy &c

1813  
March  
17th

And at a Court held for the Western Circuit at  
the Courthouse in Barbours on the 20th day of March  
in the year of our Lord One thousand Eight hundred and  
thirteen came the Plaintiff by his Attorney and the  
Defendant being called and not appearing on motion of  
the Plaintiff a writ of Inquiry is awarded him and thereupon  
came a Jury sworn, John M. Barmy, Alexander McCown,  
Samuel Bose, Samuel Moore, Lewis Brown, Walter Boal,  
Thomas Simpson, Thompson Bavin, Henry Walla, Samuel  
Brown Jacob Snyder, and James Randall who being  
sworn well and truly to inquire what Damages the  
Plaintiff hath sustained in the premises upon their  
Oaths returned the following Verdict to wit "We of the  
Jury find for the Plaintiff the debt in the Declaration  
mentioned and issuing in Damages

Therefore It is considered by the Court that  
the Plaintiff recover against the said Defendant  
the sum of One hundred Eighty nine Dollars Eighty seven  
and a half Cents the debt in the Declaration mentioned  
with Interest thereon at six per Centum per annum  
from the first day of June 1811 till paid and one  
penny the Damages by the Jury in this behalf  
expended and also his Costs herein expended and the  
said Defendant in Mercy &c

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for the Debt and Costs. It is therefore considered by the Court  
that the Plaintiff recover against the Defendant the sum of  
One hundred and Eighty nine Dollars Eighty seven and a half  
Cents the debt in the Declaration mentioned with Interest  
thereon at six per centum per annum from the first  
day of June 1811 till paid and his Costs in and behalf  
expended and the said Defendant in Mercy &c

1813  
March  
my  
V. L.

And at a Court held for the District Circuit at  
the Courthouse in Bardonia on the 20th day of March  
in the year of our Lord One thousand Eight hundred and  
thirteen came the Plaintiff by his Attorney and the  
Defendant being called and not appearing on motion of  
the Plaintiff a writ of Inquiry is awarded him and thereupon  
came a Jury to wit, John W. Barney, Alexander McCowan,  
Samuel Cole, Samuel Morris, Lewis Brown, Walter Poole,  
Thomas Simpson, Thompson Brown, Henry Walla, Samuel  
Brown Jacob Snyder, and James Randall who being  
sworn well and truly to inquire what Damages the  
Plaintiff hath sustained in the premises upon their  
Oaths returned the following Verdict to wit "We of the  
Jury find for the Plaintiff the debt in the Declaration  
mentioned and opening in Damages

Therefore It is considered by the Court that  
the Plaintiff recover against the said Debt  
the sum of One hundred Eighty nine Dollars Eighty seven  
and a half Cents the debt in the Declaration mentioned  
with Interest thereon at six per centum per annum  
from the first day of June 1811 till paid and one  
opening the Damages by the Court in their Verdict upon  
assessed and also his Costs herein expended and the  
said Defendant in Mercy &c

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note " On or before the first of June next I promise to  
pay John Sutherland or order One hundred and eighty  
nine dollar eighty seven cents for Value recd. Witness  
my hand & seal this 16<sup>th</sup> day of May 1811  
John Sutherland

John Barclay  
1819 1872

Plain copy, costs \$7.00

Kentucky  
Nelson Circuit for

In the Court of the Nelson  
Circuit Court do hereby that the foregoing four  
pages contain a full true & complete  
transcript of the Record and proceedings had  
in the suit therein mentioned between the said  
John Sutherland Plaintiff and John Thomas  
Defendant

In testimony whereof I have  
subscribed my name and  
affixed the seal of Office  
at Richmond this 5<sup>th</sup> day of  
November 1819 and in the  
18<sup>th</sup> Year of the Commonwealth  
James Haughton Jr

Transcript of Record \$1.00  
affixing seal & certificate .50 \$1.50  
J. Haughton Jr



I Jno D Blinnam Judge  
of the Nelson Circuit Court do  
Certify that James Laughlin Jr.  
is Clerk of said Court and that  
the foregoing attestation is in  
due form of Law given  
under my hand at Grand Town  
State of Kentucky this 6<sup>th</sup> day  
of November 1819

Jno D Blinnam

\$7.60 funds

W. Sutherland

To  
W. Sutherland

Entered to Mrs  
Aug 29 cents

I appt the within note  
to Henry A. Head.

William Sutherland  
Administrator for  
John Sutherland, Dec

on or Before the first of June next  
I promise to pay John Sutherland  
James Dallas and Sixty cents for  
value the 6th of him this 6th day of  
March 1844  
John Mason

Donald Sutherland

48x25

In the name of God amen, Being in low state  
of health but sound in memory & Judgement I  
hearely make my last will and Testament, re-  
nounce all former Wills done or caused to be done  
by me self and foremost I comit my soul to the  
God that gave it to me and my body to the  
dust from whence it came to be buried af-  
ter a Christian manner and after all my  
lawfull Debts are paid I dispose of what  
worldly property which God has bin pleased  
to bestow upon me in manner and form as  
followe th, to wit, I will and bequeath to my  
Beloved Wife Anne Sutherland the full en-  
-tation that we live on during her natural  
life with all y<sup>e</sup> stock on the place and all  
farming utencil household and kitchen fur-  
-niture and the following negroes, Stephen Matt  
-till, James, Rubin, Jacob, Gacy & Alfred.  
I will and bequeath to my beloved Daughter  
Sannet Wilson the negro woman that she has  
got already nam'd Rind with all her inces  
and any other property that she has got, I will  
and bequeath to my Grand Daughter Anne  
Wilson a negro boy named Sam, I will and  
bequeath to my Grand Daughter Mary Eliza  
Wilson a negro boy named Joe, I will & bequeath  
to my Granddaughter Helen B Wilson a negro  
girl named Rody, I will and bequeath to my  
Granddaughter Rebecca A Wilson a negro girl  
named Maria, I will and bequeath to my  
Grandson Archibald Wilson two hundred acres

of land lying in Lewis & Livingston County Clay  
Kent's Executors Deeds and to my desire that if  
any of my Grandchildren should die before  
the years of maturity that their property that  
I give them should go to the surviving ones —  
I will and bequeath to my son William Luther  
Land two hundred and thirty nine acres of land  
& 200 acres of land lying in Caldwell County Ky.  
lying in Bullitt County Ky. and the follow-  
ing negroes, Harry, Perry, Henry, Lucretia &  
George and the two Mills that his brother John  
Lutherland had and what property his two  
brothers had, should there be no necessity of  
selling them to pay their debts, It is my desire  
and request that William should live at his  
mother's and attend to her business and manage  
for her and see that she receives every thing  
that her age and infirmities may require to  
make her comfortable and at her death he  
is to possess the farm, negroes, stock and farm-  
ing utensils and every other article on  
the place with the household and kitchen  
furniture mentioned or not mentioned and  
I impose on him to see for any contested  
property belonging to me to pay debts receive  
debts and to act in all cases as if I was  
there in person myself. Given under my  
hand this 27th Day of October and the year  
of our Lord 1817

John Lutherland

Test  
Joseph Hill

Isaac Houston

At a County Court held for Nelson County on the 14<sup>th</sup> day of August 1818. The above last will & Testament of John Sutherland deceased was exhibited in Court & proved by the oaths of Joseph Hill and Isaac A. Houston the subscribing witnesses thereto and ordered to be recorded. And on the motion of William Sutherland the executor therein named he having given Bond with Philip Reed and Joseph Hill his securities in the Penalty of \$10000. Conditioned as prescribed by law and having taken the oath the law in such case directs. It is ordered that a certificate of probate of said will be granted here. Attest Ben Grayson C.C.

The 13<sup>th</sup> Conty

State of Kentucky  
County of Nelson

I Benjamin Grayson Clerk of the County Court of the said County do certify that the above writing is a true copy of the original now remaining of record in my office. In Testimony whereof I have hereto set my hand and the impress of the seal of the seal of the said county this eleventh day of May in the year of our Lord eighteen hundred and twenty two

Ben Grayson

State of Kentucky }  
and County of Nelson } to wit;

I Austin Hubbard the presiding Justice of the County Court of the said county certify that the attestation of

Benjamin Grayson the clerk of the said court is in  
due form. Given under my hand this 11<sup>th</sup> day of  
May A. D. 1822 ~

A. H. Hubbard

W. J. M.

A Copy of  
John Sutherland's  
Will

