

Document from "From "Todd. Deed Books 1856-1858, 1858-1860", page 691, at FamilySearch
filed as "Indenture-Shelton v Shelton, Todd KY, 1859.jpeg" *punctuation and paragraphs added for clarity*

Page 582: This Indenture made and entered into this 2nd day of May 1859 between J.A. Russell Commissioners appointed in a decree rendered at the April term of the Todd Circuit Court 1859 and:

Susan Shelton, Ira Ellis Shelton, Nervin Shelton,
Elizabeth Powel late Shelton, George Powel her husband,
Mary Powel late Shelton, Charles Powel her husband,
Monroe Shelton, Letty Powel late Shelton, her husband Pinkney Powel,
Mayfield Shelton, Nancy M Shelton, Jarrett Shelton,
and Sibby Shelton, children and heirs at law of B Shelton deceased of the one part
and Crispin Shelton of the other part.

Witnesseth that the said J.A. Russell as Commissioner appointed by a decree of the Todd Circuit Court rendered at its April Term 1859 in causes in said court consolidated in one of which B.H. Johnson Administer of B.S. Shelton deceased was plaintiff and Crispin Shelton Defendant. In the other, Crispin Shelton plaintiff and B.H. Johnson administer of B.S. Shelton, and the widow and heirs at law of B S Shelton and others Defendant.

In Which decree it is adjudged that B.H. Johnson administer of B S Shelton deceased have execution against Crispin Shelton and Ariel Shelton for the sum of one hundred and nine Dollars and 31 cents with interest therein from the 1st of Sept 1854 til paid. The execution to issue as releasing? bond executed by Crispin Shelton and Ariel Shelton for in satisfaction of judgment and execution described in Crispin Shelton petition and had on the note for one hundred dollars ascribed in the title bond given by B S Shelton deceased to Crispin Shelton and exhibit by him in his said petition, and also judgment and execution be award said BH Johnson admin of B. S. Shelton deceased for four hundred dollars with interest thereon from the 25th day of December 1854 til paid being the amount of the note filed the petition of said Johnson against Crispin Shelton and described as

Page 583: the title bond given by B S Shelton deceased to Crispin Shelton now the said J A Russell in pursuance of said decree hereby conveys to the said Crispin Shelton and his heirs all right title and interest whatever in and to the land had held or owned as claimed by the aforesaid widow and heirs and representatives of B S Shelton deceased, ascribes and set forth in the petition of said Crispin Shelton against BH Johnson and others defendants and in the title bond exhibited in said petition.

The said land being bounded as follows: Beginning at at black oak in Jefferson Martins northern Corner, to Jacob B Cannel? standing on south west side of Johnes hill west of a large sink, thence with said Martins line S 71 ½ E 146 poles to two ashes on a branch corner, to corner, to said Martin in Caarbs?? line thence with it south 182 poles to two black oaks corner, to N France thence with his line N 89 W 136 poles to a post and a black oak on a branch among rocks, thence N 74 ½ W 3 poles to a black Oak Carles?? corner, thence with his line N 215 poles to the beginning, containing 170 acres on the waters of Whippoorwill in Todd County

To have and hold said land appurtenances to him and his heirs a lien being released? on said land for the debts herein set forth. In Testimony whereof the said JA Russell hath here to set his hand and affixed his seal the day date written.

J.A Russell, Commissioner State of Kentucky

Todd Circuit Court Clerks office May 7/59

I Ben T Perkins clerk of said Circuit Court do certify that at a circuit court continued and held for Todd County commonwealth of Kentucky at the court house in Elkton on May the 7th, 1859 in a suit wherein BS Sheltons heirs and administrators against C Shelton the Commissioner appointed in said cause pronounced in open court a deed from himself to Crispin Shelton which was was acknowledged by the said commission examined, approved and endorsed by the court and ordered to be

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Family of B Smith Shelton, son of Beverly B Shelton 1744-1825 and Ann B Coleman 1749-1803, grandson Crispin Shelton 1713-1794

Susan Shelton, widow of B Smith Shelton, his third wife. Married 1839.

Ira Ellis Shelton, born 1812, son of B Smith Shelton and his first wife Henrietta Shelton.

Nervin Shelton, born 1825, son of B Smith Shelton and his second wife Sibby B Tucker

Elizabeth Powel, born 1824, daughter of B Smith Shelton and his second wife Sibby B Tucker

Mary Powel, born 1829, daughter of B Smith Shelton and his second wife Sibby B Tucker,

Monroe Shelton, born 1829, daughter of B Smith Shelton and his second wife Sibby B Tucker

Letty Powel born 1832, daughter of B Smith Shelton and his second wife Sibby B Tucker,

Mayfield Shelton, born 1835, son of B Smith Shelton and his second wife Sibby B Tucker

Nancy M Shelton, born 1837, daughter of B Smith Shelton and his second wife Sibby B Tucker

Jarrett Shelton, born 1840, son of B Smith Shelton and his third wife Susan McKinney

Sibby Shelton, born 1845, daughter of B Smith Shelton and his third wife Susan McKinney

All found in 1850 Census of Todd County District 1, except Ira Ellis Shelton who was in Livingston County Kentucky in 1850.

Not included is his brother Charles C Shelton born 1815 who was in Clay County, Missouri in 1850.

Crispin Shelton, 1807-1887, son of Asher Shelton 1772-1852, grandson of Jeremiah Shelton 1745-1829, great grandson of Ralph Shelton II 1709 - 1789 (the brother of Crispin 1713-1794.) Crispin therefore a distant cousin of BS Shelton.

Ariel Shelton 1819-1899 was brother of Crispin. 1850 Census has Ariel in Montgomery County, Tennessee, then in Todd County, Kentucky 1860, 1870, and 1880.

Only appears said deed together with the certificate in my Office of Ben & Perkins Clerk

Comm.
Ben & Perkins
Shelton

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This Indenture made and entered into this 2nd day of May 1859 between J. A. Russell Commissioner appointed in a decree rendered at the April term of the said Circuit Court 1859 & Susan Shelton Da Ellis Shelton Merin Shelton Elizabeth Powell late Shelton George Powell her husband Mary Powell late Shelton Charles Powell her husband Monroe Shelton Letty Powell late Shelton her husband Pinner Powell Sheffield Shelton Nancy M Shelton James Shelton and Sibby Shelton Children & heirs at Law of B S Shelton Deceased of the One part and Orispin Shelton of the other part Witnesseth that the said J. A. Russell as Commissioner appointed by a decree of the said Circuit Court rendered at its April term 1859 in said cause in said Court consolidated in one of which B. H. Johnson Adm'r of B. S. Shelton deceased was plaintiff & Orispin Shelton Defendant in the other Orispin Shelton plaintiff & B. H. Johnson Adm'r of B. S. Shelton & the widow & heirs at Law of B. S. Shelton & others Defendants in which decree it is adjudged that B. H. Johnson Adm'r of B. S. Shelton deceased have execution against Orispin Shelton & Ariel Shelton for the sum of One hundred and Nine Dollars & 51 Cts with interest thereon from the 1st of Sept 1854 till paid the execution to issue on a replevin bond executed by Orispin Shelton & Ariel Shelton for in satisfaction of judgment & execution ascertained in Orispin Shelton peton & has on the note for One hundred Dollars ascertained in the title bond given by B S Shelton deceased to Orispin Shelton and exhibited by him in his said petition and also judgment and execution be awarded said B. H. Johnson Adm'r of B. S. Shelton deceased for four hundred Dollars with interest thereon from the 25th day of December 1854 till paid being the amount of the note filed the petition of said Johnson against Orispin Shelton and ascertained in

the title bond given by B S Shelton deceased to Orispin Shelton now the said J. A. Russell in pursuance of said decree here by conveys to the said Orispin Shelton & his heirs all right title & interest whatever in & to the land here held or owned or claimed by the aforesaid Orispin & heirs & representatives of B S Shelton deceased ascertained & set forth in the petition of said Orispin Shelton against B. H. Johnson and others Defendants & in the title bond exhibited in said Petition the said land being bounded as follows Beginning at a black oak in Jefferson Martins Corner Corner to Jacob B. Kessel standing on south west side of Thomas Hill west of a large oak thence with said Martins line S 41 1/2 E 146 poles to two oaks on a branch corner to corner to said Martins in North line thence with it South 182 poles to two black oaks corner to S. H. France thence with his line N 89 W 130 poles to a post oak & black oak on a branch among rocks thence N 44 1/2 W 83 poles to a black oak Carlo corner thence with his line N 315 poles to the Beginning containing 190 acres on the Waters of Whippoorwill in Todd County Ky to have & hold said land appurtenances to him & his heirs & him being claimed on said land for the acts herein set forth In testimony whereof the said J. A. Russell hath hereunto set his hand and affixed his seal This day and date written

J. A. Russell
Commissioner

State of Kentucky
Circuit Court
Clerk Office May 1859

I Ben. B. Perkins Clerk of said Circuit Court do certify that at a Circuit Court continued and held for Todd County Commonwealth of Kentucky at the Court House in Ellettsburg on May 7th 1859 in a suit wherein B S Shelton's heirs & Administrators against B Shelton The Commissioner appointed in said cause procured in open Court a decree from himself to Orispin Shelton which was assented to by the said Commissioner and examined approved and entered by the Court and ordered to be