

Last Will & Testament of Albert Evans.

State of South Carolina
County of Chesterfield }

I, D.M. Barentine, Judge of Probate in and for the said County of Chesterfield, and State of South Carolina and ex-officio clerk of said Court. do hereby certify, that the will of Albert Evans, deceased, has been proved and allowed in said court, according to the laws of the State of South Carolina. That I am Judge of said Court and the keeper and custodian of the records thereof, that said Court has no clerk besides myself, that I am ex-officio its clerk and that the paper-writing hereto attached is a correct copy of the said will of Albert Evans dec'd, on file in my Office, together with the probate thereof, and all other papers in relation to the execution, and probate of said will.

Witness my hand and official seal at Office in the Court House in Chesterfield County S.C. this 21st day of April 1888.

D.M. Barentine,
Judge of Probate
and ex-officio Clerk of said Court.

21st day of April 1888.

D. M. Barentine,
Judge of Probate
and Ex-Officio Clerk of said Court.

State of South Carolina }
County of Chesterfield. }

In the name of God, Amen.

I, Albert Evans, of the County and State aforesaid being now of sound, disposing mind, memory, and understanding, and considering the uncertainty of this life and the certainty of death, do make ordain and publish and declare this to be my last-will and Testament in manner and form following; that is to say:—

First. I will that all my just debts and funeral expenses be paid out of my estate by my Executors hereinafter named, as soon after my death as may be practicable.

Second. After the payment of all my just debts and funeral expenses it is my will that the sum of four hundred dollars (\$400.00) be reserved out of my Estate by my Executors and by them held in trust for the maintenance, support, and education of my grand-daughter, Elizabeth Cox, the daughter of

my deceased daughter Elizabeth Cox, dec'd, and it is further my will that my said executors do pay out the said sum of four hundred dollars for the support, maintenance, and education of my said grand-daughter in such a manner as they shall think best.

Third. After the payment of all my just debts and the reservation of the Legacy of four hundred dollars (\$400.00) herein before mentioned for the maintenance, support, and education of my said grand-daughter Elizabeth Cox, it is my will that all the remainder, rest, and residue of my whole Estate real, personal, and mixed be divided into eleven equal portions, or divisioned and disposed of as hereinafter mentioned and directed.

Fourth. It is my will and I give, devise, and bequeath to each of my beloved sons, Benjamin A. Evans, Burrell C. Evans, and John A. Evans, one eleventh of the aforesaid remainder, rest, and residue of my whole Estate real, personal, and mixed.

Fifth. I give, devise, and bequeath to my beloved grand-son and grand-daughter, Daniel H. Wardsworth and Cornelia E. Betts, Children of my deceased daughter, Lucy Jane Wardsworth, one eleventh of the aforesaid remainder, rest, and residue of my Estate to be divided equally between them.

son and grand daughter, Daniel H. Wardsworth and
Cornelia E. Betts, Children of my deceased daughter,
Lucy Jane Wardsworth, one eleventh of the aforesaid
remainder, rest, and residue of my Estate to be
divided equally between them.

Sixth. I give, devise and bequeath to my grand children
Albert Edgar Cox, Mary Cox, Peter Boxter Cox, and
Elizabeth Cox one eleventh of the aforesaid remain-
der, rest, and residue of my Estate to be divided
between them equally, and it is my will, and
I direct - that my Executors must then share
for them until they shall individually attain the
age of twenty one year, in such manner as my said
Executors shall deem most secure and most profitable
for them.

Seventh. I give, devise, and bequeath to my Executors hereinafter
named one eleventh of the aforesaid remainder
rest, and residue to be invested by them in such
manner as they shall think best - in special trust
for the benefit of my beloved wife Susan Cox for
and during the term of her natural life, she being al-
lowed to have, receive, and dispose of the rents, profits,
and income of said trust Estate hereby created
during her life time. After her death it is my

will that the share set apart for her be divided equally among such persons as there shall be my heirs at law.

Eighth. I give, devise, and bequeath to my said Executors, hereinafter named, one eleventh of the remainder, rest, and residue of my estate to be invested by them in such manner as they shall think best in special trust for my beloved Irene Mann, for and during the term of her natural life she being allowed to have, receive, and dispose of the rents, profits, and income of said trust estate hereby created during her life time. After her death it - as my will that my said Executors convey the said trust estate hereby created to the lawful issue of my said daughter, Irene Mann, there being found and discharged from all trusts whatever *per stirpes* and not *per capita*.

Ninth

I give, devise, and bequeath to my Executors hereinafter named one eleventh of the said after said remainder, rest, and residue of my estate to be invested by them in such manner as they shall think best in special trust for the benefit of my beloved daughter, Ann Eliza Mangum for and during the term of her natural life she being allowed to have, receive, and dispose of the rents, profits, and income of said trust.

vested by them in such manner as they shall think best - in special trust for the benefit of my beloved daughter, Ann Eliza Mangum for and during the term of her natural life she being allowed to have, receive, and dispose of the rents, profits, and income of said trust-estate hereby created during her life time. After her death it is my will that the part or share so set apart - to her be returned to my estate and be divided among persons as shall then be my heirs-at-law.

Trust

I give, devise, and bequeath to my Executors hereinafter mentioned and named one eleventh of the aforesaid remainder, rent and residue of my estate to be invested by them in such manner as they shall think best - in special trust for the benefit of my beloved daughter Mary F. Patterson for and during her natural life she being allowed to have, receive, and dispose of the rents, profits, and income of the trust-estate hereby created during her life time. After her death it is my will that my Executors convey such trust estate to such lawful issue of the said Mary F. Patterson as shall then be living to be equally divided between them per stirpes and not per capita. freed and discharged from all trusts whatsoever.

Executors

I give, devise, and bequeath to my Executors

hereinafter mentioned one eleventh part of the aforesaid remainder cash and residue of my estate to be invested by them in such a manner as they may think best in special trust for the benefit of my beloved son William A. Evans for and during the term of his natural life he being allowed to have, receive, and dispose of the rents, profits, and incomes of the said trust estate hereby created during his life time and if he should die leaving issue lawfully begotten it is my will that the share so set apart to him shall then go to and be equally divided among his issue per stirpes and not per capita but if he should die leaving no lawful issue living at the time of his death it is my will that the share so set apart to him be returned to and become a part of my estate and be divided among such persons as will then be my heirs-at-law and it is further my will that if the condition of my said son William A. Evans shall attempt to subject the rents, profits, and incomes of the trust estate hereby created for his benefit to their claims and demands that said rents, and profits and incomes shall accumulate and be retained for such issue as my said son may leave surviving him at his death to be divided among them in the manner hereinafter directed and that said rents, profits and incomes shall not be paid to or for the use of any person other than the issue of my said son.

said rents, and profits and incomes shall accumulate and be retained for such issue as my said son may leave surviving him at his death to be divided among them in the manner hereinafter directed and that said rents, profits, and incomes shall not be allowed to go to creditors.

Enclth.

I give, devise, and bequeath to my Executors hereinafter named the remaining eleventh part of the aforesaid remainder, rest, and residue of my estate to be invested by them in special trust for the benefit of my said son Samuel J. Evans for and during the term of his natural life he being allowed to have, receive, and dispose of to his own use the rents, profits, and incomes and it is further my will that so much of the trust fund hereby created as may be necessary for that purpose be invested in trust by my said Executors in real estate for a home for my said son Samuel J. Evans whenever he may select it if practicable. and that said homestead shall be held in trust by my Executors and if my son shall die leaving issue lawfully begotten surviving him it is my will that the trust fund set apart for his benefit shall then go to and be divided among his issue per stirpes and not per capita but if he

should die leaving no such issue then it is my will that the trust hereby created for his benefit be divided among such persons as may then be my heirs-at-law and it is further my will that if creditors of said son Samuel J. Evans shall attempt to subject the rents, profits, and income of the trust estate hereby created for his benefit to their claims and demands that said rents, profits, and income shall accumulate and be retained for such issue as my said son may leave living to be divided between them or in the event that he shall leave no issue then that said income so accumulated shall go to my heirs-at-law and be divided between them.

Thirteenth. - Lastly, I hereby nominate, constitute, and appoint my two sons William A. Evans and Benjamin A. Evans the Executors of this my Last Will & Testament giving and granting unto them full authority to sell and dispose of in such manner as they shall think best any portion or the whole of my estate real, personal, and mixed if in their judgment it shall be necessary for the proper execution and discharge of the trusts herein imposed upon them for which they shall be allowed a compensation out of my estate equal to the commissions now allowed by law to executors in settling estates.

Fourth.

I hereby revoke any and all former wills by

execution and discharge of the trusts herein imposed upon them for which they shall be allowed a compensation out of my Estate equal to the commissions now allowed by law to executors in settling Estates.

Fourthly.

I hereby revoke any and all former Wills by me made.

In Testimony whereof I have hereunto set my hand and ~~affixed~~^{four Lord} my seal on the Fifth day of November in the year One Thousand Eight Hundred and Eighty Five, and in the One Hundred and Tenth year of the sovereignty and Independence of the United States of America.

Signed, sealed, published, Albert ^{his} Evans 
and declared by the above
named testator Albert Evans
as and for his last Will
and Testament in the presence
of us who in his presence
and at his request and in
the presence of each other
have subscribed our names
as witnesses thereto. The
words "Convey said Trust Estate"

on line 24 on fifth page
and also the words "Surviv-
ing him" on the 7th line of
the seventh page were interlined
before signing.

E. J. Kennedy
J. C. Hough
J. C. Coker

The State of South Carolina }
Chesterfield County. }
By D. M. Barentino.

Judge of Probate

Personally appeared before me E. J. Kennedy one
of the subscribing witnesses to the foregoing instrument
of Writing, who made oath on the Holy Evangelists
of Almighty God that he saw Albert Evans sign, seal,
publish, pronounce, and declare the same to be his
last Will and Testament; that he was then of sound
and disposing mind, memory, and understanding, to the
best of deponent's knowledge and belief; and deponent,
together with J. C. Hough and J. C. Coker signed their names
thereto as witnesses at his request, in his presence and in
the presence of the undersigned Judge of Probate.

and disposing mind, memory, and understanding, At the
test of deponent's knowledge and belief; and deponent,
together with J. C. Dought and J. C. Coker signed their names
thereto as witnesses at his request, in his presence and in
the presence of each other: at the same time qualified
William A. Evans and Benjamin A. Evans, Executors,
therein named

E. J. Kennedy.

Given under my hand this Fifth day of July in the year
of our Lord One Thousand Eight Hundred & Eighty Six
and in the One Hundred and Twelfth year of American
Independence.

D. W. Barcutine, Judge of Probate.

The State of South Carolina }
County of Chesterfield. }

We do solemnly swear that this writing contains the true last Will
of the within named Albert Evans, deceased, so far as we know or believe,
and that we will well and truly execute the same by paying
first the debts, and then the legacies contained in the said Will
so far as his goods and chattels will thereto extend and the
law charge us, and that we will make a true and perfect inventory
of all such goods and chattels; So help me, God.

Sworn to before me this 5th day }
of July A.D. 1886. }
D. W. Barcutine, Judge of Probate.

B. A. Evans.
W. A. Evans.

The State of South Carolina }
County of Chesterfield. }

I, D. M. Parentine, Judge of Probate for County and State aforesaid do hereby certify that the last Will and Testament of Albert Evans, deceased, was this day admitted to Probate in common form on the oath of E. J. Kennedy, Esq. subscribing witnesses to the last Will and Testament, and that William A. Evans and Benjamin A. Evans obtained letters Testamentary.

Given under my Hand and Seal
this the 5th day of July A. D. 1886
and in the One Hundred and Twenty
year of American Independence.

D. M. Parentine,
Judge of Probate.

Last Will and Testament of Jacob O. Howard.