

WILL OF

BENJAMIN HEATH

In the name of God, Amen. I Benjamin Heath of Barnwell District, State of South Carolina, Planter, do make and declare this my last Will and Testament in manner following: First, I resign my soul into the hands of Almighty God: And my body I commit to the earth to be buried at the discretion of my executors herein after named: And my worldly estate I give and devise as follows:

first I Will that all my just debts be paid.

Imprimis, I Will & Bequeath unto my dearly beloved Wife Sarah Heath during her life, the use and direction, and for the maintenance of her and my daughter Zilpha & my son James Heath, all that plantation or Tract of land containing one hundred acres, being one half or moiety of a tract of land containing two hundred acres, also Twenty acres to be taken off and from the plantation or tract of land (containing one hundred & thirty-five acres known by the name of the Brasell Tract) next and adjoining the the said one hundred acres, being the plantation whereon I now reside, also the use of all my bedsteads, beds & bedding, and other furniture, and after her decease to my son James Heath, and also the use of all my stock whatever, except such as shall be hereafter particularly named and willed. she - making no wilful waste of the same.

Imprimis. I Will & Bequeath unto my beloved Son Joseph Heath all that plantation or Tract of Land, containing one hundred & thirty-five acres (known by the name of the Brasell Tract excepting Twenty acres of the said Tract which is to be taken off And from the County Tract 1707 1708 adjoining the

my body I command to the earth to be buried at the discretion
of my executors herein after named: And my worldly estate I
give and devise as follows:

first I Will that all my just debts be paid.

Imprimis, I Will & Bequeath unto my dearly beloved Wife Sarah
Heath, during her life, the use and direction, and for the
maintenance of her and my daughter Zilpha & my son James
Heath, all that plantation or Tract of land containing one
hundred acres, being one half or moiety of a tract of land
containing two hundred acres, also Twenty acres to be taken
off and from the plantation or tract of land (containing one
hundred & thirty-five acres known by the name of the Bra-
sell Tract) next and adjoining the the said one hundred
acres, being the plantation whereon I now reside, also the
use of all my bedsteads, beds & bedding, and other furinture,
and after her decease to my son James Heath, and also the
use of all my stock whatever, except such as shall be here-
after particularly named and willed. she - making no wil-
ful waste of the same.

Imprimis. I Will & Bequeath unto my beloved Son Joseph Heath
all that plantation or Tract of Land, containing one hundred
& thirty-five acres (known by the name of the Brasell Tract
excepting Twenty acres of the said Tract which is to be
taken off And from the said Tract next and adjoining the
Tract of One hundred acres willed to my Son James Heath and
where I now reside -
also, three Cows and Calves, one dark bay colt, large blase
face, all four of the feet white, being the sorrel mares
colt. One feather bed & furniture seven head of year old
hogs.

Imprimis. I Will & Bequeath, unto my beloved Son Benjamin

Heath, all that plantation or Tract of land containg one hundred acres, being one half or moiety of a Tract of Two hundred acres, whereon I now live, to be taken off & from the lower part thereof (woodland)- also, also, three Cows and Calves, and a young horse or mare, one feather bed, two sows and piggs, the before mentioned Land, &c. to be delivered him at his attaining the age of Twenty-one years, or before if he should marry and settle himself-

Imprimis. I Will & Bequeath, unto my beloved Son James Heath, at the decease of my Wife, if the said James shall have attained to the age of twenty one years, all that plantation or Tract of land, containing one hundred acres, and twenty acres to be taken off & from the Brasell Tract next and adjoining the said One hundred acres, before mentioned and the said one hundred acres being the upper half or moiety of a tract containing two hundred acres whereon I now live, also the Houses, Orchards, Stock of all kinds beds and household furniture, (except what has before or hereafter willed & bequeath'd) at the time of his Mothers decease. she having the sole use of the plantation, &c. during her life.

Imprimis. I Will, that if either of the before named Joseph, Benjamin or James Heath should die before their attaining the age of twenty-one years then his or their part to be equally divided between the survivors, or if any two of them should die as aforesaid then their part or parts to go to the survivors- and if they all three should die before the age of twenty one the whole of their part or parts to go, and I will it to my daughter Zilphia Heath.-

Imp^o As my dearly beloved daughter, Zilphia Heath, has had ver-

him at his attaining the age of Twenty-one years, or before if he should marry and settle himself-

Imprimis. I Will & Bequeath, unto my beloved Son James Heath, at the decease of my Wife, if the said James shall have attained to the age of twenty one years, all that plantation or Tract of land, containing one hundred acres, and twenty acres to be taken off & from the Brasell Tract next and adjoining the said One hundred acres, before mentioned and the said one hundred acres being the upper half or moiety of a tract containing two hundred acres whereon I now live, also the Houses, Orchards, Stock of all kinds beds and household furniture, (except what has before or hereafter willed & bequeath'd) at the time of his Mothers decease. she having the sole use of the plantation, &c. during her life.

Imprimis. I Will, that if either of the before named Joseph, Benjamin or James Heath should die before their attaining the age of twenty-one years then his or their part to be equally divided between the survivors, or if any two of them should die as aforesaid then their part or parts to go to the survivors- and if they all three should die before the age of twenty one the whole of their part or parts to go, and I will it to my daughter Zilphia Heath.-

Imp^s As my dearly beloved daughter Zilpha Heath, has had verbally given her a Mare, & a Cow which has increased to three Cows & Calves & a heifer, I now confirm the said gift unto her & her assigns-

Imp^s I Will & Bequeath, unto my grand children, by Isaac Williams, & my Daughter Lucreatia, (having given her cattle before) as follows, viz. unto my grandson James Williams, one dun fy'd coloured heifer. calf unto my grandson Benjamin Williams, one black speckled heifer, calf unto my granddaughter,

Nancy Williams, one white heifer. unto my grandson John Williams, one red brin dled heifer calf. all in my mark and brand, and to be kept mine, my wifes possefsion or our Executors till the above named children attain the age of twenty one years, or marry then the above mentioned cattle with there increase to be delivered each of them respectively

Lastly. I do hereby appoint my Sarah Heath Executrix, and my Sons Joseph Heath & James Heath Executors of this my last LastWill and Testament, hereby revoking, & annulling all former wille and Testaments by me heretofore made, ratifying this and no other to be my last will and testament. In witness whereof I have hereunto set my hand and seal this Nineteenth day of July- in the year of our Lord one thousand eight hundred and four.

Signed, sealed, published and declared Benjamin B. Heath ^{his} Seal
by the said Benjamin Heath as and for his last ^{mark}

will and testament, in the presence of us, who have hereunto set our names as witnesses, in his presence at his request, and in the presence of each other.

William Stewart

William Turner

James Daughdrill

Recorded in Will Book "A" Page 42

Recorded August 13th 1805

Gid.ⁿ Hagood Ordinary B. District

Bundle 9 Package 1