

WILL OF

HERBERT COX

The State of South Carolina)
 Marion District)

I Herbert Cox of the District of Marion in the State aforesaid Being of Sound and disposing mind memory and understanding do make and ordain the following as my last will and Testament

Item 1st It is my will and desire that all my Just debts be paid, and for that purpose do hereby direct my Executor to Sell my negro man Peter and Sush other portions of my Estate as are not hereby and herein Specifically Bequeathed and Devise, and the proceeds of the Sale thereof with any moneys that may be on hand, or that may be due me at my death, with the amount of proceeds of the crop then made or growing, to apply the Same to the Satisfaction and payment of my Just debts if so much Shall be necessary.

Item 2^d I give Devise and Bequeathe to my beloved wife Elisabeth Cox for and during her natural life only and no longer the Plantation and tract of Land upon which I now reside, the Plantation utensels Two cows and calfs., one horse to be Selected by her, all my household and Kitchen furniture, two negroes to wit, woman Mary and Girl Mahala.- and this provision is in lieu and Bar of her right and claim of Dower.

Item 3^d I. give and Bequeathe to my son John. J. Cox. the following property to wit; Negroes Jany and Rose to be held by him and his Heirs Subject to the following uses interests and purposes and none other that is to Say. to and for the sole and Separate use Benefit and behoof of my Daughter Catharine D Rupell Wife of Theodore S. Rupell for and during the period of her natural life inly, free and discharged from the central debts contracts and alienations of her present or any future Husband, and my. Said Son and his Heirs Shall either pay her to the said Catharine D Rupell the annual hire of Said property or allow her and her said husband to have the use and possession of the Same as they may order and direct - and from and after the death of Said Catharine D Rupell if her Said Husband Shall Survive her, He Shall be entitled to the use and possession of Said property with the increase thereof if any for and during his natural life. only - and from and after the death of said Catharine

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D. and Theodore S. Rupell. My Said Sen and his Heirs Shall deliver up the Said property with the increase thereof to the children of the Said Catharine D Rupell Living at the time of his death to be then equally divided among them Share and Share alike - provided always that in Such Division the Child or children of any deceased child of Said Catharine D. Shale represent his her or their deceased Parent and take the portion the Parent would be entitled if Living

Item 4th I give and bequeathe to my son John J. Cox for and during his natural life only the following property to wit; negroes Tone Buster and Mary Ann and from and after the decease of my said wife I also give My Said son the Plantation and tract of Land upon which I now reside, plantation Tools. Household and Kitchen furniture, the cattle and horse given my Said wife for life, and also the negro girl Mahaly. to have and to hold Said property for and during his natural life only, and from and after his decease I give the said property in this clause mentioned together with the increase thereof to Any child or children which he may Leave living at the time of his death, if more than one to be equally divided among them Share and Share alike - provided always that in Such division the child or children of any deceased child of my Said Son Shale represent his her or their parent and take the portion the Parent if Living would be entitled to - and if at the decease of my Said Son he Shall Leave no child or children Living or the child or children of any deceased child, then I. give Devise and Bequeathe the Said property with the increase thereof to My Daughter Catharine D. Rupell for life, after her death to her husband Theodore S. Rupell for life, and from and after the death of My Said Daughter and her Said husband I. give Devise and Bequeathe Said property to the children of Said Catharine D. Living at the time of her death - provided that in Such division any grand children Shall take the portion the parent would have been entitled to if Living.

Item 5. I. also. X give and Bequeathe to My Said Son John J Cox from and after the decease of My Said Wife the negro woman Mary. with her increase if any. to be held by him and his Heirs Subjects to the Same uses and trusts and for the Benefit of the Same persons pointed out expressed and declared in the third clause of this my will.

Item 6. I. give and Bequeathe to Majard E Swails a. Three year old Heifer

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with Galf - I. also. Desire that he may reside with my wife on the Plantation and Live with ----- during her life.

Item 7. All the rest and residue of my Estate Both real and personal not herein before disposed of of whatever Kind and description. I. give and bequeathe to my Son John. J. Cox and his Heirs forever

Item 7. I. hereby nominate, constitute, and appoint My Son John. J. Cox. and James W. Ward the Executors of this my will* and authorize them to carry my will into effect.

In Testimony whereof I have hereunto Set my hand and Seal this Twentieth day of January anno Domini Eighteen hundred and fifty one and in the 75th year of american Independence

Signed Sealed published and

Herbert Cox (SEAL)

Declared as and for the Last

Will and Testament Of Herbert Cox in

the presence of us who Subscribed our

names hereto as witnesses in the Presence

of Testator and at his request and in the

Presence of each other

J H Cockfield

Jno W. Coward

Andrew M Woods

Recorded in Will Book 2, Page 150

Roll No. 175