

State of South Carolina

In the name of God Amen. I John Witherspoon of Marion District and State aforesaid do make and declare this my last will and Testament, in manner and form following--Imprimis Whereas by the death of my Brother Robert Witherspoon I became entitled to two tracts of Land on the South west Side of Lynches Creek--Known by the name of the Lynches Creek ferry Lands and containing in the whole Six hundred and thirty four Acres more or less AND WHEREAS I always intended the profits arising from the Said Lands to be dedicated to the encouraging and propagating the Gospel--promoting religious and moral principles and for other charitable purposes-- I NOW THEREFORE give and devise to Ainsall Congregation and its Successors all those two tracts of Land aforesaid, reserving to myself Nevertheless the power of constituting and appointing my friends Samuel Erwin John D Witherspoon and Robert Erwin, Trustees in behalf of the Said Congregation--which Said Trustees aforesaid shall have the Sole power and Authority of devising, granting and to form vesting the Said Lands aforesaid and applying the rents and profits arising therefrom to the uses and benefits of Said Congregation So long as the encouraging and propagating the Gospel in the Said Congregation shall in the Wisdom of the said Trustees aforesaid be deemed practicable--- but in case the encouragement and propagation of the Gospel in the Said Congregation cannot be effected from the rents and profits arising from the Lands aforesaid then I reserve to my Self the farther power of vesting in the Said Trustees aforesaid the Sole power and authority of expending the rents and profits arising from the Lands aforesaid in the maintenance and Education of Such poor children in the Congregation aforesaid as the Trustees

aforesaid Shall deem proper--Reserving to myself also the farther power of vesting in the Said Trustees aforesaid So by Me appointed or the Survivor or Survivors of them in case of the death resignation or removal of either or all of them the power of appointing a Trustee or Trustees as their Successor or Successors which Said Trustee or Trustees So last appointed Shall Have all the power and authority before given to the Trustees by me appointed--It is also my farther will and desire that the Trustees aforesaid or their Successors Shall give William Johnston the present Lessee of the Lands aforesaid the exclusive privilege of Leasing the Lands aforesaid for the term of twelve years PROVIDED the Said William Johnson in the wisdom of the said Trustees aforesaid Shall conduct himself with propriety--

Item I give and bequeath to my daughter Elisabeth Witherspoon the following Negroes (to wit) Old Caesar and Wife Miley Minda, Mary, Loran, Caesar, Charlotte Tenor, Nero, Daphne Warren and Scipio together with One half of all my Stock of Horses, Cattle--Hogs and Sheep to her and her Heirs forever--

Item I give and bequeath to my Sister Elisabeth Ewin Forty five Pounds per Annum to be annually paid by my Executors hereinafter named in Such manner as my Sister Elisabeth Ewin Shall direct--

ITEM I give devise and bequeath all the rest, residue and remainder of my estate both real and personal to my daughter Elisabeth Witherspoon during her Life and after her death to such child or children of her Body as She Shall leave living at her death to him her or them and their Heirs forever--But in case my daughter Elisabeth Witherspoon Should die without leaving a child or children of her Body to live at the time of her death then I give devise and bequeath all the aforesaid residue of my Estate both real and personal in the manner following--(to wit) One third to the children of

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my Brother Gavin Witherspoon, One third to the children of my deceased Sister Jame Ewin, and One third to the children of Sister Elisabeth Ewin to them and to their Heirs for ever--

Lastly I nominate, constitute and appoint My friends Samuel Ewin, John Witherspoon and Robert Ewin Executors of this my last Will and Testament--

IN WITNEFS Whereof I have hereunto Set my hand Seal, this Seventh day of December in the year of our Lord One Thousand eight hundred and two and of the Sovereignty and Independence of the United States of America the twenty Seventh Signed Sealed declared & published by the named John Witherspoon and for his last will & Testament in the presence of us who at his request and in his presence have subscribed our names as Witnefses

Stephen Shackelford

John Witherspoon (SEAL)

Gavin Witherspoon

John Woorell

Recorded in Will Book 1, Page 29

Sworn to December 21, 1802

Sam Cooper, Ordinary, M. D.

Role No. 790