

WILL OF

JOHN G. BURTON.

South Carolina

Leberry District

I, John G. Burton of the state and District
aforesaid, being of sound and disposing mind
and memory, do make and ordain this to be my last will and testam-
ent in manner and form following-viz.

First, I desire all my just debts to be paid;

Second, I will and desire that all my estate both real and per-
sonal be sold, by my executor hereinafter named, at public sale
to the highest bidder, as soon after my death as my executor
shall deem fit; the real Estate, to be sold in three equal annual
instalments payable in one, two, and three years, bearing interest
from the day of sale: the personal Estate
to be sold on a credit of one year, from the day of sale, bearing
interest one year after the sale.

Third. My wife Elizabeth Ann Burton, is entitled, according
to the best of my knowledge to receive from the Estate of her
father John Partlow late of Abbeville District, Seven negroes
and about Two thousand dollars, in money, or choses in action,
or other personalty, which have not as yet come into my posses-
sion.

Fourth. I will and bequeath unto my wife Elizabeth Ann Burton
the sum of Two thousand five hundred dollars in lieu and bar of
her claim of Dower in my real Estate; and of all her interest
in all my Estate both real and personal whatsoever.

Fifth. I will and desire that ^{Five} Two thousand Dollars be retained
by my Executor in his hands to be disposed of, in the following
manner; viz. Should my said wife Elizabeth Ann Burton, from
casualty, misfortune, visitation of Divine Providence, be reduced
to the necessity as having recourse to the said sum of Five thous-
and dollars, mentioned in this clause of my will, then I desire
to her
of the same / as she may stand

Second, I will and desire that all my estate both real and personal be sold, by my executor hereinafter named, at public sale to the highest bidder, as soon after my death as my executor shall deem fit; the real Estate, to be sold in three equal annual instalments payable in one, two, and three years, bearing interest from the day of sale; the personal Estate to be sold on a credit of one year, from the day of sale, bearing interest one year after the sale.

Third. My wife Elizabeth Ann Burton, is entitled, according to the best of my knowledge to receive from the Estate of her father John Partlow late of Abbeville District, Seven negroes and about Two thousand dollars, in money, or choses in action, or other personalty, which have not as yet come into my possession.

Fourth. I will and bequeath unto my wife Elizabeth Ann Burton the sum of Two thousand five hundred dollars in lieu and bar of her claim of Dower in my real Estate; and of all her interest in all my Estate both real and personal what soever.

Fifth. I will and desire that ^{Five} Two thousand Dollars be retained by my Executor in his hands to be disposed of, in the following manner; viz. Should my said wife Elizabeth Ann Burton, from casualty, misfortune, visitation of Divine Providence, be reduced to the necessity as having recourse to the said sum of Five thousand dollars, mentioned in this clause of my will, then I desire that my executor furnish portions of the same ^{to her} as she may stand in need of it, during her life; but should she never need the same, then I will the said sum of Five thousand dollars to my brother Henry Burton and his issue-- my said brother Henry and his issue, not to be accountable for any interest on the said sum of Five thousand Dollars, in any event whatever.

Sixth. The residue of my estate, including the real and person-

al estate, mentioned in the second clause of this my will, together with all the notes, choses in action, due and owing to me, the cash on hand at my death, and every other interest, to which I may, in any wise be entitled, I will and devise and bequeath in the following manner viz- To be divided into four equal shares- one share I give to my brother Henry Burton; one other share I give to my sister Lura Pitts; one other share I give to my cousin Cynthia Whitworth daughter of John Armstrong; and one other share to the children of my sister Phebe Cannon, to wit. Pinckey Williams, Lucretia Durrer wife of Dr William Durrer, and William Griffin, these three taking one share equally between and amongst them- ~~at 1 share~~ either the said Henry Burton, Lura Pitts, or Cynthia Whitworth die / without leaving issue at their given death, then such share is to be divided amongst the survivor or survivors above named, the children of Phebe Cannon three in number above named, standing as one survivor; and should either of the said three children of Phebe Cannon, die before receiving their said share, the one fourth part, without leaving issue at their death then such portion is to be divided amongst the survivors of such child- Provided that whenever the said shares are received by any of the said legatees above named, the above limitations shall cease and be of none effect whatever, and the said shares shall be absolute to such legatee- all the notes I hold on Pinckey Williams I hereby give to him as a present, not to included in his share of my estate.

I hereby nominate and appoint my brother Henry Burton the Executor of this my last will and testament, and should he be put to any trouble and expense, or litigation about the management of my estate, as my executoreither in sustaining this my will, or in the carrying the same into effect, I hereby authorize him to pay the

share I give to my sister Lura Pitts; one other share I give to my cousin Cynthia Whitworth daughter of John Armstrong; and one other share to the children of my sister Phebe Cannon, to wit. Pinckey Williams, Lucretia Durrer wife of Dr William Durrer, and William Griffin, these three taking one share equally between

and amongst them- ~~at 1 share~~ either the said Henry Burton, Lura Pitts, or Cynthia Whitworth die / without leaving issue at their given death, then such share is to be divided amongst the survivor or survivors above named, the children of Phebe Cannon three in number above named, standing as one survivor; and should either of the said three children of Phebe Cannon, die before receiving their said share, the one fourth part, without leaving issue at their death then such portion is to be divided amongst the survivors of such child- Provided that whenever the said shares are received by any of the said legatees above named, the above limitations shall cease and be of none effect whatever, and the said shares shall be absolute to such legatee- all the notes I hold on Pinckey Williams I hereby give to him as a present, not to included in his share of my estate.

I hereby nominate and appoint my brother Henry Burton the Executor of this my last will and testament, and should he be put to any trouble and expense, or litigation about the management of my estate, as my executoreither in sustaining this my will, or in the carrying the share into effect, I hereby authorize him to pay the same out of my estate- and I hereby desire and will that my sister Elizabeth Parltow wife of John A. Parltow never in any way, receive any portion of my estate, neither she nor her heirs.

The words "to her" first line on second page, and the words "before receiving the said share above given" in the sixth clause, were interlined before the execution of the will.

WILL OF JOHN G. BURTON

PAGE "3"

signed, Sealed, & acknowledged
by John G. Burton, as and for
his last will and testament, in
our presence, who, in his pre-
sence and in the presence of each
other witnessed the same

John G. Burton (LS)

George G. DeWalt

John B. Black

J. O. Connor

Recorded in Will Book No. 1 Page 204

"Records of Wills"

Approved Feby. 24th 1845

Recorded Feby. 26th 1845

Wilson Ordinary Newberry District

Box No. 79 Pkg. No. 201 Est. No. 1993