

WILL OF

JOHN MICHAEL KINARD.

The State of South Carolina }
Newberry District. }

I John Michael Kinard of the
District and state afore said do

make publish and constitute this my last will and testament in
form following To Wit.

I Direct that my body be decently buried in my family burial
ground, and I hereby set apart two square acres with the right of
way to the Charleston road, To be forever used by my family as a
burial ground. And as to such worldly estate as it hath pleased
God to entrust me with, I dispose ~~of the same~~ as follows: First
I direct that all my legal debts, and my funeral expenses be
paid as soon after my decease as possible out of the first moneys
that may come into the hands of my executors from my said Estate.

I give unto my beloved wife Margaret Kinard one negro Girl
named Nealy and the sum of one Thousand Dollars to be subject to
her own disposal in any manner she may deem proper. I also give
unto my said wife two negro men Jarrett and Jacob to be hers
during her life. I also give unto my said wife, all such provi-
sion, Stock, provender, farming impliments house hold furniture
and kitchen utensils as she may need for her decent support, and
she is hereby authorized to select one person and my executor
another person, who will act and choose such things in each of
the above departments as they may deem necessary for the purpose
above specified. I give unto my said wife Margaret Kinard and my
son John M Kinard, together during their lives, the tract of
land on which I now reside, and after the death of my wife to my
said son during his life, and should my said son die leaving no

ground, and I hereby set apart two square acres with the right of way to the Charleston road, To be forever used by my family as a burial ground. And as to such worldly estate as it hath pleased God to entrust me with, I dispose of the same as follows: First I direct that all my legal debts, and my funeral expenses be paid as soon after my decease as possible out of the first moneys that may come into the hands of my executors from my said Estate. I give unto my beloved wife Margaret Kinard one negro Girl named Nealy and the sum of one Thousand Dollars to be subject to her own disposal in any manner she may deem proper. I also give unto my said wife two negro men Jarrett and Jacob to be hers during her life. I also give unto my said wife, all such provision, Stock, provender, farming implements house hold furniture and kitchen utensils as she may need for her decent support, and she is hereby authorized to select one person and my executor another person, who will act and choose such things in each of the above departments as they may deem necessary for the purpose above specified. I give unto my said wife Margaret Kinard and my son John M Kinard, together during their lives, the tract of land on which I now reside, and after the death of my wife to my said son during his life, and should my said son die leaving no other legal issue but the son & daughter now living then I direct that one half of the above tract of land revert to my other children and their issue and the other half be vested in his issue, but should my son die leaving more children than the two now living then I direct that the whole tract of land above named do vest absolutely in the issue of my Said Son. I also give my ~~deceased~~ said son one negro man named David. I give my daughter Elizabeth McNeill the four following negroes, viz: Harry B, g Nancy Joice and Bill to be hers during her life and to

Vest in her issue after her death. I value the said negroes at two thousand Dollars. I give to my daughter Margaret Noble the Elmore tract of land to be hers during her life and to vest in her issue after her death.

I value this tract at two thousand Dollars. I give unto my daughter Marinda Bolly the Thos. T. Shepperd tract of land which I value at twelve hundred Dollars also three negroes Jane, Buck, and little Nancy which negroes I value at Eight hundred Dollars, the said land and negroes to be hers during her life and to vest in her issue after her death.

I give unto ^{my daughter} Rheda Enlow the Dan. Smith land also one mule Nana which said land is to be hers during her life and to vest in her legal issue after her death. I value the same at a like sum of two thousand Dollars

I give to my grand daughter Fernelia Lavinia Kinard daughter of my deceased son John K.E. Kinard the Sum of fifteen hundred Dollars and should she die leaving no legal issue I direct the said legacy to revert to and be equally divided amongst my children and their issue. This legacy is all that I wish my said grand daughter to receive from my estate from every source what ever. Should any of my above named daughter die leaving issue then I desire the husband of the said daughter to keep possession of the said property for his use until he may again marry, and should he marry then I wish the property to vest immediately in the said issue.

I direct that the Ten negroes, the title to which is now disputed and a suit ~~pending~~ to determine the same now pending instituted by J.K. Welch in the Court of Equity remain on my place until the said suit is decided and should a decree issue in my favour I direct that they be appraised and divided equally between my

USA, and all the money which negroes I value at Eight hundred

Dollars, the said land and negroes to be hers during her life

and to vest in her issue after her death.

my daughter

I give unto Rhoda Enlow the Dan. Smith land also one mule

Nana which said land is to be hers during her life and to vest in her legal issue after her death. I value the same at a like sum of two thousand Dollars

I give to my grand daughter Permella Lavinia Kinard daughter of my deceased son John K.E. Kinard the Sum of fifteen hundred

Dollars and should she die leaving no legal issue I direct the said legacy to revert to and be equally divided amongst my children and their issue. This legacy is all that I wish my said grand daughter to receive from my estate from every source what ever. Should any of my above named daughter die leaving issue then I desire the husband of the said daughter to keep possession of the said property for his use until he may again marry, and should he marry then I wish the property to vest immediately in the said issue.

I direct that the Ten negroes, the title to which is now disputed and a suit ~~pending~~ to determine the same now pending instituted by J.K. Welch in the Court of Equity remain on my place until the said suit is decided and should a decree issue in my favour I direct that they be appraised and divided equally between my children above named and their legal issue to belong to them and their legal issue for ever. and after the death of my said wife I wish the negroes Jarrett & Jacob, and all the remainder of her property (except the girl Mealy) to be divided amongst my children and their issue as is above directed in the case of the Ten negroes. I hereby order my executor to sell my Store House and lot in Newberry Village on a credit of one, two and

three years with out interest with the security of a mortgage
on the premises and good personal security. I hereby appoint my
son John M. Kinard Jun. Executor of this my last will and
Testament In witness where of I John M. Kinard the testator
have to this my will set my hand and seal this thirteenth day of
September in the year of our Lord one thousand Eight hundred
and forty two and in the sixty seventh year of the sovereignty
of the United States of America

NB Executed before executed.

Signed Sealed published delivered and declared in the presence
of us who have subscribed our names in the presence of each
other as witnesses

Henry Booser Senior

J M Kinard Senior (L S)

John W. Chapman

A. Summers

Whereas I J.M. Kinard S. of the State of South Carolina and
District of Newberry have made and duly executed my last will
and Testament in writing, bearing date the thirteenth day of
September Eighteen hundred and forty two In which said last will
& Testament I created several trusts to my legatees therein
named. Now there fore to carry into effect trust Estates I here
by appoint my Son John M. Kinard Junior and my friend and
relative General Henry H. Kinard Trustees to the said trusts
and hereby enjoin it upon them to carry the trusts into execu-
tion according to the intention and instructions of my said
will. And I do ordain and declare this present writing to be a
codicil to my said will, and the same to be annexed there to,
and taking as part thereto.

In witness where of I have to this codicil set my hand and seal
the thirteenth day of October in the year of our Lord one
thousand Eight hundred and forty two and in the sixty seventh

and forty two and in the sixty seventh year of the sovereignty
of the United States of America

NB Executed before executed.

Signed Sealed published delivered and declared in the presence
of us who have subscribed our names in the presence of each
other as witnesses

Henry Booker Senior

J M Kinard Senior (L S)

John W. Chapman

A. Summers

Whereas I J.M. Kinard S. of the State of South Carolina and
District of Newberry have made and duly executed my last will
and Testament in writing, bearing date the thirteenth day of
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by appoint my Son John M. Kinard Junior and my friend and
relative General Henry H. Kinard Trustees to the said trusts
and hereby enjoin it upon them to carry the trusts into execu-
tion according to the intention and instructions of my said
will. And I do ordain and declare this present writing to be a
codicil to my said will, and the same to be annexed there to,
and taking as part thereto.

In witness where of I have to this codicil set my hand and seal
the thirteenth day of October in the year of our Lord one
thousand Eight hundred and forty two and in the sixty seventh
year of the American Independence

Signed Sealed declared and published by the said J.M. Kinard Senr.
as and for a codicil to be annexed to his last will and
testament and to be taken as^a part thereof in presence of
Henry Booker Senior

John W Chapman

J M Kinard Senr.

(L S)

Summers

Recorded In Will Book No.1. Page 108 "Records Of Wills"

Proved Jan.23 - 1843

Recorded March 7 - 1843

W.Wilson. Ordinary Of Newberry District

Box.91 Pkg.238 Est.No.2859