

WILL OF  
JOHN FOLK

The State of South Carolina } In the name of God Amen!

Newberry District } I John Folk of the district &

State aforesaid do make & publish this my last will & testament  
in manner following:

First I give & devise unto my beloved wife Elizabeth Folk during her natural life, two hundred acres of land, to be laid off so that it shall consist of the remaining part of the land on the North side of the Charleston Road (running through my premises) after deducting the devices of land, hereinafter specified, to John Wesley Folk David Folk & John Adam Folk, and a sufficient quantity of acres so as to include all the buildings where I now reside on the South as well as the north side of the said road, & to make the complement of the said two hundred acres: I also bequeath to her & her heirs forever a negro man Moses, a woman Hannah, & her child Sarah & whatever child or children Hannah may have from this time to my death & I give her an equal share of my personal property, with each of her children, which will be residuary after the pecuniary & specific legacies hereinafter mentioned shall be paid & delivered.

Second, I give & devise unto my son John Adam Folk all the land for which I have heretofore given him titles, the negroes for which he has given me receipts, and forty acres of land to be laid off from where David Folks fence now stands on the North side of the Charleston road in a straight line, towards Mary Dickerts land, to the said John A. Folk & his heirs forever.

Third, I desire that the one sixth part of my residuary personal property (alluded to in the conclusion of the first clause) be divided into two equal parts, and the one part thereof be divided between my grandchildren John D. L. Folk, Middleton

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Thirdly, I desire that the one sixth part of my residuary personal property (alluded to in the conclusion of the first clause) be divided into two equal parts, and the one part thereof be divided between my grandchildren John D. L. Folk, Middleton Folk, William Folk, Hamilton Folk and Martha Folk, and the other part thereof be divided between my grandchildren John A. Cannon, Margaret Cannon, William Cannon, Elizabeth Cannon, Eli Cannon, Mary Ann Cannon & George Cannon.

Fourthly, I give and devise to my son John Wesley Folk and his heirs forever one hundred & eighty acres of land being the two thirds of a tract I purchased of Martin Riser including a part that I purchased of George Stockman as appears by a plat there-

of which was made after a late survey, & which ~~he~~ he has, on the express condition that he shall pay Dorothy Elizabeth Graham ( or to her child or children if she should be dead) the sum of five hundred dollars twelve months after my death, & the said land shall be liable for the amount which he shall pay her, or in case of her death, her child or children:

Fifthly, I will and desire that my son John Wesley Folk do pay the said sum of five hundred dollars as specified in the fourth clause to my daugh Dorothy Elizabeth Graham, or to her child or children if she be dead, as above required & that on his doing so the said tract of land enure to him & his heirs forever

Sixthly, I give & devise to my son David Folk & his heirs forever all that tract of land extending from John Wesley Folks line along the Charleston Road to the Creek, thence down the creek, thence down the creek ditch to John A. Folks line, thence up said line to its intersection with John John Wesley Folks line, up to the Ridge Road on the express condition that he the said David Folk shall pay Eve Busby (or to her child or children if she should be dead) ~~of~~ the sum of five hundred dollars twelve months after my death & the said land shall be liable for said amount which he shall pay her, or in case of her death, her child or children:

Seventhly, I will & desire that my said son David Folk do pay the said sum of five hundred dollars as specified in the sixth clause, to my said daughter Eve Busby, or to her child or children if she be dead as above required & that on his doing so, the said tract of land enure to him & his heirs forever.

Eighthly, I give & bequeath to my Son Levi Enoch Folk three negroes slaves William, Elijah, and Rebecca and as these three negroes are young & may die before my son Levi Enoch Folk arrives at the age of twenty one years, I desire & bequeath that if any

the said sum of five hundred dollars as specified in the fourth clause to my daugh Dorothy Elizabeth Graham, or to her child or children if she be dead, as above required & that on his doing so the said tract of land enure to him & his heirs forever sixthly. I give & devise to my son David Folk & his heirs forever all that tract of land extending from John Wesley Folks line along the Charleston Road to the Creek, thence down the creek, thence down the creek ditch to John A. Folks line, thence up said line to its intersection with John John Wesley Folks line, up to the Ridge Road on the express condition that he the said David Folk shall pay Eve Busby (or to her child or children if she should be dead) ~~of~~ the sum of five hundred dollars twelve months after my death & the said land shall be liable for said amount which he shall pay her, or in case of her death, her child or children:

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Eighthly. I give & bequeath to my Son Levi Enoch Folk three negroes slaves William, Elijah, and Rebecca and as these three negroes are young & may die before my son Levi Enoch Folk arrives at the age of twenty one years, I desire & bequeath that if any one of said (three) slaves, or two, or all three of them die before he the said Levi Enoch Folk arrives at age, that another, ~~or~~ or other slaves shall be delivered to him by my executors, that such be as nearly as age, sex size and value will permit in the substitution for the one or more that may have died; also I bequeath unto him one horse, saddle & bridle, bed & furniture.

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cow & calf: & also I devise to my said son, the remaining part of my lands in Newberry District which lies on the South side of the Charleston road, and the remainder in the said tract of two hundred acres devised to my beloved wife Elizabeth Folk during her natural life after the termination of her estate therein, to him and his heirs forever.

Ninthly, I will & desire that my wife during her lifetime, and all my children & grand children may have the use of the timber, light wood, etc. that may grow or lie on all my lands in Lexington District: this privilege of the use of the timber is not to be ~~extended to~~ selling timber off the said land without it be for the benefit & with the consent of the persons interested therein; after the expiration of twenty years from my death, I devise that my executors do sell my Lexington lands and that the proceeds be divided equally among my wife Elizabeth Folk if she be alive, and my children by her that may <sup>then</sup> be alive, & if she be dead, then among her said surviving children.

Tenthly. I will & direct that all my personal estate which is not herein before disposed of, including my Rail Road & Bank stock, be sold by my executors hereinafter named & the money arising therefrom be applied to the payment of my just debts including any instalments that may be due or may afterwards become due to the Rail Road or Bank. By all my personal estate I mean not only goods & Chattels, but also all choses in action that I have, or may be entitled to. I will and desire that of the residuum, (after paying my debts) which shall arise from demands owing to me & personal ~~property~~ sold as aforesaid, my executors shall pay the one sixth part thereof agreeably to the third clause aforesaid to my grand children in the way of & man-



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Eleventhly. I appoint John Wesley Folk & John A. Cannon executors of this my last will & testament, hereby revoking all

WILL OF JOHN FOLK.

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OTHER wills which I have heretofore made: I hereby declare this my last will & in witness whereof I have hereunto set my hand & seal this 5<sup>th</sup> day of June Anno Domini Eighteen hundred forty one. Signed, sealed & published by the said John Folk as his last will & testament in presence of us, who in his presence & in presence of each other subscribed our names as witnesses there to.

John Folk (LS)

Henry Sumner

R. Pitts

W. W. Kinard

Recorded in Will Book No. 1  
"Records of Wills"

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Approved January 3rd 1845

Recorded January 15th 1845

W. Wilson Ordinary Newberry District

Box No. 75      Pkg. No. 190      Est. No. 1900