

WILL OF

WILLIAM RUTHERFORD.

The State of South Carolina Newberry District.

In the Name of God Amen I William Rutherford of the state and District aforesaid being at this time weak of body but of sound mind memory and Understanding thanks be given Unto god for the same Calling unto mind the Mortality of my body well knowing it appointed once for all men to die do make this my Last will and Testament and dispose of all my worldly goods in the following manner and form Viz

Item 1 my will and desire that should I die in this state my body be Buried with out much ceremony Near the Charleston Road on the North side from where my Mother and Father is buried a place where I have shown Burwell Liles that a head and foot stone be placed at my Grave and the grave walled in with or brick friends either Rock or twelve feet square that my friends may now where I am buried

Item 2 My will and desire that all my Just Debts be paid by my Executors as soon as possible out of the first money that shall come into their hands out the sales or either wise of my Estate

Item 3 I give and bequeath Unto my Son Thomas B Rutherford all my wearing apparrell Except my silver Watch the seal with the two first Letters of my name there on he is to have also give him my Negro man George

Item 4 I give and bequeath Unto my friend John Casey Son of General Levy Casey now Decast my silver Watch which I got from the said General Casey as a Token of Respect for the Family

and the said John Casey be dead then to go to his eldest son

Item 5 I lend to Nancy Lane Sen. during her Natural Lifetime one Tract of Land adjoining where she now Lives (Peter Rapp Sams)

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one Tract of Land adjoining where she now Lives (Peter Rapp Saml

Wicker David Litney and Michael Cromer) and after her death to

be sold at two years credit and the money arising there from to

be Divided as I shall Direct the Rest of my Estate to be

Item 6 The balance of my property both Real and Person I will

and bequeath in the following manner that my Lands be sold at

one two and three years with Interest from the date that is a

credit of that time the Negrees at two years credit that is one

and two with Interest same Manner. Taking Notes with two

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recourse and a Mortgage to secure punctual payment the balance of the property to be sold on a credit of one year with out interest

Item 7 My will and desire is that after all my debts are paid the balance from the sale of all my Estate left to be sold both real and personal I desire to be divided in the following Manner viz I freely Give and bequeath Unto the three Illegitimate children of Nancy Lane Senr Namely William R Lane Harriot

Frances Epling now wife of Henry Epling and Nancy Jane Lane one fourth part of the whole of the property sold belonging to my Estate after all my debts are paid to be divided in this way Nancy Jane Lane is to be first paid one hundred and twenty dollars and the balance to be Equally Divided between them three here and share alike the shares of Harriott and Nancy should they have Husbands their Husbands is to have no Claim or Control over their Dividends but to them the said gave Absoluteley to manage as they see cause

Item 8 the Other three fourth I will and Bequeath to be divided as Followeth viz one half to my son Thomas B Rutherford should he be Living if dead to be Divided Equally among his heirs the other half of the three fourths to be Equally divided between the Two Sons of my Son John Deceast should they be Living if either should be dead then to the other if both shall be dead before they come of Age say twenty one I give them part or portion to Thomas B Rutherford or his heirs that shall be then Living

Item 9 My will and desire that my Executors or Either keepin in charge the dividend bequeathed to the two sons of John Rutine and William Untill they shall be come of full Age allowing

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Item 10 and Lastly I do nominate and appoint My son Thomas B
Rutherford and my Nephew Drayton Nance Executors to this my Last
will and Testament Revoking all former wills by me made Annolling
this to be my last will and Testament and No other in witness
where of I have Unto Set my hand and fix my seal in presents of U
th
Us February 7 -- 1842

Taplow Harriote

Geo Sondley

William Rutherford

(SEAL)

J.C. Lyles

Recorded in Will Book No. 1. Page 231 "Records of Wills"

Proved August 4 - 1845

Recorded July 31 - 1845

J. Wilson. Ordinary Of Newberry District

Box. 80

Pkg. 205

Est. No. 2026