

THE STATE OF SOUTH CAROLINA.

Pickens County, South Carolina Will Book 1818 to 1863

I, David Humphreys,

Testator in the State aforesaid.

the disposition of such property as it has pleased God to bless me in this world to do and ordain this my last will & testament.

FIRST. I desire that all my just debts and my funeral expences be paid by my Executors for which purpose they will appropriate any money I may die possessed of, collect any debts which may be due to me or if need be sell any property which may be best spared.

SECOND. I give and bequeath to my wife Martha Humphreys during her natural life the following property, Viz - One third part of my land to be ascertained as hereinafter directed only requiring that her part shall include the house wherein I now live. Also two negro men Ben and Charles and a negro woman Tamar and all her children now ~~which may~~ after be born. Also such portion of my stock of all descriptions - Household furniture and plantation implements of every kind as my Executors may deem amply sufficient for her comfort and convenience together with such parts of the crop on hand and provisions in store for house and farm as may in their judgment & discretion be necessary - and at her death such of the above as remains to be disposed of as will be found hereinafter more fully directed.

THIRD. I give and bequeath to my son John T. Humphreys all the property heretofore let in his possession confirming his title or the title of those to whom he may convey to the same.

FOURTH. I direct that the lands whereon I now live be divided by my Executors or by fit and proper persons to be chosen by them into three parts or parcels as nearly equal as may be, one part of which including the House &c. for the use of my wife as aforesaid. One other part thereof of the said land I give and bequeath to my son David Humphreys his heirs and assigns forever. I also give to my son David all property heretofore put in his possession confirming his title to the same or the title of those to whom he may have sold.

FIFTH. Having given my bond for titles for the lands intended for

Charles he having received the proceeds the same is regarded as his part of the land I also give and bequeath to him all other property of which he has been heretofore put in possession confirming his title or the title of those to whom he may have sold.

SIXTH. I give and bequeath to my son Thomas J. Humphreys the remaining third part of my lands to be ascertained as before directed and to be located between the lot assigned to his Brother David and his mother, and also that part given to his mother during her life after her death to the said Thomas J. his heirs and assigns in fee simple forever. I also give to my son Thomas J. a negro boy Bill or William. In consideration of the foregoing bequests to my son Thomas J. I charge him with the care of his aged mother and the negroes and other property whilst the same are kept together in pursuance of this Will. I also give him my old negro fellow Will for the purpose of having him taken care of for the balance of his life.

SEVENTH. I give and bequeath to my daughters Sarah Towers, Martha Elston & Keturah Harriet Lee respectively all the property heretofore put into their possession. (Here follows in the original will an erasure of two lines.)

EIGHTH. All the residue of my estate except the negroes I desire to be sold and the proceeds together with the negroes I desire may be divided between all my children share and share. The negroes instead of being sold to be appraised singly or in lot, under the direction of my Executors, and by them assigned to such of my children as may agree to take them they making up to others any deficiency in their lot or paying in money such sum or sums as shall render all equal. If more than one should claim a lot the preference to be decided by lot. In this division I desire and direct that the children of any deceased child shall represent such father or mother and after the death of my wife I desire and direct that the personal estate given to her during natural life shall be divided in the same manner as the residue of my estate as above that is the negroes by appraisement and assignment - the rest by sale and distribution among all my children equally ex-

alive shall each receive One hundred and twenty one dollars to make them equal with their other sister Martha Elston first and then the balance to be distributed as aforesaid the children of any deceased child representing its parent.

NINTH. I authorize and direct my executors in the event of my death before I shall have opportunity to do so myself to make good and sufficient warranty titles to the lands sold by Charles, the title being still in myself though intended for him.

TENTH. I nominate and appoint my sons John T. and David Humphreys and my friend Joseph N. Whitmer Executors of this my last will and testament and now that I have under great solicitude made this to my judgment the best disposition of my worldly estate for the benefit of my children I exhort them to a continuance of their affection for each other and all proper allowances for the supposed infirmities of a father who desires to leave this record of the great satisfaction they have given him heretofore in life. Let them therefore acquiesce in these dispositions and never disgrace themselves or the family by a litigation in Courts but if they cannot agree appoint their own friends to determine for them.

WITNESS my hand & seal this Fifteenth day of September one thousand eight hundred and thirty six and sixty first year of American Independence.

In presence of -

J. T. WHITEFIELD.
A. N. McFALL.
A. EVINS.

DAVID HUMPHREYS, Senr.

STATE OF SOUTH CAROLINA,)
PICKENS DISTRICT.)

By James H. Dendy, Ordinary: Be it Remembered that the last Will & Testament of David Humphreys, Senr. of State & Dist. aforesaid was proven by the oath of J. T. Whitefield one of the subscribing witnesses to the same. Given under my hand this 20th March Anno Domini 1839 and 63rd year of American Independence.

Be it Remembered that on the 2nd day of January Anno Domini 1844 David Humphreys, Jun'r, was duly qualified as Executor of the foregoing last will of David Humphreys, Senr, Deceased.

JAS. H. DENDY, O.P.D.