

In the Name of God Amen : I, Herman Kinsler, of Richland District and State of South Carolina being in the full possession of all my mental faculties, - but finding my strength wasted and consumed by disease and, believing that my body at no very distant period, must dissolve and decay, - do make and ordain this my LAST WILL & TESTAMENT in manner and form following - First- My Soul I commend to God - my body I desire decently interred - all my estate both real and personal, after the payment of my Just debts and funeral charges, I give and devise in manner following. - Item I give and bequeath ~~to~~ my beloved wife Sarah Kinsler, for her use and benefit, during the term of her natural life all my contiguous or adjoining Tracts of Land, containing, (according to a resurvey of Samuel Alston Esq'r) Fourteen hundred acres, - together with all permanent improvements thereunto attached or belonging -- Included in the aforesaid resurvey are 109 Acres of land, lately conveyed, to Jno C Hawkins, and not Subject to Alienation by the Testator - Item I give and bequeath to my beloved Wife Sarah all my negro property, except those negroes hereinafter named and given to my Children, to be held and kept in the Service of my wife Sarah during the term of her natural life or widowhood - Item I give and bequeath to my Wife Sarah all my Stock of horses, mules Cattle & Hogs, - all my Household and Kitchen furniture - my waggon and all my plantation tools of every description to be Subject, to the Control, management, and disposal, of my Said Wife, during her lifetime or widowhood, in Such manner, as She may deem, most conducive, to the common interest, and welfare of my family - Item I give and devise to my Daughter Barbara Hollinshead, Two Tracts of Land, or parts of Tracts on Broad River in Fairfield District, adjoining what is commonly called Ruffs Ferry Tract - which land has been

Secured to said Barbara, by deed bearing date the 11th of November 1813 - To hold and possess Said lands in fee Simple - The devise of Said lands, to my Daughter Barbara, is intended, as her dividend, and is deemed a Just and an equitable proportion, of my Estate both real and personal- Item I give and devise to my Daughter Margaret Mary Ann Four hundred and Thirty five acres of land, or one half of a Tract of land, known by the name of Sandy Level - it being the patrimony of my Wife Sarah, - To be held by the Said Margaret Mary Ann and her lawful issue, forever- but Should, the Said Margaret Mary Ann, die, leaving, no lawful, Child or Children liveing at the time of her death, Then and in that case, I desire, the right and Title to Said lands, to vest in my Daughter Mary Rigsby, or her lawful issue, or in Such of my ~~issue~~ descendants, or Collateral relations, as may be nearest, to the Said Margaret Mary Ann - I give and devise to my Daughter Mary Rigsby Four Hundred and Thirty five acres of land, or the remaining half of my plantation or Tract of land called Sandy Level. To be held by Said Mary Rigsby and the lawful issue of her body forever- but Should the Said Mary Rigsby, die leaving no lawful child or children liveing at the time of her death, in that case, I desire the aforesaid property to vest in my Daughter Margaret M. Ann, or her lawful issue or to descend to Such persons as may be nearest to the Said Mary Rigsby by the ties of blood - Item I give and devise, to my Son Junius Alfred Seven hundred acres of Land viz one half of the tract of land on which I live, to be measured and laid out to Said Junius Alfred on the Eastward extremity of Said Tract adjoining lands of James Douglass Sen'r Phillip Dubard and lands belonging to the heirs of Lewis Dinkins - to be held and possessed, at the termination of my wifes life estate, by Said Junius Alfred, or the lawful issue of his body in fee Simple- But Should Said Junius

the time of his death in that case I desire all the Estate herein given, to descend to my Son John Herman, or his lawful issue, or to Such persons, as may be nearest to Said Junius Alfred by the ties of blood - Item - I give and devise to my Son John Herman, Seven hundred acres of land, viz the remaining half of the tract of land on which I live, to be laid out to Said Jno Herman on Cedar Creek and its tributary Streams, adjoining lands, of Wm Dubard Sen'r Frederick Hamiter & Jacob Koon, and may be known as the Western half or Section of the tract above mentioned To be held and possessed after the expiration of my wifes life estate, by Said Jno Herman and the lawful issue of his body, in fee Simple - but Should the Said Jno Herman die leaving no lawful child or children liveing at the ~~time~~ of his decease - ~~then and in that case~~ I desire all the estate herein given to him to descend to my Son Junius Alfred or his lawful issue or to Such persons as may be nearest to the Said Jno Herman by the ties of consanguinity - Item - I give and bequeath to my two Sons, Junius Alfred and Jno Herman an equal and Joint interest in a mill Seat on Cedar Creek als an equal <sup>& right</sup> Joint and title to as much land as may, benecessary, for the construction of buildings or machinery - to be possessed by my Said Sons at the expiration of the Lease which I have formally executed, to Jacob Koon, and Dan'l Gradick and to be held by Said Junius Alfred, and Jno Hermon, and the issue of their body forever - but Should either of my Sons die leaving, no lawful child or children liveing at the time of his death in that, case I desire the property hereby given, and vested, to descend to my Surviveing Son, or the lawful issue of his body, or to Such persons as may be the nearest to the Dec'd by the ties of blood. Item I give and bequeath to my children the following negroes, to be possessed as Soon as Said children Shall respectively attain to the age of Twen-

for Margaret Mary Ann one negro Girl named Rhoda to her  
and the issue of her body forever - Item I give and be-  
queath to my Daughter Mary Higsby one negro Girl named  
Lucy, to her and the issue of her body forever. Item I  
give and bequeath to my Son Junius Alfred one negro boy  
named Jim to him and the issue of his body forever. -  
Item I give and bequeath to my Son Jno. Hermon one negro  
Girl named Nancy to him, and the issue of his body for-  
ever - I enjoin, upon my ex'rs the delivery of Said negroes,  
to my children, pursuant, to the directions of this my last  
will and Testament, together with Such personal property  
as my wife may in her Judgement be<sup>en</sup>abled to give - Item I  
give and bequeath to my Daughter Margaret Mary Ann the fol-  
lowing negroes viz Jesse old Harriet, William & Daniel. to  
be possessed, at the decease of my wife, by Said, Margaret  
Mary Ann or the issue of her body forever- Item I give and  
bequeath, to my Daughter Mary Rigsby, the following negroes  
viz - Little Abraham, Hilliard and little Harriet - to be  
possessed at the decease of my wife, by Said Mary Rigsby or  
the issue of her body forever, Item I give and bequeath to  
my Son Junius Alfred, the following negroes viz Jane, Chan-  
ey, Livinia and Peter, to be possessed at the Decease of  
my wife by Said Junius Alfred or the issue of his body for-  
ever - Item I give and bequeath to my Son Jno Herman, the  
following negroes viz Miles, Big Abraham, Lidia, and An-  
ders, to be possessed at the decease of my wife, by Said  
Jno Hermon or the issue of his body forever - Should one  
or more of my children die leaving, no lawful child or  
children living at the time of their death, in that case,  
I desire my negro property, herein before given, to be  
equally devided among my Surviveing children, or among  
Such persons as may be nearest to the Dec'd by the ties  
of consanguinity - Should my wife Sarah be induced to en-  
ter again into a State, of Matrimony, then and in that e-  
vent I direct my personal property, disposed of as follows,

# WILL OF

HERMAN KINSLER (Con'td) Page 5

foresaid personal property, (except the negroes, Rhoda, Lucy Jim and Nancy which are reserved for the use and benefit of my Children, - In Selecting, the negroes, necessary, to constitute my wifes Third part, I direct, that the requisite number, be taken from each of last mentioned lots of negroes equally and proportionably, as nearly as practicable, The residue of my personal property, ( after my wifes Third Shall be taken from the Same) I desire equally divided among my four Children viz Margaret M. Ann, Mary Rigsby Junius Alfred, and Jno. Hermon my negro property- upon the intermarriage of my wife; I desire dispributed as far as practicable, pursuant, to directions here- in before given- I commit my children to the maternal care of my beloved wife, the proper education of whom, I enjoin upon her, as an object, of paramount importance. The incidental expences, of education, I direct paid from the products of my farm or otherwise, as may be found most convenient --- Lastly I do hereby nominate and appoint my Friends Dan<sup>l</sup> Gradick, Jasper Coon and C. Bookler Ex<sup>rs</sup>- of this my last will and Testament hereby revokeing and makeing void all former wills and Legacies by me heretofore made. On witness<sup>where</sup>/of I have hereunto set my hand and Seal this 3rd. day of November anno donini 1828 Signed Sealed and declared by the Testator as hislast will and Testament in the presence of us

Jacob Koon

Nancy Kelly

Hermon Kinsler

Rachel Busby

South Carolina )

Richland District

Personally appeared before me Jacob Koon

and nade Oath that he saw Hermon Kinsler sign seal publish

pronounce and declare the annexed Instrument of writing to be

WILL OF

HERMON KINSLER (Constd) Page 6

his last will and Testament that he was then of sound memory and understanding according to the best of, this Deponents knowledge and belief and that Nancy Kelly and Rachel Busby at the request of the Testator in his presence and in the ~~the~~ presence of each other witnessed the due Execution thereof

Jacob Koon

Sworn to before me 11 December 1828

James S. Guignard

Ordinary.

Same qualified Dan<sup>l</sup> Gradiok and Jasper Koon as Executors.

Recorded on will Book H. -----Page 291.

Box---17 --- Package 423