

IN the name of God Amen :

This is the last will and testament of me, James Henry, Planter of Richland District in the State of South Carolina as follows. -- Firstly, I direct that all ~~of~~ my just debts be paid as early as practicable without selling any part of my Estate either real or personal. Secondly, I will and direct ~~that the whole of my Estate, both~~ real and personal shall remain together as heretofore, for the payment of my debts and for the support of my wife and unmarried children for and during the term of the natural life of my wife, and after the death of my wife and the payment of my debts, it is my will that my lands shall remain undivided for the use and benefit of my two sons, John P. Henry, and Samuel G. Henry and such of my daughters as remain single and unmarried at the time of my death: but if all of my daughters shall marry, or if they shall not marry, after their deaths, I then give all of my lands to my two sons, John P. Henry and Samuel G. Henry, and my Grand Son James Henry, share and share alike: provided that my said Grand Son James W. Henry shall return to South Carolina and reside upon ~~the~~ land which I have given him, but if he should not return it is my will that he shall not have any part of my lands, and I then give the whole of my lands to my two Sons John P. Henry and Samuel G. Henry and their heirs forever. Thirdly, after the death of my wife and the payments of all my debts, I will and direct that all ^{of} my personal Estate of every description whatsoever shall be Equally divided among my Children, or their heirs, Margaret Livingston, the wife of John G. Livingston, Ann Lowden, wife of Joshua Lowden, Jane Creber, wife of William B. Creber, Barbara E. Collins the wife of Jesse Collins, Rebecca Henry, Francis Henry, Martha Melton, the wife of Jonathan Melton, John P. Henry, Samuel G. Henry and my two Grand Children James W. Henry and Mary Ann Henry receiving the share that their father James Henry would have received had he been living, and

it is my will that all my personal property, loaned by me to any of my children previous to my death, shall be considered as a part of my Estate.

Fourthly, it is my will that my Grand daughter, Martha Ann Davis, shall receive out of her Mother's, Ann Lowden, share one negro girl, or young woman, at the division of my personal Estate, and it is also my will that my said Grand daughter Martha Ann Davis, or her heirs, shall be Entitled to the whole of her mother's share of my personal Estate after the death of her mother, Ann Lowden.

Fifthly, I do hereby authorize and empower my Executors to settle in trust each portion of my personal Estate which each of my daughters shall receive, upon each of my said daughters for their Sole and Separate use and benefit, and not in any manner whatsoever to be liable to the debts or contracts of ^{any} a present or future husband, for and during the terms of their natural lives, and after the death of each of my said daughters to such child or children as each of my said daughters shall have or leave living at the time of the death of each of my said daughters. Sixthly, I constitute and appoint my two Sons John P. Henry and Samuel G. Henry Executors of this my last will and testament. Lastly, I do hereby revoke all other wills by me at any time heretofore made and declare this only to be my last will testament. In witness whereof I do hereunto set my hand and seal this the Nineteenth day of October in the year of our Lord One thousand eight hundred and forty four, and in the sixty ninth year of the American Independence.

Executed in the presence of-

James Henry

Wm Hopkins

Newell Webb

Elliot S.J. Hayes

South Carolina)
Richland District)

Personally appeared William Hopkins and
made Oath that he saw James Henry sign

WILL OF
JAMES HENRY PAGE 3.

of writing to be his last will and Testament that he was then of sound and disposing mind according to the best of this Deponents knowledge and belief and that he with Newell Webb and Elliot S J Hayes at the request of the Testator in his presence and in the presence of each other witnessed the due execution thereof

Wm Hopkins

Sworn to before me 24 November 1845

Elliot S.J. Hayes

James S Guignard

Ordinary

Sam. G. Henry } qualified same day.
John P. Henry }

Recorded in Will Book "K" Page 57

Box # 45, Package # 1113