

I John McLeMore of the District of Richland in the State of South Carolina, being of sound and disposing mind and memory, do make this my last will and testament:

1. I devise and bequeath the whole of my estate real and personal and effects of every kind whatever to my friend James Adams, Joel Adams, and James H. Adams, and, in case of the death of any one of them, to such other person or persons, as the Survivors or Survivor of them shall, by writing duly executed in the presence of those subscribing witnesses, nominate and appoint, to hold the same absolutely and in fee simple, upon the trusts and conditions hereinafter mentioned and expressed

2. It is my will and desire that my plantation and planting interest, with the negroes horses mules and other stock and ~~and~~ ~~be kept up and continued by said Trustees, for the~~ purposes, and uses, and until the contingencies and times, hereinafter mentioned and specified.

3. It is my will and desire that the crops of my plantation and the proceeds thereof be used and applied first to the support and expences of the plantation, and the support and maintenance of my family as hereinafter named and described and the payment of my debts which the ready money and choses in action that I may leave shall not extinguish.

4. The family alluded to in the pre ceding clause and to be supported and maintained out of the crops and proceeds of my plantation, are my beloved wife Cressey M. McLeMore, my daughter Eliza A. Myers so long as she continues to live separated and apart from her husband William M. Myers, my three Grandchildren Victoria Carolina McLeMore, Marcus Cato McLeMore, and John McLeMore, the children of my deceased Son John McLeMore, and their mother Eliza m. McLeMore, So long as she remains sole and unmarried and resides in the family; but if my said daughter Eliza A. Myers should become reconciled to her said husband and would again live

supported and maintained ; nor is my said Daughter in law Eliza M. McLeMore to be thus supported and maintained if she would leave the family whilst they continue to reside together, or if she should again marry; and as to my undutiful and prodigal son Joel McLeMore who has given himself wholly up to vice and dissipation of every sort and disgrace and who would squander my whole estate in less than a year, he is not to be regarded as part of my said family nor to receive any support or maintenance from my estate, nor to be allowed to be on the plantation, unless he shall first entirely abandon all his vicious habits and all his profligate companions and furnish to said Trustees full satisfactory and permanent evidence of his entire and thorough reformation in every respect, and of his having become a Sober and Moral man; then and upon that condition, but upon no other, he is to be allowed a support and maintenance; and it is my intention that the support and maintenance mentioned in this and the preceding clause shall include victuals medical attend-and clothes schooling and board, whenever it may be necessary to board the children out.

5. After the payment of all my debts it is my will and desire that the annual profits and proceeds of my planting establishments, which shall remain after the support and expenses of the plantation and the support and maintenance of my family as mentioned in the preceding clause, shall be divided and disposed of as follows, that is to say two fifths thereof to be paid over to my said daughter Eliza A Myers to her sole and separate use forever and the other three fifths thereof to be loaned at interest, vested in some profitable stock, at the discretion of said Trustees and to accumulate until my said Grand children respectively attain the age of twenty one years, or marry; but if my said

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husband and would again ~~live~~ live with him and treat him as a husband, the provision made for her in this clause shall cease and determine, and the said two fifths shall go with the said three fifths to said Grandchildren in the manner above mentioned; though it is also my will and desire that if my said ~~undutiful~~ ^a son Joel McLeMore would give said Trustees full and satisfactory evidence of his entire and through and permanent reformation and of his having become a sober and moral man as mentioned in the preceding clause, it shall be in the discretion of said Trustees to allow and pay him the ~~one~~ fifth part of said profits and proceeds, giving them to my said daughter two fifths of the remaining four fifths, and to my said Grand children three fifths of the said four fifths ~~thereof~~, but in the manner above mentioned.

6. It is my will and desire that said trustees shall pay over and deliver to my said Grand children as they respectively attain the age of twenty one years or marry their respective portions of the profits and proceeds of my planting interest as mentioned in the preceding clause, and also allot give in fee simple and deliver to each one of my said Grand children as ~~she~~ ^t or he attain the age of twenty one years or marries the one fifth part of all my personal estate, excepting the household furniture which, together with the remaining two fifths of all my other personal estate shall be kept and continued on the plantation for ~~the~~ support and maintenance of my beloved wife and of my daughter Eliza A. Myers during their natural lives, or during the life of my said daughter, and after the death of my daughter Eliza A. Myers, it is my will and desire that the said two fifths of my personal estate and the issue of the slaves and the said household furniture, and all my real estate of every description whatever be equally divided between my said Grand children and their heirs for ever share and share alike; or the survivors or survivor of them; but it is my

die leaving issue at the time of his or her death, before my said daughter Eliza A. Myers, or before the division of said estate, the share ~~through~~ thereof that would go to such Grand child shall go to such his or her issue; and it is further my will and desire that if my said undutiful and prodigal son Joel should give said Trustees full and satisfactory evidence of his entire and thorough and permanent reformation and of his having become a sober and moral man, as mentioned and required in the two preceding clauses, the said Trustees may in their discretion give him one fifth of my personal estate whenever any one of my said Grand children shall first attain the age of twenty one years or marry, and also the one fifth of my real estate when ever the same comes to ~~be~~^{be} divided as above mentioned in this will, and in that event the shares or portions of said personal estate to be allotted to said Grand children and to remain with my said daughter to be diminished in proportion, and the share or portion of said real estate to be divided among my said Grand children to be proportionally diminished.

7. If my daughter Eliza A. Myers should survive her said husband, and should marry again and should have issue of her body living at the time of her death, it is my will and desire that the share or portion of said personal property herein before directed to remain with her during life and also one half of my said real estate be given to such issue and their heirs forever.

8. It is further my will and desire that in case my said daughter Eliza A. Myers should die before any one of my said Grand children should attain the age of twenty one years or marry, or in case she should become reconciled to her said husband and again live with him and treat him as a husband the whole of my estate real and personal be immediately sold by my said Trustees, in such manner and upon such terms

of be loaned at Interest or vested in profitable stock, at the discretion of Said Trustees, and the interest or dividends thereof be applied to the payment of my debts and the support and maintenance of my family as herein before mentioned, until my said Grand children respectively attain the age of twenty one years or marry, when the capital and accumulated interest or dividends shall be equally divided among my said Grand children or the survivors or survivor of them; but in case my Said undutiful Son Joel shall give Said Trustees full and satisfactory evidence of his permanent and thorough reformation and of his having become a sober and moral man as herein before mentioned, the said Trustees may in their discretion allow and give him one fourth of said capital and interest or dividends and the Said Grand children or the Survivors or Survivor of them the remaining three fourths thereof, to them and their heirs forever.

9. The Said Trustees are empowered at any time according to their discretion to sell my Said real estate in such manner and upon such terms as they may deem proper and to hire out Said Slaves, and to sell the other personal property and to apply and invest the proceeds, and to divide the same, according to the discretions contained in the foregoing clauses of this will.

10. It is my will and intention that my beloved wife should have a full and ample support and maintenance of of my said estate during her natural life.

11. If any contingency should arise not provided for in the foregoing clause of this will, I hereby give Said Trustees full power according to their Sound discretion and Judgment to make provision for the Same, in as ample a manner as a court of Equity might or could do.

12. I hereby nominate and appoint my said friends James Adams, Joel Adams and James H. Adams testamentary Guard-

and Executors of this my last will and testament, and Trustees to carry into effect and to execute the foregoing trusts and conditions upon which the Said Devises and bequests are made to them, as well as any other profits and conditions expressed herein after, or in any codicil to this my will.

13. It is further my will and desire that if all of my Said Grand children should die before attaining the age of twenty one years and before marrying, the shares or portions Therein before given to them shall go to such issue of the body of my said daughter Eliza A Myers as she may have and leave according to the Seventh clause of this will, ~~and may be~~ living at the time of her death, as well as at the time of the death of all my said Grand children without attaining the age of twenty one years and without marrying as aforesaid.

14. If all my said Grand children should die without attaining the age of twenty one years and without marrying, and if my Said daughter Eliza A Myers should die without leaving issue according to the Seventh clause of this my will living ^{at} the time of her death as well as at the time of the death of all my Said Grand children before attaining the age of twenty one years and before marrying as aforesaid, then it is my will and desire that the portions ~~or~~ shares herein before given to my Said Grand children and the Survivors and Survivor and to such issue of my said daughter Eliza A Myers shall go as follows, that is to say one half thereof to my nephew John Smart and the heirs of his body living at the time of his death, and the other half thereof to be equally divided between my nephew William Smart and my neices Caroline Moore and Harriet Woodward share and share alike and the heirs of their bodies respectively living at the time of their respective deaths.

15. It is my will and desire that the foregoing Sixth eighth ninth thirteenth and fourteenth clauses of this my will be sofar modified and corrected, that if any of my Said Grand children should die without leaving lawful issue of his or her body living at the time of his or her death, notwithstanding he or she may have attained the age of twenty one years or may have married the portion share of property given to such Grand child~~s~~ shall revert and go as directed and mentioned in Said clauses.---

Signed Sealed and published as the last will and testament of Said Testator in the presence of us who in the presence of the Said Testator and in the presence of each other have subscribed our names as witnesses thereto this 25th day of January 1837--

Jn. McLemore.

James Johnson)

John S. Lott)

James McMahon.

South Carolina)

Personally appeared John S. Lott who (Richland District) being duly sworn did make oath and say that he saw John McLemore sign seal publish pronounce and declare the annexed Instrument of Writing to be his last will and Testament - That he was then of sound and disposing mind memory and understanding according to the best of Deponents knowledge and belief and that he with James Johnson and James McMahon at the request of the Testator in his presence and in the presence of each other witnessed the due execution thereof.

Sworn to before me 6 February 1837

James S. Guignard

Jn. S. Lott.

Ordinary.

Recorded in Will Book K

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