

THE LAST WILL AND TESTAMENT OF MRS SARAH TAYLOR OF COLUMBIA SOUTH
CAROLINA WIDOW OF THE LATE JOHN TAYLOR ESQ. OF THE SAME PLACE

IN THE NAME OF GOD AMEN.

I Sarah Taylor being in good health and of sound and disposing mind
memory and discretion, and wishing and intending hereby to dispose
of the whole estate of which I may die possessed or be in any way
intitled to at my death, be the same what it may, do hereby make and
establish the following as my last Will and Testament for that
purpose Viz.-

First- I desire my Executor to pay all my debts with as much dis-
patch as may be consistent with the interest of my estate, and
for that purpose empower him to sell such of my estate real and
personal as may not be specifically devised and bequeathed by me
hereinafter upon such terms as he may judge most advantageous-

Second- I wish my whole estate fairly appraised at its real value
by my Executor Benj. F. Taylor Esq. or by three or more persons
selected by him for fairness and sound judgement, for the purpose
of settling and dividing the same as hereinafter provided-

Third- And after provision is made for the payment of my debts and
also for five thousand dollars worth of property which is either
to be set apart from my estate or purchased by my Executor for the
purpose hereinafter declared in the ninth (9th.) clause of this my
will, then the Residue shall be divided for the benefit of my
three Sons James H. Taylor, Wm. J. Taylor and Alexander R. Taylor
and of my three daughters Rebecca A. Brown, Harriet Chesnut Elmore
and Sally C. Rhett and their families respectively as hereinafter
particularly set forth-

Fourth- In case my Grand Daughter Sarah Chesnut Taylor only child
of my Son the late John Chesnut Taylor shall grow up and be married
before my death and be at that time alive, or after my death ~~but~~ shall
marry before the division of my estate and be at that time alive,
I give and bequeath to her two young and healthy female slaves be-

tween the age of 14 and 20 years to be selected from my estate by my Executor; but should she not be then married and marry within ten years after my death, it is my will that my Executor within twelve months after her marriage, purchase, two such slaves and deliver them to her, and that each of the shares of my estate here in after given to my children and their families be charge with a proportionate share of their cost and be held liable to contribute the same-the said two slaves and their increase I give and bequeath to my said Grand daughter for life only and at her death to such issue as she may leave then alive share and share alike- but if she leave no issue then alive, the said slaves and their increase to return to and become a part of my estate and to be distributed as directed in the Fourteenth (14th.) clause of this will as to the shares of my children.-

And here I think it proper to assign the reasons why I have given my said Grand Daughter a share of my estate less than what I have given my children - my son John Chesnut Taylor derived from the estate of his Grand Father John Chesnut, as one of my children and as a part of his Estate which was to make the share thereof given to me of my said son equal to the share given to each of his other children, a plantation which, was then estimated at the value of Thirty thousand dollars- My said Son was also largely advanced by my husband by negroes, lands, mules, provisions, money and other assistance, to an amount as great as any of my children will inherit and greater than any grand child of mine will receive- My children are all well advanced in life and have families to support and my said Grand Daughter is yet but a child and amply provided for- and I have therefore thought it just and right to endeavor to equalize amongst them the property which comes to them from their common ancestors.-

Fifth.- I have termed what remains of my estate after payment of

debts, providing for the five thousand dollars worth of property hereinafter disposed of in clause ninth(9th) and the two slaves willed to my Grand Daughter Sarah Cheanut Taylor, if the said Legacy vests before a division, the Residue of my estate; and I now proceed to dispose of the said Residue for the use and benefit of my said Sons and daughters and their families respectively-

Sixth.- Whereas my Daughter Sally C. Rhett, will by the will of her Grand Father the late Col. Thomas Taylor, be intitled to the whole of that portion of his estate which was left to me for life, as the Representative of his Son my Husband the late John Taylor and as that portion is equal or greater than I shall be able to give to each of my other children, I therefore think it just and right to equalize to some extent the property which is derived to my children from their common Ancestors- and in pursuance of this conviction I give devise and bequeath to my Sons Wm. J. Taylor and Alexander R. Taylor and to the survivor and to the Executors and Administrators of the survivor my yellow woman Judy and her child Sarah and their future issue and increase, and also one third of one sixth part of the said Residue of my estate, in trust, to permit my said daughter Sally C. Rhett to have the sole and separate use of the same during her life, without the body or income of the said estate being in any way liable for the debts or contracts of any Husband and after her death to her Husband if he survive during life if he remains unmarried; and when he marries or dies, then to her children then alive share and share alike, the issue of any that may be dead taking the share of the Parent.-

1st.- Seventh- To my Grandson John Taylor Brown, his Executors and Administrators I give devise and bequeath one fifth part of what may be the Balance of the said Residue of my estate in trust, to permit my Daughter Rebecca A. Brown to have the sole and separate use of the same during her life, subject to the same terms, limitations and conditions as are set forth in the foregoing sixth clause

of this will-

2nd.- Seventh- To my Son James H. Taylor, who is the Trustee of a certain Deed, made and executed on the 19th. day of December 1831 by and between said James H. Taylor as Trustee, my late Husband John Taylor and my Son-in-law Franklin H. Elmore Husband of my Daughter Harriet C. Elmore, for the convey and of settlement of the slaves therein named for the use of the said Harriet C. and Franklin H. and which Deed is duly recorded in the offices of the Secretary of State at Columbia, and of Register of Meane conveyance at Columbia and Walterboro in Colleton District, to his Executors and administrators, I give devise and bequeath one other fifth part of the Balance of said Residue of my estate, in trust for the sole and separate use of my said Daughter Harriet C. Elmore during her life, without the Body or income of the said fifth being in any way liable for the debts or contracts of any Husband and subject to all the further trusts conditions and limitations that are set forth and declared in said Deed as to the property settled therein.-

Eighth- And whereas I have become the creditor of my eldest Son James H. Taylor of Montgomery Alabama, by having paid to Mrs Elizabeth Bell a certain Bond and do now hold therefor his sealed Note dated at Montgomery aforesaid on the 23 May 1842 for six thousand Eight hundred and fifty eight Dollars, witnessed by F. H. Gilmer, it is my instruction to my Executor, that if the same remain due at my death, to invest it in property; and that said property be a part of the share given to my said son for the use of himself and family in the next clause of this my will.-

Ninth.- To my said Son James H. Taylor, I give devise and bequeath, for the use of himself and family, one other fifth part of the Balance of the aforesaid Residue of my estate, and also the five thousand dollars worth of property provided to be reserved or

which said five thousand dollars worth of property my Executor may either reserve out of my estate or purchase as he may judge most advantageous to all parties interested. The said fifth and five thousand dollars to be for the use and benefit of my said Son and family and for the education of his children, without the body or income of the same being in any manner liable for his debts or contracts, or the debts or contracts of his wife if she survive him, but to be kept together until their children are educated, when and after the death of both my said son and his wife, the same shall be divided amongst their children then alive, share and share alike, the issue then alive if any child who may have died, to take the share the Parent would have been intitled to if alive.- Tenth.- To my Son William J. Taylor, and to his Executors and Administrators, I give, devise and bequeath one other fifth part of the Balance of the said Residue of my Estate for the use of himself and family, without the Body or income of the same being in any manner liable for his debts or contracts and subject to the same limitations, conditions and trusts, as are set forth and declared in the foregoing ninth clause of this will-

Eleventh --. To my Son Alexander R. Taylor, his Heirs, Executors and Administrators, I give, devise, and bequeath the remaining one fifth part of the Balance of the aforesaid Residue of my Estate, for the use of himself and family, without the body or income the eof being in any manner liable for his debts or contracts, and subject to the same limitations conditions and as are set forth and declared in the foregoing ninth clause of this will- of the said fifth part of the Balance of the said Residue herein given to the use of my said Son Alexander R. Taylor and his family my House and Lot where I reside called the Hill, the lot opposite said house at the corner of Assembly and Laurel streets known as the Spencer Lot and my square lying back of my garden and between my house Lot and the State Arsenal square, shall constitute a portion

at the appraised value.--

Twelfth - And as my said Son has for several years, instead of settling himself, devoted himself to my business it is my will and I hereby direct, that if he desire to have either my plantation, or my Farms Fickleberry or any of my Town Lots, he shall be permitted to take the same at their appraised value, upon making such arrangements for paying for the same as may be satisfactory to my to my Executors -

Thirteenth- It is further my will in regard to my House and the lots devised to my said Son, that he may, if choose, at any time, sell the same or any part, investing the proceeds in other property to be held upon the same conditions and also that he is left to the free exercise of his judgment and wishes whether he will purchase any of the rest of the Real estate or not-

Fourteenth- In regard to the foregoing devises and bequeath for the use and benefit of my said three Sons and their wives and children and my said three daughters and their Husbands & children, I hereby declare and establish these further conditions and limitations, Viz, that in case the husband and wife in either of the six families, both die, leaving no child or issue alive at the death of the survivor, or if all the immediate children of any one of my said Sons or daughters shall die, after the death of both their Father and Mother, leaving no issue alive at the time of the death of the survivor of such children, then the share given to the use of that family shall return to and become again part of my estate, and be divided amongst the surviving families of my said six children, share and share alike, subject to the same limitations trusts and use as are created in regard to the shares given to them respectively above.--

Fifteenth- In case any of my Sons or daughters shall die before me, leaving a widow or Husband surviving me, such wife or Husband shall enjoy with the family the use of the share given for her or

his family, while such wife or husband remain unmarried and no longer.--

Sixteenth - And in case either of my said Six children shall die before me, leaving issue who are alive at my death, such issue shall take the share the Parents would have taken had the Parents survived me and subject to the same terms and limitations as are prescribed in the fourteenth clause above.--

Seventeenth - As a trifling reward for the fidelity of my servants Bill, Chloe, Molly and Nanny Jinny and Sam it is my desire that they respectively have the privilege of choosing to which of my six children and their families they shall respectively be assigned at their appraised value, as part of the Share of such child or family.--

Eighteenth- I nominate, constitute and appoint my Brother-in-Law Benjamin F. Taylor Executor of this my last will and testament, with full power and authority in case he cannot divide my real estate or such part as my son Alexander R. Taylor may not take, to sell the same and pay debts or invest the proceeds in negroes and divide them as ~~at~~ part of the Residue under the foregoing provisions of my will And should my said Executor die ^{be} fore me or decline acting, or die before executing the trust, I then appoint my Sons and daughters Executors and Executrixes of my will --

Signed, sealed and attested as Sarah Taylor

the last will and testament of the
Testatrix in the presence of us, who
in her presence and in the presence of
each other at her request have subscribed
the same as witnesses-- and also have signed
each sheet in like manner, this 14th day
of June A. D. 1842, Jinny and Sam being

interlined in the 17th. clause before signing--

Theo Stark-- R. H. Goodwyn-- N. Ramsay-----

STATE OF SOUTH CAROLINA)

RICHLAND DISTRICT

) Personally appeared Nathaniel Ramsay and made oath that he saw Sarah Taylor sign seal publish pronounce and declare the within Instrument of writing to her last will and testament that she was then of sound and disposing memory and understanding according to the best of this Deponents knowledge and belief and that he with Theodore Stark and R. H. Goodwyn at the request of the Testatrix in her presence and in the presence of each other subscribed their names as witnesses to the due execution thereof.

Sworn to before me 15 July

N. Ramsay

1851

James S. Guignard Ordinary-

CODICIL NO. 1. TO THE WILL OF SARAH TAYLOR

In order to render some provisions of my will more plain and to adjust them to the present condition of my affairs and my family I Sarah Taylor of Columbia So. Ca. make this codicil to my will bearing date this eighteenth day of April, in the year of our Lord, one thousand Eight hundred and forty eight.-

First- I declare it to be my continued will and desire, so to dispose of my Estate of which I may die possessed or intitled in any manner to, as to distribute the same with perfect equality amongst my children.-

Second- Whereas I have paid considerable sums of money for some of my children, other than those mentioned in my will and am liable for and shall probably have to pay more on like amounts as security or indorses, it is my will and desire and direction, that my Executor shall with all convenient dispatch after my death, as certain all such payments and liabilities and have the same liquidated in settlements that shall secure my Estate for the same either by sufficient personal security or liens on property -

But it is my will and desire that such demands or liabilities shall not be collected or called in by my Executor, during the the life of the child owing the same or of the widow or husband of such child unless other creditor shall force the sale of the property of such child, or it may be sold by order or act of law, in which event my Executor shall buy said property to the full extent that the said demands or liabilities may be available- And then it is so purchased it is my will and direction that such child, or the widow or husband of such child be allowed the use and enjoyment of the same during his or her life without the same being in any manner subject to or liable for their debts or contracts-

Third - And it is further my will and direction, that in all divisions of my Estate, the debts or demands against my children as aforesaid shall each for it self be allotted and assessed in the share or part of the child owing the same as part or whole of the same as the case may be- And where the demands and liabilities of the child, exceeds the share of such child the excess shall be an indebtedness to my Estate.-

Fourth - And whereas by the third and ninth clause of my will I direct property to the value of Five thousand Dollars to be set apart out of my estate, or purchased by my Executor, as an addition to the one fifth part of the Residue given to my Son James F. Taylor and his family, I now so far modify the same as to direct, that the Five Thousand Dollars aforesaid be set apart or raised out of and be charged upon the demands I have or shall have at my death against my said Son James F. Taylor, or that may be found due by my Executor from him.-

Fifth- And whereas my Son Alexander R. Taylor has for several years given me his services in the management of my property and affairs and thereby understands them better than any one else it is my will and desire that my Executor continue him in like authority and position after my death until my Estate is divided and that he

be allowed the sum of Fifteen Hundred Dollars per annum for all his services while so managing my Estate.--

Sixth- I give devise and bequeath to my Son Alexander R. Taylor his heirs, Executors and administrators my house and lot where I reside called "the Hill" and the square of land lying back of my garden and between my house lot and the State Arsenal - I further give devise and bequeath to my said son Alexn. R. Taylor all the furniture belonging to my dining room -

Seventh- I give devise and bequeath to my daughter Sally C. Rhett her heirs, executors and administrators the Spencer Lot at the corner of Assembly and Laurel Streets, (referred to in the Eleventh clause of my will, hereby revoking the disposition therein made of said lot of land.)

Eighth- And whereas I design to build a suitable dwelling house and out buildings on said lot for the use of my daughter Sally C. Rhett, during my life, it is my will and direction that should I not do so, or die before they are completed, my Executor shall complete the same and pay for said buildings out of the funds of my estate -

Ninth- And whereas in consequence of the delay in settling my estate which I have authorized and for the arrangements of the debts and liabilities I may leave against it, it may be expedient, that my Executor shall have power to make contracts notes and Bonds and mortgages to bind it, I hereby authorize and fully empower my said Executor to make and execute any such that he may deem advantageous in the management of the Estate and thereby to bind it as fully as though it were done by myself.--

Tenth- And I do further authorize and empower my said Executor to continue endorsements for a reasonable time, on any note or notes on which I am indorser and the renewals of the same for the whole or in part, binding my Estate as fully as I would do thereby, were

I alive and so to indorse the same myself.-

In testimony whereof I have hereunto set my hand and Seal this day and year above written-

Signed Sealed and published as the

Codicil to the last will and Testament

Sarah Taylor

of the Testatrix by her in our presence

and in the presence of each other who

have subscribed the same as witnesses

by her request-

April 19th. 1848 -- R. H. Goodwyn

Theo. Stork

N. Ramsay

SOUTH CAROLINA)

RICHLAND DISTRICT) Personally appeared Nathaniel Ramsay and made oath that he saw Sarah Taylor sign seal publish pronounce and declare the foregoing Instrument of writing to be a Codicil to her last will and Testament that she was then of sound and disposing memory and understanding according to the best of this Deponents knowledge and belief and that he with R. H. Goodwyn and Theodore Stack at the request of the Testatrix in her presence and in the presence of each other subscribed their names as witnesses to the due execution thereof.-

Sworn to before me 16 July 1851

N. Ramsay

James S. Guignard - Ordinary-

CODICIL NO 2-

I hereby nominate constitute and appoint my Son Alexander R. Taylor additional Executor to my last will and testament and vest him with all the power and authority conferred on my Executor B. F. Taylor by the Eighteenth clause of my original will and testament and that he be allowed the sum of Fifteen hundred Dollars per annum

as directed in the fifth clause of my first Codicil, over and above any commissions to which he may be intitled as Executor aforesaid, In witness whereof have hereunto set my hand and seal this day of May in the year of our Lord one thousand Eight hundred and fifty-

Signed Sealed and published as

Sarah Taylor

the Second Codicil to the last will and Testament of the Testatrix by her in the presence of each other who have subscribed the same as witnesses by her request.-

Jno. Caldwell

A. W. Kennedy

D. Caldwell

SOUTH CAROLINA)

RICHLAND DISTRICT.) Personally appeared Davis Caldwell and made oath that he saw Sarah Taylor sign, seal publish pronounce and declare the above Instrument of writing to be a Codicil to her last will and Testament- that she was then of sound and disposing mind according to the best of this Deponents knowledge and belief and that A. W. Kennedy and John Caldwell together with this Deponent at the request of the Testatrix in her presence and in the presence of each other subscribed their names as witnesses to the due execution thereof.-

Sworn to before me 16 July 1851

D. Caldwell

James S. Guignard Ordinary

Recorded will Book L.-----Page 138

Box.-59 -----1474 Package