

The last will and Testament of Robert Weston Jr. of the district and State aforesaid ,-----

In the first place I desire that my executrix do have my body buried in the usual manner,-----

In the next place I request my executrix to pay all my just debts,-----

I Devise and bequeath to my wife Mary Weston the whole of my estate real and personal (except the negroes put in the possession of my son in law Russell Spann, upon his marriage with my Daughter Elisa since deceased, and the lands hereafter ordered to be sold) for and during the term of her natural life, ~~with the power to dispose of by will or by other instrument~~

in writing, of the following negroes, Viz; Linton and his wife Rhode, and her four children, Tener, Jenny, Hull and Becky and the future issue of them all, and my negro man servant Joe, as well as all of my household and Kitchen furniture, carriage, waggons, horses, and all my stock and plantation tools,-----

At the death of my wife Mary Weston, then I give and bequeath the following negroes, Viz Kitt and his wife Charlotte and her seven Children and such other issue as she may have,

William and Bess his wife, and her present and future issue, to Mrs Maria White for life, for her children by her late

husband Timothy Lee, as may survivor her, and the issue of any such child as may die before her, issue of a deceased child representing the parent----- and at the death

of my wife as aforesaid, I give and bequeath the following

negroes, Anacka and her present and future issue, Susy and her

present and future issue and Bally and Cely, to Mrs Sarah Patterson

the wife of James Patterson, for life, ~~for her sole~~

use and benefit and at her death to her children,-----

Whereas at the marriage of my daughter Elisa with Russell

Spann I loaned to them the following Negroes Jim and his wife

Fanny Patty, Dennis, Daroas, Daphne and Becky, Amy Grace and Sam, which he is still in possession of subject to my will, I do hereby bequeath to the said Russell Spann for his life, the aforesaid negroes and their issue, and at his death to his two children Mary & R Spann and Robert Weston Spann, children of my daughter Elisa Spann deceased.-----

At the death of my wife, I also give and bequeath to the said Russell Spann in trust for his two children aforesaid the following negroes, to be equally divided between them.--- Viz, Ben and his wife Binah and her issue, Tom Stephen Smart and his wife Chaney and her present future issue, Gadsey and her present and future issue, Dianah and her present and future issue Peggy and her present and future issue to be delivered to the said children at their marriage or coming of age, and if either die un married or before he or she comes of age, the survivors to have the whole and upon the death of the survivor if he or she leaves no children or child then the said property to go to the children of Mrs Maria White by her late husband Timothy Lee, and to the children of Mrs Sarah Patterson, one half to the children of Mrs White & one half to the children of Mrs Patterson,-----

I also give to Mary R Spann, a negro girl named Hester and her issue.-----

I will and devise after the death of my wife unto Mrs Sarah Patterson one hundred and fifty acres of land, being to much of a tract of land purchased of Edward Croft by me, and known as part of the Big survey, the said one hundred and fifty acres to be run off of the Southern part of the said tract by a line running from the house tract to the plantation tract, to her and her issue forever.-----

I will and devise after the death of my wife unto the children of Mrs Maria White by her late husband Timothy Lee, my plantation tract of land, lying on the Camden road to McCords

Perry composed of parts of two tracts granted to Hughes and Basil

and now containing five hundred acres, to them and their heirs forever.

Also I will and devise unto Mary R. H. Spann and W. Robert Weston Spann my dwelling house tract (and the house & appurtenances) containing two hundred and seventy acres, and the residue of the Croft tract, after deducting the hundred and fifty acres I have already given to Mrs. Sarah Patterson to them & their heirs forever. this devise not to take effect in possession till the death of my wife.

All the rest of my land, which I have not disposed of as above mentioned I do not intend to be included in the life estate to my wife, but I will and desire it to be sold, as soon as convenient after my death by my executrix and the proceeds to be applied to the payment of my debts and if there is a balance, then the same to go to my wife to dispose of as she pleases. I do hereby nominate and appoint my wife Mary Weston my sole executrix.

In case my wife should die intestate, or without having executed the power by will or other instrument of writing during her life time, disposing of the seven negroes and their issue, which I have given to her I bequeath the same to her Grand children share & share alike.

In witness whereof I have hereunto set my hand this second day of June in the year of our Lord one thousand eight hundred and thirty one.

Signed published and declared
to be the last will and Testament
of the said Robert Weston Jr by him)
in our presence and signed by us
as witnesses in his presence and
in the presence of each other.

Robert Weston Jr.

D. J. McCord

J. W. Clark

191

CODICIL TO MY WILL.

I will that abbey and her present future issue which are given in my will to Mrs Maria White and her children therein mentioned should go to Russell Spann in trust for his children as in the will is declared in leiu and instead of the negro woman Gadsey & her present & future issue, whom I wish substitute in the clause bequeathing to Mrs White and her children in leiu & place of Abbey and her present and future issue----- Meaning that Mrs White & her children should have Gadsey and her present and future issue instead of Abbey and her present and future issue and that Mrs Spann's children should have Abby and her present and future issue instead of Gadsey & her present & future issue In witness whereof I have hereunto set my hand this second day of June in the year Eighteen hundred and thirty one,-----

Signed published and declared) Robert Weston Jr

to be the last codicil to the will
of the said Robert Weston Jr by
him in our presence and signed by
us as witnesses in his presence and
in the presence of each other)

D. J. McCord

J. W. Clark

J. M. Roach

Recorded in Will Book H-

Page- 503- Box-33-Package-608

CON'T

WILL OF

#5

ROBERT WESTON JR.

SOUTH CAROLINA) Before me personally came and appeared
RICHLAND DISTRICT) David J. McCord Esq and made Oath that
he saw Robert Weston Jr sign seal publish and declare the annexed
Instrument of writing to be his last will and Testament that
he was then of sound and disposing mind and memory according
to the best of this Deponents knowledge and belief and that
he with John W. Clark and J W. Roach at the request of the
Testator in his presence and in the presence of each other
subscribed their names as witnesses to the due execution
thereof --- and also witnessed the due Execution of the
Codicil

D. J. McCord

Sworn to before me

29 November 1833

James S. Guignard

Ordinary

Same day Mrs Mary Weston qualified as Executrix.