

(Will)

In the name of God Amen, I JOSEPH PRICE Sen. of the State of South Carolina Spartanburg District being weak of body but of sound mind and memory do ordain this my last will and testament hereby revoking all wills or other testaments by me previously made. First I give and bequeath to my wife- beloved wife NICY PRICE one half of the land where on I now live including the dwelling house three Negroes viz Chany Berry & Jacob two horses named Gin & dock four cows and calves two sows and pigs and young hogs sufficient to make meat for one year viz eight & also corn wheat etc. for the present year, two beds and furniture one cupboard and Walnut chest plantation tools and kitchen furniture sufficient for her convenience one saddle this for her use and benefit during her natural life I do hereby appoint my two sons FREDERICK PRICE & RUSSEL PRICE as guardians to see that she does not waste nor embezzle the sd. property they shall contract & make their annual returns I give and bequeath to me son JESSE one half the tract of land I now live on to be apportioned by the sd commissioners whom I here ~~appoint~~- shall appoint hereafter one mare (?) saddle bridle & clauk two cows and calves one sow and pigs six killing pigs And I do appoint my son RUSSELL as guardian to act for him until he becomes of age All me personable property guns farming utinsels household and kitchen furniture that I have not before given away to be sold The Negroes excepted I do hereby appoint Joshua RICHARDS William DOBBINS Joseph BYARS Frederick GUTHRIE & Samuel GUTHRIE to apportion all me money and personal estate unto equal lots with the exception of RACHEL PRICES & Margaret FOWLERS they shall have their equal part in money RACHEL PRICES part to be divided equal among the heirs fo ROBERT PRICE Deceased Margaret FOWLERS part for her own use and disposal Rachel GRIFFINS ~~ehildren~~- part to be equally apportioned among the lawful heirs of her body Anna ALLEN shall have and enjoy her part during her natural life and then it shall be equally divided among the lawful heirs of her body after all my just debts is paid I do vest the commitioners that I have appointed with full power to adjust this my will testament as above directed And I do hereby appoint FREDERICK PRICE & RUSSEL PRICE my executors to this my last will and testament In witness I have hereunto set my hand and seal the twenty fifth of March one thousand eight hundred and thirty five

Attest Ephraim W. GUTHRIE)

his

Joseph GUTHRIE)

Joseph X Price (seal)

Joshua RICHARDS

(Appraisal) The estate was appraised 9 May 1834 by Joshua RICHARDS, William DOBBINS, Joseph BYERS, Frederick GUTHRIE and Samuel GUTHRIE. It was valued as follows:

| | |
|------------------------------|----------------|
| Property left to Widow | \$1,450.00 |
| Property left to Jesse | 103.50 |
| Property left other legatees | 4,731.51 1/2 |
| Total | \$6,185.01 1/2 |

(Sale) The estate was sold on 31 May 1834. Buyers were:

| | |
|-----------------|-------------------|
| Esaw PRICE | Lawrence ANDERSON |
| Benjamin PRICE | John PRICE ? |
| Anna ALLEN | Joseph GUTHRIE |
| Margaret FOWLER | Elias TURNER |
| Hugh THOMAS | John WOOD |
| William MARTIN | William THOMAS |
| Frederick PRICE | Patrick SANDERS |
| Russell PRICE | James SPROUSE |
| Edmund GUTHRIE | Jonathan GUTHRIE |
| Elizabeth PRICE | Joseph ALLEN |
| Annen TURNER | William KELLY |

SPARTANBURG COUNTY EQUITY COURT RECORDS

Box 21. Packet 3. JOSEPH PRICE, Exor. et al Vs. WILSON NESBITT et al 1841.

Your oratrix Rebecca TURNER and your orator Joseph PRICE show the Court that John TURNER, late husband of your oratrix, by his Last Will and Testament, appointed Joshua RICHARDS and Joseph PRICE as his executors. The Will was filed in July of 1813, but some of the witnesses refused the oath because they were heirs under the terms of the Will. Rebecca TURNER petitioned Court and became the Administrator of the estate and William NESBITT the security. Estate was sold on 17 August 1818. The Will eventually was proved and the Administration revoked and your Oratrix and Joseph PRICE qualified as executors. Joshua RICHARDS refused to qualify.

The heirs of JOHN TURNER were:

His son Nathan TURNER, still living
Sarah or Sally TURNER, died without marrying
Samuel TURNER, died before John TURNER, left children
William TURNER, died before John TURNER, left children
John TURNER, still living
Mathias TURNER, died since the death of John Turner
Milly BYERS, widow of Nathan BYERS, still living
Minsa PRICE (Artaminsa?), widow of Joseph PRICE, still living
Rachel PRICE, widow of Robert PRICE, died since John TURNER, left children
Henry TURNER, died since John TURNER, leaving children
Polly TURNER, now Polly PRICE wife of Russell PRICE

(This case has to do with some land which Rebecca TURNER and Joseph PRICE say that Mathias TURNER, before his death, caused the said Rebecca TURNER to convey to Wilson NESBITT without her understanding of the transaction, and the oratrix and orator want the Court to make void the deed.)

SPARTANBURG COUNTY EQUITY COURT

Case Box 39. Package 14 (1857) BENJAMIN PRICE, et al, Vs. FREDERICK PRICE et al.
Benjamin PRICE and Esaw PRICE say that Joseph PRICE, in his Last Will & Testament of

25 March 1834 (of which Frederick PRICE and Russell PRICE were executors of same) under a clause of the said will, left his widow Nicey PRICE besides a liberal provision for her of the proceeds one-half of his homestead including the dwellings, during her life, with a clause that Frederick PRICE and Russell PRICE were to watch over the estate.

Nicey PRICE took possession of said land, being 300 acres on the waters of Thickety Creek, and lived there for a number of years. She voluntarily abandoned it and moved off to the West, taking with her the personal property she received under the Will of Joseph PRICE and has since died intestate in Alabama, leaving as heirs Benjamin PRICE, Jesse PRICE, John PRICE, Frederick PRICE, Sally TURNER wife of Elias TURNER, Tabitha TURNER wife of Mathias TURNER, the heirs-at-law of Anna ALLEN wife of Lee ALLEN whose names are unknown to us; the heirs-at-law of Margaret FOWLER, deceased, to wit: Malissa FOWLER and Drucilla McABEE wife of Wiley McABEE; the heirs-at-law of Rachel GRIFFIN, deceased, to wit: Joseph GRIFFIN, Nicey RICHARDS wife of Rice RICHARDS, Patsy PARKER wife of _____ PARKER, and Rachel GRIFFIN Jr.; the heirs-at-law of Robert PRICE, deceased, to wit: your orator Esaw PRICE, Jacob PRICE, Hugh PRICE, Nicey EVANS wife of Thomas EVANS, Tabitha BYARS wife of Jackson BYARS--all of whom live beyond the limits of this state except your orator Benjamin PRICE and the heirs of Robert PRICE.

Upon the settlement of the personal estate of Joseph PRICE, the executors Frederick PRICE and Jesse PRICE kept a large sum of money, \$12,000 or \$14,000, to defray the expense of a suit in Equity which was threatened by Wilson NESBIT and others and was commenced then discontinued, leaving the money in the hands of the executors who have moved off and taken the money with them.

The orators ask the Court to partition between them the 300 acres of land left by Nicey PRICE, and the request was granted.

[Note from Mrs. Lindemann: The family of Joseph & Nicey Price settled in White County, AR, after being in AL for a few years. See 1850+ census records.]