

State of South Carolina) In the Name of God Amen.---I David Witherspoon

Sumter District) spoon of the State and district above named, being in good health of body and perfect mind and memory, (blessed be god for the same) but calling to mind the mortality of my body, and knowing it is appointed unto all men, once to die, do make and ordain this my last will and testament. Principally and first of all I resign my soul to God, who gave it and my worldly state withwhich it has pleased him to bless me I give and bequeath in the following manner-----

Item 1st) I will and bequeath to my beloved wife Mary Witherspoon eight negroes viz Mary Tom, Brister, Maurice, and four small negroes Ladson, Ellias, Terry and Letty, and their issue to her forever, six cows and calves, my waggon, four horses, my riding chair, and all the stock of hogs on the plantation; also all the household and kitchen furniture, except that part herein otherwise disposed of, which said negroes & property it is my will to be at her disposal, should she survive me, but in case of her death without disposing of willing the same to any one she I desire and will that the negroes be equally divided between my new three youngest children, to wit, Charles L. Witherspoon, Ann B Witherspoon, Lillis A. Witherspoon, the perishable property to be sold by my executors and equally divided amongst the said named children Charles. L. Ann B & Lillis A. Witherspoon--also the tract of land on which I now live during her life except the part given to my Son John L. Witherspoon which has since been bought by me and given to my Son James A. Witherspoon--now deceased & now belonging to his Estate-----

Item 2) I will and bequeath to my Son Charles L Witherspoon, four negroes. viz, Ceasar Cinn, Binah, & Jackson, two cows and calves, one horse and one feather bed, and furniture the negroes and their issue to him and his heirs forever, also the Tract of Land on which I now reside. / with the above named exceptence) after the death of

my wife to him, and his heirs forever) Item 3^d I will and bequeath
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Item 4th) I will and bequeath to my daughter Lillie ~~the~~ ^{one} spoon

for negroes viz Bob, Flora, Susy, and her child Joseph, them and their issue to her and her heirs forever two cows and calves, one horse, one feather bed and furniture-----Item 5th) I will and bequeath to my Son John L. Witherspoon, my daughters Elizabeth

Ann, Matilda Durant, Mary McCullin the sum of five dollars (each) which with the property I gave them at Marriage I deem a full share of my estate both real & personal. Item 6th) I will and bequeath to my three grand children, children of my son Moses E. Witherspoon the sum of five dollars each-----Item 7th) I will and desire if any of my children should die before marriage or the age of twenty one years that his or her part shall be equally divided amongst the children of my present Wife, Mary Witherspoon-----

Item 8th) It is my will and desire that so much of my personal estate, as is not mentioned in the foregoing items, and clauses as may be absolutely necessary to pay my just debts and funeral charges, be sold by my Executors; and the remainder thereof with any money, or other interest I may possess, to go to my Wife; or the issue of her body--Furthermore I do hereby constitute, and

appoint Stephen Lacoste, James McCullin, Executors of this my last will & Testament revoking and annulling all former Wills & Testaments. In Witness whereof I have hereunto affixed my hand and seal this the ~~Twenty~~ Twenty seventh day of January, in the year of our Lord one Thousand eight hundred and Thirty five and of the American Independence the fifty ninth of American Independence-----

Signed Sealed and executed in the Presence of

William Guin

Samuel McKee

David Witherspoon (SEAL)

John Campbell

Not recorded in Will Book

Sworn to this 4th day of May 1835)