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WILL OF

JOHN SMITH SR

The State of South Carolina

I John Smith Senior of McGirt's Branch, in Sumter District and State, Planter Do hereby make my last Will & Testament, viz. ---
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1 ---- I give & bequeath to Thomas Watson & Levin Wright as Trustees in Trust to & for the use & behoof of my Son John my Negro Man Slave called Jerry, for & during the Life time of the said John and from and immediately after his decease the value of the said Slave to be equally divided among the Children of the said John the Issue of his Body lawfully begotten share & share alike forever; Subject to the proviso hereafter written.-----

2d..... I give & bequeath to the same Trustees, as Trustees in Trust to & for the Use & Behoof, of my Daughter Tabitha Wright my Negro Woman Slave called Siney, for & during the said Tabitha ^{life} time and from and immediately after her decease the Value of the said Slave to be equally divided among the Children of the said Tabitha the Issue of her Body lawfully begotten, share & share alike, forever; Subject to the said Proviso.-----

3d..... I give & bequeath to the same Trustees, as Trustees, in Trust to & for the Use & Behoof, of my Daughter Levina Goff my Negro Girl now a Child called Phillis the Daughter of Siney, during the Life time of the said Levina, and from & immediately after her decease, the value of the said Phillis with her Issue and Increase (if any) to be equally divided among the Children of the said Levina the Issue of her Body lawfully begotten share and share alike; forever; Subject to the said Proviso.-----
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4 I give & devise to the same Trustees as Trustees in Trust to & for the Use & Behoof of my Daughter Mary Mims, and to her separate use not withstanding her Coverture, a certain place or or parcel of Land containing On e hundred Acres more or less ad-

Trustees in Trust to & for the use & behoof of my Son John my Negro Man Slave called Jerry, for & during the Life time of the said John and from and immediately after his decease the value of the said Slave to be equally divided among the Children of the said John the Issue of his Body lawfully begotten share & share alike forever; Subject to the proviso hereafter written.-----

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3^d..... I give & bequeath to the same Trustees, as Trustees, in Trust to & for the Use & Behoof, of my Daughter Levina Goff my Negro Girl now a Child called Phillis the Daughter of Siney, during the Life time of the said Levina, and from & immediately after her decease, the value of the said Phillis with her Issue and Increase (if any) to be equally divided among the Children of the said Levina the Issue of her Body lawfully begotten share and share alike; forever; Subject to the said Proviso.-----

th
4 I give & devise to the same Trustees as Trustees in Trust to & for the Use & Behoof of my Daughter Mary Mims, and to her separate use not withstanding her Coverture, a certain piece or ~~er~~ parcel of Land containing On e hundred Acres more or less adjoining Lands belonging to Ichabod Mixon, Shadrack Rogers, Samuel Mathis & my own Land; being part of a Tract of Land that bought of Samuel Shiver, lying & being in the District and State afore said. To have & to hold to & for the Use & behoof of the said Mary, as aforesaid, during her life time, and from & immediately after after her decease, to & for the Use & behoof of her Children, the Issue of her Body lawfully begotten, to be equally divided

among them share & share alike, and to their Heirs and Afsigns forever; Subject to the Proviso aforesaid. That is to say Provided nevertheless, that each and every of the said Negroes above named and the said piece or parcel of Land be fairly & honestly valued or Appraised immediately after my decease And one seventh -----part of the amount of the said valuation be paid over to my Daughter Sarah & her four eldest Children And one other seventh -----part thereof be paid to my Daughter Elizabeth And that the above-named Legatees & Devisees to wit John, Tabitha, Lexina, and Mary do refund and contribute towards the same according to the Value or Valuation of their respective Legacies, so as to make them all equally in point of amount or value received from my Estate.-----
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5 All the rest & residue of my Estate & Property real & personal, I request my be equally equally divided among or between my wife and all our Children share & share alike each to have one seventh part of the whole to have & to hold to the use & behoof of their Heirs & Afsigns forever, My wife to have also one seventh part of the said Slaves above named & ^{of} the One hundred acres of Land or the value thereof It being intended that my Wife & our Children shall be all equal in point of amount that they may recieve from my Estate real & personal, My wife to choose where she will have her part of the Land laid off to her What is given her is in lieu of Dower.-----
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6 . I nominate & appoint my Son John Smith, Gates Goff & John Bottoms Executors of this my last Will & Testament.-----
and declared to his last Will & testament Signed by the said Testator in presence of us who in his presence & in the presence of each other have hereto subscribed our names.---

James Clark

his

Peter Campbell

John X Smith

Mark

John Geo Mackensie