

WILL OF JOHN GRAHAM.

State of South Carolina }

Williamsburgh District }

I John Graham of the District

aforesaid do make and ordain this to be my last Will and Testament ^{1st}. As it regards Frances Durant, whom I married at Conway borough December the 10th 1835 --- Whereas the said Frances has not yet submitted to me as A Wife ought to do to A Husband, I declare before God, and the world, that all contracts of marriage between us is null, and void, as though they never had existed -- the laws of both God and man require that all contracts must be mutually binding, and that when either of the contracting parties refuse, or neglect, to comply with their part of the contract it naturally it becomes null, and void, as it respects the other party -- on Friady the 28th April last, she finally went off and left my house and lodging - I had it in my power to prove the above fact to the satisfaction of the following persons vis Daniel Nesmith, & Martha his wife - Martha Johnson Elisabeth Morris, James Morris, Joseph Nesmith, and John Graham Minor - Just before she started she demanded that if I would give her Bond and security, that I would treat her as A Wife, she would return and live with me -- I immediately offered to meet her on her own ground, that if she would give the same bond and security to submit to me as A Wife ought to do to A Husband -- the whole was settled in one moment, But all that the above party could say, she would not comply with her own terms, this convinced the whole party that she well knew it was not in her power to do so, and they all advised me to make her no further offer, now as it is evident from this that the above fact is completely true, I

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2nd I ~~leave~~ ^{bequeath} to Sarah Morris my daughter, the wife of Robert Morris Sen^r, Susan and her three Children, Frances, Chloe, Sarah, and fellow Louis, during her natural life, and at her

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death to be equally divided amongst her surviving children,
with the future increase of the negroes ----

3rd I ^{leave} ~~leave~~ to my son Samuel N Graham during his natural life,
Simin, Mindow, and her four children, Eliza, Jim, Sally, Han-
nah, during his natural life, and at his Death to be equally
divided amongst his surviving children, with the future increas
of the Negroes

4th I ^{leave} ~~leave~~ to my Grandson John Graham during his natural
life, little Jack, or Jacko, Sam and Elizabeth also the Thomp-
son tract of land whereon I reside and the Knox swamp tract of
land adjoining it and the Man Delicate Feather bed and its
furniture and at his Death to be equally divided amongst his
children, if he should die leaving no Issue, to be equally divi-
ded amongst my surviving grand children, his property to re-
main in the hands of my Executors until he is twenty one years
of age, or marrys ----

5th The residue of my Estate both Real, and Personal, I wish
equally divided amongst my surviving grand children, and the
parents of each to be their guardians until they arrive to the
age of twenty one, or Marrys if either of them die before the
age of twenty one years, leaving no Issue, their part to be
divided
equally amongst my surviving grand children ----

6th It is my Will and desire that my Executors sell all the
perishable property (and more if neceSsary) to pay all my

debts 7th And lastly I do hereby Nominate, Constitute, and
appoint, Samuel N. Graham, Benjamin Britton, Robert Morris,
and David D Wilson, my lawful Executors to this my last Will
and Testament --- giving them full power to execute the same,
also the full power with the aSsistance three Freeholders to
give to each of my heirs their share or part of my Estate as

4th I ^{leave} leave to my Grandson John Graham during his natural life, little Jack, or Jacko, Sam and Elizabeth also the Thompson tract of land whereon I reside and the Knox swamp tract of land adjoining it and the Man Delicate Feather bed and its furniture and at his Death to be equally divided amongst his children, if he should die leaving no Issue, to be equally divided amongst my surviving grand children, his property to remain in the hands of my Executors until he is twenty one years of age, or marrys ----

5th The residue of my Estate both Real, and Personal, I wish equally divided amongst my surviving grand children, and the parents of each to be their guardians until they arrive to the age of twenty one, or Marrys if either of them die before the age of twenty one years, leaving no Issue, their part to be divided equally amongst my surviving grand children ----

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7th And lastly I do hereby Nominate, Constitute, and appoint, Samuel N. Graham, Benjamin Britton, Robert Morris, and David D Wilson, my lawful Executors to this my last Will and Testament --- giving them full power to execute the same, also the full power with the assistance three Freeholders to give to each of my heirs, their share or part of my Estate, as they arrive to the age of twenty one years, or marry without petitioning any Court of law, or Equity, for A division --

In witness whereof I have hereunto set my hand and Seal, this 20th day of May one thousand eight hundred and thirty Seven, and in the Sixty first year of the Independance of the United States of America -----

Witnesses

Robert Morris

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Maria King

John Graham (Seal)

Jehu Baker

N.B. The word divided Nineteenth line from the bottom Inter-
lined before signed -----

Recorded in Will Book "B " Page 124.

Recorded 5th Day of June 1837.

Samuel G. McClary Ordinary Williamsburgh Dist.

Apt. 12. Pkg. 18.