

STATE OF SOUTH CAROLINA

THE last Will and Testament of

John Barry (Senr) of York District South Carolina. I, John Barry

Considering the uncertainty of this mortal life, and being of sound mind and Memory (blessed be Almighty God for the Same.)

do make and publish this my last Will and testament in the manner

and form following that is to say-- First I give and bequeath un-

to my beloved Wife Isabella at my decease the plantation whereon

I now live, and She is to enjoy full possession of the same, to-

gether with all the Stock of Cattle Horses & hogs that I may have

at my decease and moreover a sufficiency of Household and Kitchen

furniture, & Bedding necessary to her support and Comfort during

her natural life, (and these things I give and bequeath in lieu

of Dower) in explanation of the above, my will is that things

remain as they are at my decease during my Wife's natural life,

So that my Wife Isabella Barry may have a comfortable maintain-

ance and support from the same during her natural life) and,

farther my Will is that none of the negroes herein after ment-

ioned be removed from the premises or taken out of or from under

her Command, during her natural life, and then at her decease I

allow my property to be disposed of in the manner following. Viz.

my Land I give and bequeath unto my two Sons Robert and John

Barry in the followin g manner, the upper part that is to say the

part where the Houses and Improvements are to my son John Barry

and the other part unto my son Robert Barry to be divided between

them according to quantity and quality and the Division Line so

run as to throw all the Cleared land and houses that are on the

upper part into his part and as the Land is worn, I allow him to

have the more in quantity So their lands maybe of Equal Value, and if they Cannot agree themselves with regard to the devision and Valueation they are to Choose each of them an arbitrator & if a third is is necessary he is to be chosen by the two former and to them they are to refer the devision & to abide by their award the upper part run in the manner aforesaid I Give and bequeath unto my Son John Barry his heirs together with all and singular the rights members & appurtenances to the same belonging or in any wise incident or appertaining to have hold occupy possess and enjoy the same forever unto my son Robert Barry I give and bequeath the lower part of the said tract of land to him and his heirs together with all and singular the rights members & appurtenances to the same belonging or in anywise incident or appertaining to have hold occupy & possess and enjoy the same forever nevertheless nothing herein shall be so construed so as to hinder either John or Robert to improve by building or otherwise on the part of the Land assigned them in case that both or either of them marry before the death of their mother. To my daughter Sarah Barry I give and bequeath my negro Girl named Tab, but not to go into her possession until after the decease of my wife & the said negro Girl Tab and her Increase I will and bequeath unto my daughter Sarah and her lawful Bodily heirs, but of the said Negro Tabs increase I will unto my Son's Robert and John each a child & they may take these Children into their own possession at the age of Eighteen months old & farther I will unto my daughter Sarah a horse Saddle and bridle; Bed and Covering or a proportionable part of the same with my Son's Robert and John (that is to say a proportionable part of the bed Cloathing) and farther She is to have possess and enjoy the place where I now live as a home so long as she remains single without any let or hindrence from any person and farther I will unto her a proportionable part (with John & Robert) of the household furniture that may remain of mind at the decease of my wife ~~to my~~ ^{to my} Daughter Martha Nisbet I give and bequeath at the death of my wife

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her property during her natural life and then to go Her and her
increase to the natural bodily heirs who survive her & to and if
my daughter Martha has no Bodily heirs who Survive her then Jude
and her increase is to be equally divided among my natural bodily
heirs To my Sons Robert and John I give my Waggon & Team Share
and share alike To my son John I Give a Certain Bay Mare exclus-
ive of his Interest in the waggon and team all the farming tools
such as plows and hoes Gears & all my books all my stock of Hogs
& Sheep I will to my two sons Robert and John Share & share alike
My stock of Cows I will in the following manner two thirds of
them to Robert & John and the remaining third to my daughters
Martha Nesbet and Sarah Barry the two thirds equally divided be-
tween Robert & John & the one third equally divided between
Martha & Sarah My Negro Boy named Raph I will to John & Robert
to belong to them in Common in order that he may work equally
for each and they are to support & Comfortable Board and Cloathe
my son William Barry during his natural life for the same But if
either John or Robert die before William then the Survivor is
have Raph and the Survivor is wholly to take care of William
But if Both my sons John & Robert Survive William Raph is to be-
long equally to each. The old negro woman named Jose I allow
my Sons Robert & John keep on the plantation & in case she
becomes helpless they are to take care of her To Christopher
Bell I will the sum of Six Dollars to be paid him by my Executors
herein after mentioned in twelve months after my decease To my
Grandson Samuel Bell I will him a horse saddle and Bridle, the
horse to be worth Sixty Dollars, these to be given him by my Exrs
herein after mentioned in Twelve months after my decease To my
Grand daughter Rebecca Bell My will is that she Rebecca is to have
a negro child at the age of Eighteen months or two years old

out of Jude's Increase but it leaves it discretionary with Ex-
ecutors herein after mentioned at what time they Give this Ne-
gro child to Rebecca, as I do not want them to be pushed before
they see a proper and convenient time as I invest this property
in them to do as they see proper--in explanation with regard to
Martha Nisbet in the former part I Gave Jude & all her increase
to Martha Nisbet I only mean all her increase with the exception
of this one that Rebecca Bell is to have--

NB. the words (unto my son Robert Barry) was interlined before
signed and the words (but if the Said Jude fails to have any
increase then I allow her to have one of Tabs increase at the
same age was erased before signed)

I appoint and ordain and allow my sons Robert & John my execut-
ors of this my last will & Testament

Published Signed Sealed in the presence of the following witnesses
this tenth day of Nov. in the year of our Lord one thousand
Eight Hundred and twenty eight

John Barry (L. S.)

Joseph Carral

Samuel Carral

James Wilson

Probated February 14, 1829

Will Book "G" P269

Case No. 26

File No. 420