

Will, SC, York, JOHN BLAIR, 1846

In the name of God, Amen!

I, **JOHN BLAIR** of Yorkville in the District of York. and State of South Carolina, being in my usual health of body, and of sound and disposing memory and judgment do ordain make and declare this instrument, which is written with my own hand, to be my Last Will and testament; hereby revoking all others by me heretofore made.

Imprimis. My immortal soul I commit in faith to the care and keeping of the spirit of God, to be I hope progressively sanctified until my decease; and then I hope and pray that with realizing assurance I may be enabled to commit it to my savior the lord Jesus Christ, to be presented by him (free from the pollution and guilt of sin) before his fathers throne in Heaven, there, in company with glorified spirits to sing hosanna's to God and to the Lamb throughout eternity! and progress in nearer and nearer imitation of the communicable attribute of God! And my body I direct to be interred at the foot of my former wife's grave in Sharon Grave yard with a monument erected over my grave, similar to the one erected over the body of the late **ROBERT MCCAW** of Yorkville, with the addition of an iron enclosure; and if my wife should survive me and she should desire it, it is my singular wish, that her body at her decease should be buried with mine in the same grave until the resurrection! And the worldly goods with which a kind providence has blessed me or shall have committed to me as his Steward, I dispose of at my decease in the following manner (after the very few Just debts which I owe are paid)
- Viz

Clause 1st To my dearly beloved wife **NANCY BLAIR**, during her natural life, I give and bequeath in trust, forty shares of stock in the Bank of the State of North Carolina, my fifty shares of stock in the Merchants Bank Cheraw, two hundred shares of stock in the Commercial Bank Columbia, and my Note against **ALEXANDER** Huggins; which Stocks and note (now worth about \$19,397) I allow to be applied, at my wife's decease, to the payment of mine & her Bond then due to the Exrs. of her brother **JAMES IRWINS** estate. I also give and bequeath to my said wife, during her natural life, the House and two Lots whereon we now live; the four-acres of Land adjoining; which latter I purchased of **THOMAS HOOVER**; the fourteen and three fourths Acres of land purchased from **JOHN MCCOY**; the lots purchased; from **SHERIFF BRIANT**. And formerly Doctor **JENNINGS** property; my plantation containing three hundred and sixty seven and a half Acres, purchased of **BENJAMIN NEELL** & wife; And all the Negroes, live stock farming utensils, Waggon, Carriage, and household and kitchen furniture, which I may die possessed of. And lastly I give and bequeath to her, all the residue of my estate, after this Will is otherwise executed, and she will be entitled to receive for her own use all the semiannual dividends arising upon the aforesaid Bank Stocks until her decease; requesting her however to make a donation if not previously done of one hundred dollars to each of the children who may have been called after us to assist in their education. And it is my earnest request and advice to my dear wife, that shortly after my decease she do make her Will; devising all the property herein bequeathed to her and which she may die possessed of (after the aforesaid Bond is paid off) to those of my legatees in York District which, she may select as the most worthy and needy, and in such proportion as she

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may think proper; reserving however three thousand dollars from the sale of said property, for the purpose hereafter specified. – But should my dear wife neglect or decline to make any will as above advised; in that case; it is my express Will that as soon as may be after her decease. my executors will pay off the store said Bond as before directed; then have all the surviving Negroes appraised and all the remaining property bequeathed to her in trust, sold and after reserving three thousand dollars from the amount of the sales for the following purpose. let the remainder of the amount of the sales, and the amount of the appraisement of the Negroes, be equally divided amongst my legatees herein mentioned, and who now reside in York District & Pinkneyville; and paid to them in the following manner, Viz. let the Negroes individually have their choice amongst the said legatees, of those whom they may prefer to live with, but let not more than two Negroes be given to any one of the said legatees, and let those of them who may purchase at the said sales, including the Value of the negro or Negroes which they may receive, and if the amount should be more than their equal share, let them give their obligations respectively for the balance overpaid to my executors; in order to enable them to pay off the rest of the said legatees, so as to make the shares of all them equal the three thousand dollars above mentioned, I wish my Exrs. to invest as soon as they can. in good bank or South Carolina Rail Road Stock, which I hereby give and bequeath to The legislature of South Carolina for the time being in trust & the Dividends applied for the purpose of organizing, continually supporting, and conducting a free school at Blairsville according to the plan, which I have prescribed in the nineteenth clause of this Hill for the establishment, and continual support, of a Free school at Yorkville.

Clause 2nd. To **SAMUEL B. ALEXANDER** (son to my late niece **ISABELLA ALEXANDER**) I give and bequeath during his natural life thirty shares of my stock in the Broad river Bridge Co. and eleven shares of my stock in the South Carolina Rail Road & its Bank; also the Negroes **GOLDEN, GEORGE, JUDE, ALICK, and HENRY**, with their increase, and the other personal property which I purchased from **THOMAS E. SUGGS**, assignee of **JAMES H. ALEXANDER**, as set forth in their Bill of sale; I also give and bequeath to the said **SAMUEL S. ALEXANDER**, and to his children, my two lots in Pinkneyville At twenty six and a half acres; and my plantation on Pacolet river containing two hundred and thirty eight and a half acres, purchased also from the said **T. E. SUGGS** and **JAMES H. ALEXANDER**; And I do hereby appoint the said **JAMES H. ALEXANDER** as guardian for his son the said **SAMUEL B. ALEXANDER**, until he comes of age; to receive the dividends arising upon said stocks, to take charge of the said Negroes in cultivating the said lands and in taking care of the other property and the proceeds he will apply to the use of said son in furnishing him with clothing. boarding, and giving him a good education, and when he becomes of age, the above property and its increase shall descend to him and to his children; but should he die without children of his body, let the aforesaid property descend and be equally divided between his uncle **SAMUEL BLAIR** and his cousin **ELIZA JANE SMITH** or their heirs.

Clause 3rd To **ELIZA JANE SMITH** (daughter or my late niece **MARY** Smith) and to her surviving issue, I give and bequeath forty shares of my stock in the Broad River Bridge Co. and my Negroes **PERRY** and his wife **DILSEY** and her two

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children & increase and I hereby appoint my second cousin **ROBERT GILFILLEN** to be her guardian. to receive the dividends Arising upon said stock and the proceeds of the labor of said Negroes to giving her a suitable education, boarding and clothing, until she comes of age or marriage when the property shall become hers; and that of her surviving issue but should she die without children, let the said property descend and be equally divided between her Uncle **SAMUEL BLAIR** and her cousin **SAMUEL B. ALEXANDER** or their heirs.

Clause 4th To my nephew **SAMUEL BLAIR**, during his natural life, I give and bequeath on trust and at his decease, I give and bequeath to his surviving issue, one hundred and twenty shares of my stock in the Commercial Bank Columbia; The negro girl Catharine and her offspring, my tract of Land at Blairsville conveyed to me in four parcels by **MOORE MCKINNY, JAMES & JOSEPH JAMIESON**, and the heirs of **JOHN DICKEY**. containing two hundred and eighty acres more or less, and also my tract of land containing now about four hundred and fifty acres, more or less, conveyed to me by **JAMES S. GUIGNARD**, assignee of **WILLIAM ED HAYNE**, but should my said nephew die without any surviving issue of his body, my Exrs. will then sell forty shares of the said bank Stock and commit the proceeds to the case of suitable and responsible Trustees, for the purpose of building a brick School house upon any one acre of Land, of the Blairsville Tract, which they may select for that purpose; and the remaining eighty shares or the said Bank stock, my Exrs. will transfer to the Minister and Elders of Sharon congregation for the time being, and their successors, in trust; the dividends arising upon which to be applied yearly and every year to the payment in part of the Salary of their minister for the time being and the said hands and Negroes herein bequeathed to his children I allow to descend the one half to my nephew **JOHN B. LOWRY** or to his children; and the other half to the children of my half cousin **JAMES BLAIR SENR.**

Clause 5th To my nephew **JOHN B. LOWRY** I give and bequeath in trust sixty shares of my stock in the Camden Bank; the one half of the dividends arising upon which, he will pay to his father and mother during their life, the other half he will apply to the use of himself and family, until his father and mothers death and, then he may apply the whole or said dividends to the use of himself and family but principally to the education of. his children, and at his decease the aforesaid Bank Stock shall become the property of his children, share and share alike. But should he die without children of his body, or their issue living at the time, let the said Bank Stock become equally the property of my nephew **SAMUEL BLAIR**, and my third cousin **JOHN LATTA**, or their heirs.

Clause 6th. To my second cousin **JOHN CAIRNES, MARTHA MOORE, ROBERT CAIRNES, ELIZA** Gairnes and Susan **CAIRNES**; to each of whom, I give and bequeath thirty shares of my stock in the bank of Hamburg; And to **ROBERT CAIRNES** & his sisters **ELIZA** and **SUSAN** until some one of them marries; I give and bequeath the negro fellow EDWARD, now in their possession; when he shall become the property of the said **ROBERT CAIRNES**, upon his paying to each of said sisters the one third of his value: To **JOHN CAIRNES** I also give and bequeath the negro fellow Simpson now in his possession; And to the said **MARTHA MOORE** and

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to her children. I also give the negro Girl Isabella and her increase in their possession.

Clause 7th To my second cousins, **ELIZA PATRICK, JOHN PATRICK, JOSEPH PATRICK, ALEXANDER PATRICK,** and **SAMUEL PATRICK**; to each of whom, I give and bequeath thirty shares of my stock in the Bank of Hamburg; and to the said five second cousins I give and bequeath conjointly but equally the negro woman MARIA and her child now in their possession, And that part of a tract of land lying on the waters of Turkey Creek. conveyed to me by **WILLIAM JAMIESON** and laid down in a map of said land by **WILLIAM CAMPBELL**, marked no. 3 (three) containing one hundred a ninety seven and $\frac{4}{5}$ Acres, more or less.

Clause 8th To the three children conjointly of my late second cousin **REBECCA MITCHELL**, namely **MARY FRANCIS, THOMAS S. HENRY**; I give and bequeath thirty shares of my Stock in the Broad River Co. and the tract of land conveyed to me by **JOHN COOMS** containing two hundred acres more or less; & for which I have made a Deed of trust to their father **JOSEPH MITCHELL**, whom I hereby appoint to be their guardian, to receive the dividends of the said Stock to cultivate the said land, and apply the proceeds of both to the support and education of his said children during his natural life, and at his decease the said Stock & land shall become the separate property of his aforesaid children.

Clause 9th To my second cousin **ROBERT GILFILLEN** I give and bequeath in trust for his wife and children twenty shares of my stock in the South Carolina Rail Road & its bank.

Clause 10th To my second cousin **WILLIAM LATTE**, and to his heirs; I give and bequeath eighty shares of my stock in the Commercial Bank Columbia.

Clause 11th To my half cousin **JAMES BLAIR SENR.**; during his natural life, I give and bequeath in trust for his children, forty shares of my stock in the Camden Bank, and fifteen shares of my stock in the South Carolina Rail Road & its Bank & also two section of the tract of land conveyed to me by **WILLIAM JAMIESON**, and laid down in the plat of said land, surveyed for me by **WILLIAM CAMPBELL** and numbered two and four containing together three hundred & seventy & $\frac{7}{10}$ acres, more or less. The dividends Arising upon said stocks, he (my said half cousin) will receive and apply principally to the education of his children; and at his decease the said stocks and Land shall become the property or his children then living, share and share alike, but if any of his children should have died leaving living issue, let them take the share to which their parent or parents would be entitled. "And the said **JAMES BLAIR**'s wife I leave to the care of her children." As I desire the aforesaid Legacies to be the means of doing some permanent good I therefore earnestly advise and enjoin it upon those of my second cousins aforesaid, who may remain in this state, not to sell any of the stocks herein bequeathed to them respectively; but use the dividends only for their support; and principally for the education of their children until their youngest child comes of age. And if any of the aforesaid Banks should have to wind up their concerns; those of my Legatees having Stock therein will collect their share of the proceeds, and invest the same in other safe and profitable stocks.

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Clause 12th To the following relations I give and bequeath the several sums annexed to their names respectively; Viz.

To **GARRISON BLAIR** two hundred dollars;

To **BETSEY BLAIR** (widow of **JAMES BLAIR**) & children three hundred dollars;

To the orphan children of the Widow **D. HALL** deceased, four hundred dollars;

To **JOSEPH REID**'s wife & children one hundred and thirty dollars;

To **SAMUEL H. SMITH** one hundred dollars;

To **POLLY GRIBBLE** three hundred dollars;

To the late **WILLIAM BLAIR**'s widow & children, two hundred dollars;

To **RACHEL DICKSON**, two hundred dollars;

To **REBECCA PRESCOT**'s son, two hundred dollars;

To **DAVID BLAIR**'s widow and her two youngest sons, three hundred dollars;

To **ELIZA PATRICK**, Marian, Alabama, five hundred dollars;

To **JANE CAIRNES**, now **CUNNINGHAM**, Asheville North Carolina five hundred dollars;

To the five children conjointly of **JAMES STEVENSON**, deceased, two thousand one hundred and fifty dollars;

To **JOHN SEMPLE** (for his wife & Children by her) six hundred and sixty six & two thirds dollars;

To the late **ANTHONY PATRICK**'s children by his present Widow, one hundred and sixty six dollars & two thirds;

To **WILLIAM RANKIN**'s wife and her sister Mrs. **YOUNG** conjointly, but equally, six hundred and sixty six & 2/3 dollars;

To **JOHN BLAIR** & children, two hundred and sixty six & 2/3 dollars;

To **WILLIAM MILLER** for his wife and children, two hundred and sixty six & 2/3 dollars; and

To the three children of my half Uncle **DAVID BLAIR**, deceased, together, two hundred and sixty six & 2/3 dollars.

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The six legacies first mentioned in this 12th Clause, my friend **W. W. ELMS** can conveniently pay off, the four next may be remitted to **JOHN W. BLAIR**, Pittsburgh, as my agent to pay the same;

The legacy to **E. PATRICK** may be remitted to her brother **JAMES PATRICK**; Marian the legacy to **JANE C. CUNNINGHAM** may be remitted to her husband; the last seven legacies may be remitted to **ALEXANDER GWYN LONDONDERRY**, as my Agent to pay away the same and return the necessary receipts, but as I intend to pay the legacies in this 12th clause myself if spared in two years: my Exrs. will therefore only have to pay such legacies as they find to be unpaid, which they may know by reference to my small Ledger; and they will not transfer any of the Stocks bequeathed in this Will, until all the legacies. in this 12th Clause are paid off; but any sums which they find charged to any of my legatees in this District, are not to be considered as any part of the legacies herein bequeathed to them.

Having hitherto, and at various times since A. D. 1800, given to my relations in cash and property to the Amount Of \$43,297.39 $\frac{1}{2}$ and for other benevolent objects \$6,677.87 $\frac{1}{2}$ and having now made additional provision in this Will for the assistance, comfort, and support, of all my relations; with whose location and circumstances I am at present acquainted; I now consider it to be a further duty to make provision, in the following legacies, by way of endowments; for the promotion of religion and education, amongst my brethren of mankind at large, as follows, Viz.

Clause 13th To the Treasurer for the time being of the Clark & Erskine Seminary Seminary of the A. R. Church, located at Due West Corner, Abbeville District; And his successors in office, I give and bequeath in trust, thirty shares of my stock in the South Carolina Rail Road & its Bank; the dividends arising thereon to be received by him semiannually, and applied. the one third thereof towards the endowment of a professorship in said seminary; and the other two thirds thereof, to the tuition and boarding etc of an indigent and pious young man of promising talents, in said seminary. until fit to be licensed to preach; and then let his place be supplied by the synod of said Church with other young men or similar qualifications, in a continued succession; but if vacancies occasionally takes place in said scholarship, let the dividends of said stock, received in the intervals, be applied by the said Synod, towards the payment of their home missionaries.

Clause 14th To the treasurer for the time being of the Theological Seminary Columbia, and his successors in office, I give and bequeath, in trust, one hundred shares of my stock in the Farmers & Planters Bank Baltimore; the dividends arising thereon to be received by him semiannually, and applied the one third thereof towards the endowment of a professorship in said seminary; and the other two thirds thereof to the tuition and board of an indigent and pious young man of promising talents in said seminary, until fit to be licensed to preach; and then let his place be supplied, by the south Carolina synod, with other young men or similar qualifications in a continued succession; but if vacancies should occasionally take place in said scholarship, let the dividends of said stock received during said vacancies be applied by the said Synod towards the payment of their home missionaries.

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Clause 15th To the treasurer for the time being of the Southern Board of Foreign Missions and to his successors in office I give and bequeath, in trust, eighty shares of my stock in the Farmers & Planters Bank Baltimore the dividends arising upon which, to be applied yearly, and every year, to the purposes of said Board.

Clause 16th To the treasurer for the time being of the American Tract Society of New York and his successors in office I give and bequeath, in trust, eighty shares of my stock in the Farmers & Planters Bank, Baltimore; the dividends arising upon which to be received applied yearly, And every year, towards the support of a colporteur in South Carolina.

Clause 17th To the treasurer for the time being of the American Bible Society formed in New York in the year 1816, and his successors in office, I give and bequeath, in trust, eighty shares of my Stock in the Farmers & Planters Bank, Baltimore, the one half of the dividends arising upon which, to be received and applied yearly, and every year, to the furnishing school bibles and testaments, at cost prices, for the use of the free schools in York District South Carolina and let them be directed to the treasurer for the time being (of the board of Commissioners for free schools) for said District of Yorkville: and it will be the duty of the said board to distribute yearly the said bibles & testaments (to be composed one third in number, of the former, and the other two thirds of the latter) amongst the schools under their care, as a class book but as there will probably be a surplus over supplying said schools, I hope the said Treasurer will deliver the said surplus of Bibles & Testaments to the moderator, for the time being, for the Presbytery of Bethel who will take order to distribute the same amongst the poor a destitute of said District, through the agency of their Clergy. And the other half of the dividend received upon said stock may be applied to the other general purposes of said Bible Society.

Clause 18th To the treasurer for the time being of the Hibernian Society of the city of Charleston, and his successors in office, I give and bequeath, in trust, sixty shares of my stock in the Farmers & Planters Bank, Baltimore; the dividends arising upon which to be applied yearly, and every year, to the assistance of indigent emigrants from Ireland, upon their arrival in Charleston and to the relief of the indigent widows and orphans or any of the members of said society. I also give and bequeath, to said society, my Portrait; to be delivered to them after the decease of my wife.

Clause 19th I give to the Legislature of South Carolina and to their successors, I give and bequeath, in trust thirty shares of my stock in South Carolina Rail Road & its Bank, the dividends arising upon which to be received and applied by them to the support of a free school in Yorkville, according to the following plan, viz. Let the said dividends be paid yearly to our Senator of York District, for the time being, which he shall pay over to three trustees in Yorkville requiring them to make reports yearly to the legislature of their acts, and who are to be appointed (and reappointed as occasion may require) for the time being by the legislature for the purpose of organizing, continually supporting, and superintending a free school in

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Yorkville, in the following manner; Viz. Let them (in conduction with the other citizens of Yorkville who may wish to support an English school) engage the services of a respectable and capable school master; then let there select as new poor children in Yorkville and its immediate vicinity, as the dividends they will yearly receive, will be sufficient to pay for their tuition in the primary branches of English education; in their selection they will give the preference to poor orphans, next to the children of poor widows, and lastly to the children or those who may "be the least able to pay for their tuition themselves." These children may be admitted to the said school for the term of four years, but should any of them decline to attend the full term, let their places be filled up by others yearly so as to keep up the required number; and at the end of every four years, let another selection be made in the same manner; but if any of the children who may have attended four years, shall then discover uncommon talents for learning, they may be admitted to said school for four years longer, or as long as the teacher, for the time being, is able to instruct him or them in the higher branches of an English education. My trustees will enjoin it upon the teachers to instruct the children under their care, once a week, in the shorter Catechism, or Browns explanation thereof; and to make use of the scriptures as a class book; and for this purpose my Trustees are hereby empowered to receive as many bibles & testaments as they may require to supply the free scholars under their care, from the Treasurer, for the time being, of the Board of Commissioners of free schools for York District; who, according to a provision herein made with the American Bible Society, will receive yearly an ample supply of Bibles and Testaments for the use of the free scholars of this District. And as soon as the dividends upon the said Rail Road Stocks shall increase to 5½ or 6 percent per annum it will enable my trustees to educate upwards of twelve free scholars yearly, in which case, it is my wish that twelve, at least, or said Scholars shall be furnished with a cheap uniform clothing, in order that they may attend church on the Sabbath and the Sunday School in the evening of the same day. And whereas free scholars generally are not able to attend school regularly: the schoolmaster therefore should be bound to keep an acct of the absence of each scholar, and at the end of each year receive payment according to the time which each free scholar has been able to attend by this means my Trustees will be able to increase the number to be taught, the number to be clothed as above, and probably be able to furnish the necessary books for the whole. And lastly I would enjoin it upon my trustees generally, as they regard the interest or education amongst the poor, that they hold an examination in said school every six months, and make a report yearly through our Senator to the Legislature, of the number of free scholars taught in said school, their progress, the amount of cash paid for their tuition, books, clothing etc. and the amount of cash received by them yearly from our Senator.

Clause 20th As it is my intention in the course of three years from now if spared to transfer the stocks above bequeathed in the 13th to the 19th clauses inclusive myself, my Exrs. will examine my small ledger & Journal, wherein the benevolent Acct., the stocks which I may transfer they will find charged thereto so that they will only have to transfer those of the said Stocks, which I may not have an opportunity of transferring myself; but if any of the stocks bequeathed in this Will should depreciate or prove worthless, the

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parties to whom they are bequeathed will have to suffer the loss; as the whole of my estate is disposed of by this Will, and should any of my legatees, through dissatisfaction with the Legacy herein bequeathed to them enter a suit in Law or Equity in order to break this Will, in such case, it is my express will that he or they, shall forfeit the stock herein bequeathed to them respectively; And let the same be transferred to the Lunatic Asylum Columbia, in trust for the yearly support of Lunatics from York District.

And I do hereby constitute and appoint my brother-in-law **WILLIAM WRIGHT** and my friends Doctor **JOHN B. HUNTER** and **JOHN H. ROSS** to be my executors of this my last Will and Testament.

Given under my hand and seal this 5th day of August, 1846 (six)

Signed, sealed, and published by the above named **JOHN BLAIR**, as and for his last Will and Testament in the presence of us, who at his request, and in his presence have subscribed our names as Witnesses thereto

JOHN BLAIR (L. B.)

JOHN S. MOORE
JOHN H. ADAMS
S. R. MOORE

South Carolina)
York District)

Know all men by these presents that I, **JOHN BLAIR** of Yorkville, do hereby make and ordain the following as a codicil to my last will and testament heretofore made and executed by me and dated August 5th 1846.

1st. I hereby revoke and annul so much of the first clause of my said will as relates to the disposition of my Negroes after the death of my wife and do hereby will and direct the said Negroes, except **DOLLY, CAESAR & NANCY**, to be sold by my executors at private sale to such persons as said Negroes may choose as masters and the proceeds of the said sales to be equally divided among my legatees as said Negroes are directed to be in said first clause. I further direct that after the death of my wife neither **DOLLY CAESAR** or **NANCY** be required to labor, only for themselves, and I hereby set apart in the hands of my executors three hundred dollars for the support of **DOLLY** if so much be necessary, and one hundred dollars each for the support of **CAESAR & NANCY** if so much be required.

Given under my hand & seal this 9th August 1848

Signed & sealed by **JOHN BLAIR** as a codicil to his last will in our presence.

JOHN BLAIR (L. S.)

W. H. MCCORKLE
T. S. JEFFERYS

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J. A. MCLEAN

Probated November 12, 1848

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Case No. 11

File No. 1455