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YAUHANNAH WILLS

Will of Joseph Allston of the Oaks

Born 1735, died June 10, 1784

South Carolina

I, Joseph Allston of All Saints Parish, Craven County in the State aforesaid, planter being by the blessing of God of sound and disposing mind, memory and understanding but in very indifferent state of bodily health, and remembering my mortality, do now make and publish my last Will and Testament of and concerning the worldly estate Almighty God of his beneficence and favour has bestowed upon me which after all and singular my just debts and funeral expenses are fully and ultimately paid and satisfied I do hereby give, devise and bequeath in manner and form following (that is to say)

Imprimis: I give and bequeath unto my dearly beloved wife Charlotte Allston and her heirs and assigns forever one half of all my household furniture and kitchen furniture, bed and table linning, plates and implements and household of every species and every denomination of family stores, liquors and provisions laid in for my house use which I shall or may possess at the time of my decease (excepting) the Ozenburgs and plantation tools laid in for ye present year. I also give and bequeath to my beloved wife and her heirs and assigns forever my riding chair, chaise and other carriages and any four carriage horses at her election together with six hundred guineas to be paid immediately after my death. I also leave my interest of three thousand pounds sterling money to be paid annually during her natural life if she should remain and continue so long my widow, and also the use, occupation and enjoyment of the following Negroes by name. Cook Mary, Judy a washer woman, Dido, Lisette, Girl Phoebe, Boy Dick, and boy Parris, Marian and his daughter Edy, Butcher Tom, Gasper and his wife Die, Ishmael, Charles and his wife Yaniky, Flora daughter to Dinah while she remains my widow, and at her death or marriage which shall first happen Then I give and bequeath these Negroes and their issue to my two sons William Allston and Thomas Allston to be equally divided between them and their heirs and assigns forever. And it is my will that my executors shall choose out of such bonds as are now due to me ye amount of that three thousand pounds sterling the interest of which I have ordered to be annually paid to my wife and shall be kept at interest for that purpose, and in case of loss by fire or any other accident then that sum to be made good out of my estate and at her death or marriage then to be equally divided between my two sons William Allston and Thomas Allston their heirs and assigns forever.

I give and devise unto my son William Allston the uppermost half part of all those lands situated on Waccamaw River consisting of several tracts of land which I purchased of John Huger, Thomas Butler and George Smith containing in the whole one thousand and four hundred acres or thereabouts. Also one other plantation between Pee Dee and Waccamaw River containing three hundred and sixty acres more or less which I purchased of the executors of John McKenzie. And I also give and devise to my son William Allston one other plantation or tract of land on the seashore known by the name of Midway which I bought of my brother John Allston all which land I do give, devise and bequeath to my son William Allston, his heirs and assigns forever.

WILLIAM WILLS

Will of Joseph Wills
of the Oaks

From 732, filed June 10, 1884
South Carolina

I Joseph Wills of the County of York and State of South Carolina do hereby certify that I have been duly and lawfully appointed executor of the will of Joseph Wills late of the County of York and State of South Carolina deceased and in conformity with the provisions of said will I do hereby give and publish in manner and form following the following

Item first I give and bequeath unto my dearly beloved wife Charlotte Wills my whole and undivided estate and all the goods and chattels real and personal which I have by my last will and testament devised and bequeathed unto her and she is to have and enjoy the same and the interest thereon and all the profits and income thereon and she is to have and enjoy the same and the interest thereon and all the profits and income thereon during her natural life and after her death I give and bequeath unto my dearly beloved children Joseph Wills and Elizabeth Wills my whole and undivided estate and all the goods and chattels real and personal which I have by my last will and testament devised and bequeathed unto them and they are to have and enjoy the same and the interest thereon and all the profits and income thereon and they are to have and enjoy the same and the interest thereon and all the profits and income thereon during their natural lives and after their death I give and bequeath unto my dearly beloved children Joseph Wills and Elizabeth Wills my whole and undivided estate and all the goods and chattels real and personal which I have by my last will and testament devised and bequeathed unto them and they are to have and enjoy the same and the interest thereon and all the profits and income thereon and they are to have and enjoy the same and the interest thereon and all the profits and income thereon during their natural lives and after their death

Item second I give and bequeath unto my dearly beloved wife Charlotte Wills my whole and undivided estate and all the goods and chattels real and personal which I have by my last will and testament devised and bequeathed unto her and she is to have and enjoy the same and the interest thereon and all the profits and income thereon and she is to have and enjoy the same and the interest thereon and all the profits and income thereon during her natural life and after her death I give and bequeath unto my dearly beloved children Joseph Wills and Elizabeth Wills my whole and undivided estate and all the goods and chattels real and personal which I have by my last will and testament devised and bequeathed unto them and they are to have and enjoy the same and the interest thereon and all the profits and income thereon and they are to have and enjoy the same and the interest thereon and all the profits and income thereon during their natural lives and after their death

Item third I give and bequeath unto my dearly beloved wife Charlotte Wills my whole and undivided estate and all the goods and chattels real and personal which I have by my last will and testament devised and bequeathed unto her and she is to have and enjoy the same and the interest thereon and all the profits and income thereon and she is to have and enjoy the same and the interest thereon and all the profits and income thereon during her natural life and after her death I give and bequeath unto my dearly beloved children Joseph Wills and Elizabeth Wills my whole and undivided estate and all the goods and chattels real and personal which I have by my last will and testament devised and bequeathed unto them and they are to have and enjoy the same and the interest thereon and all the profits and income thereon and they are to have and enjoy the same and the interest thereon and all the profits and income thereon during their natural lives and after their death

Item fourth I give and bequeath unto my dearly beloved wife Charlotte Wills my whole and undivided estate and all the goods and chattels real and personal which I have by my last will and testament devised and bequeathed unto her and she is to have and enjoy the same and the interest thereon and all the profits and income thereon and she is to have and enjoy the same and the interest thereon and all the profits and income thereon during her natural life and after her death I give and bequeath unto my dearly beloved children Joseph Wills and Elizabeth Wills my whole and undivided estate and all the goods and chattels real and personal which I have by my last will and testament devised and bequeathed unto them and they are to have and enjoy the same and the interest thereon and all the profits and income thereon and they are to have and enjoy the same and the interest thereon and all the profits and income thereon during their natural lives and after their death

I give and devise to my son Thomas Allston that other half part of those lands I purchased from John Huger, Thomas Butler and George Smith and binds south on Edward Mitchell lands and to ye north on my son William Allston's land to a bank from the landing to the high land and to continue on that line till it touches ye uncleaned land and then to be altered so as to divide the timber land equally between my two sons. Also, one other plantation called Turkey Hill containing one thousand three hundred acres or thereabouts which I purchased of Josias Allston (reserving) the use of the dwelling house, kitchen and wash house, stable, hen house and the garden for ye use of my beloved wife until such time as my executors shall put up a convenient house at my plantation joining Turkey Hill all which lands I do give, devise and bequeath to my son Thomas Allston, his heirs and assigns forever. I also give and bequeath to my son Thomas Allston and to his heirs and assigns forever all those Negroes that I purchased lately from the Commissioners of the Confiscated Estates with their issue and increase (excepting only those that I have already named to my beloved wife), also three other Negro lads by name George, Windsor, Ellock to him and his heirs and assigns forever.

I give and bequeath to my sister Rebeckah Marion the sum of forty pounds Sterling money to be paid to her annually during her life. I also leave the use of the two lots in Georgetown to my sister Rebeckah Marion now in her possession during her life.

I also give and bequeath to my nephew John Allston, son of my brother John, the sum of one hundred guineas to be paid in twelve months or at the discretion of my executors.

I do also confirm and make good to my son William Allston all those Negroes delivered to him in his possession by me prior to this date and to his heirs and assigns forever.

I do give and bequeath to Joseph Allston (son of Josias Allston) the sum of fifty pounds sterling money to be paid at ye discretion of my executors.

I do give and bequeath to my ould Indian man named Titus the sum of ten pounds sterling money to be paid annually and his living to be upon the ould plantation is what is my desire.

I do give and devise to my grandson Joseph Allston (son of William Allston) when he arrives to ye age of twenty-four years old that plantation or tract of land will'd to me by my Father with all ye Island of swamp lands over against ye same. Also one other tract of land joyning ye same which I purchased of my brother John Allston making in the whole about one thousand three hundred acres more or less. Also one hundred Negroes taking our of my number not yet particularised by the discretion of my executors and to be put on this said land for the use and behoof of my grandson Joseph when he arrives to ye age of twenty-four years, but it is my desire that these Negroes may be placed there for that purpose within one year after my decease and to be kept separate and distinct from any other parcel or number belonging to any other estate and ye issue, increase and profits arising from ye whole for ye use and behoof of him my said grandson and his heirs and assigns forever. And it is my will that my said grandson Joseph Allston be supported and liberally educated out of ye rents, issues and profits thereof and the remainder applied to ye principal annually till he is of age.

Item- I give ye use of ye lott in Charleston lately purchased of Mr. Mayrant to my beloved wife during her widowhood and at her death or marriage then to be equally divided between my two sons William Allston and Thomas Allston their heirs, executors and assigns forever.

Item – I give to my two nephews William Waties and John Waties all moneys or sums that is due from them to me.

Item – All ye rest or residue of my estate real or personal I give, devise and bequeath to my two sons William Allston and Thomas Allston to be equally divided share and share alike to them and their heirs and assigns forever.

Lastly I do hereby nominate, constitute and appoint my two sons William Allston and Thomas Allston my brother John Allston and my cosen John Pyatt executors of this my last Will and Testament revoking by these presents all former wills by me heretofore made and declaring this one to be my last Will and Testament containing on this and the three preceding pages of one sheet of paper. In witness whereof I, ye said Joseph Allston have to this my Last Will and Testament set my hand and seal this second day of June in ye year of our Lord one thousand seven hundred and eighty-

I give and devise to my son James Allison the other half part of those lands I purchased from John Hager Thomas... and the other half part of those lands I purchased from my son William Allison...

such that as my executor shall find out a convenient time and ease as far as he can... and he give devise and be part to my son James Allison his heirs and assigns forever...

I do hereby bequeath to my son William Allison all those Negroes belonging to him in his possession by purchase or gift...

I do give and devise to my son William Allison the sum of five pounds sterling... and he give and devise to my son James Allison the sum of five pounds sterling...

I do give and devise to my son William Allison the sum of five pounds sterling... and he give and devise to my son James Allison the sum of five pounds sterling...

I do give and devise to my son William Allison the sum of five pounds sterling... and he give and devise to my son James Allison the sum of five pounds sterling...

I do give and devise to my son William Allison the sum of five pounds sterling... and he give and devise to my son James Allison the sum of five pounds sterling...

I do give and devise to my son William Allison the sum of five pounds sterling... and he give and devise to my son James Allison the sum of five pounds sterling...

four.

Signed, Sealed, published and declared by ye above named Joseph Allston as and for his Last Will and Testament in presence of us who in his sight and at his request and in ye sight of each other have subscribed our names as evidences. Ye word heir in page ye second between ye lines thirty-five and thirty-six and ye word Negroes in ye third page between ye lines of twenty-eight and twenty-nine being previously interlined.

William Burnett
Allard Belin
James Coachman

William Burnett being duly sworn maketh oath that he was present and saw Joseph Allston the Testator named in the within Instrument of writing sign, seal and execute the same as his last will and Testament the said Joseph Allston being then of sound mind and memory and understanding that the name William Burnett subscribed as a witness to the execution of the said will be the deponents hand writing and that Allard Belin and James Coachman was also present at and witness to the execution thereto and together with the deponent subscribed their names as such in presence of each other. Sworn to before me this 1st day of July, 1784 in the Office (signed Hugh Horry)

I do certify that John Allston and William Allston Jun. named executors in the within will was duly qualified this 1st day of July 1784. Also qualified John Pyatt as executor this nineteenth day of Novemebr 1784. (signed Hugh Horry)

Ordinary's Office, Georgetown, Sept. 22, 1840

I, Eleazer Waterman, Ordinary for the district of Georgetown in the State of South Carolina hereby certify the preceeding to be a true copy from the original will of Joseph Allston now on file in this office. In testimony whereof I hereunto set my hand and seal the day and year above expressed. E. Waterman, Ordinary, G.D.

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Pelham Lyles,
I found this Will of
Joseph Allstin
online, copied it —
for you to put in
the Allstin file, if
there is not a copy there.

Jane Austen Bruckner
jane@janebruckner.com