## WILL OF JAMES BARBER

THE STATE OF SOUTH CAROLINA FAIRFIELD DISTRICT

In the name of God Amen- I James Barber of the District and State aforesaid being weak of body but of sound and disposing mind and memory do make my last will and testament as follows:

Item 1 - I will and direct that all my negor slaves except those hereinafter disposed of be kept together and worked upon the plantation whereon I now reside for one year or until one crop is raised, after my death, under the control and management of my Executors hereinafter named - the proceeds of the crop thus raised to be approiated to defray the expenses incurred upon the plantation to the necessary support and maintainance of my wife and two youngest children for the time and to the payment of of such debts if any, as I may owe at the time of my death.

Item 2 - I will and direct that my <u>daughter-in-law</u>, <u>Malinda Barber</u>, wife or widow, of my <u>deceased son James</u> Barber, be allowed to retain possession of the premises upon which she now lives, have land sufficient to cultivate and be continued in the enjoyment of all her present privileges in and about said place, until such time as my lands are sold by my Executors for division.

Item 3 - I give and bequeath to said <u>Malinda Barber</u> and her six children now living my negro woman Lucy and her six children, which slaves are now in the possession os said Malinda - The value of said woman Lucy and any child or children which she may have between this time and the time of the general division of my negores to be accounted for or charged to said Malinda and her children in the final division of my negro slaves hereinafter directed to be made.

Item 4 - I give and bequeath to my beloved wife my negro woman called Big Louisa, to be held by her during her natural life and at her death to be sold and the proceeds of the sale to be equally divided among such of my children as my be living at that time, should said woman Louisa die before the genral division of my slaves herein after directed, my wife is to be allowed to select another woman from among my negroes not specifically disposed of which is to be held by her.

Item 5 - I give and bequeath to my <u>daughter</u> <u>Martha</u> ., wife of <u>Elias</u> <u>West</u>, my negro girl called Caroline "to her sole and separate use" free from the control, contracts, or liabilities of her present or any future husband.

Item 6 - I give and bequeath to my <u>daughter</u> <u>Nancy</u> <u>Barber</u> my negro girl called Ruth, and to my <u>son</u> <u>Thomas</u> <u>Barber</u> my negro girl called Hesttus children of Rachel.

Item 7 - I direct my Executors to rent out my "Knighton Place" (giving to such of my sons as may wish to live upon and cultivate this place for the time, a preference ar a moderate rate of rent) for the first

year after my death, so that all my lands may be sold as herein after directed, about the same time.

Item 8 - As soon as practiable after the expiration of one year from the time of my death, I will and direct that my Executors, with the aid of three practiced and disinterested persons to be selected by my Executors, shall appraise the whole of my negro slaves except those specifically disposed of and divided the same equally, share and share alike among all of my children excepting my <u>daughter, Jane, wife of Musco Pickett</u>, who is hereinafter and otherwise provided for - the widow and children of my <u>deceased son, James Barber</u> to represent my said son and take among them a share equal to one of my own childre - said widow and children to receive in this division as part of their share the woman Lucy and any child or children which she may hereafter have and which may be living at that time - should any of my children die before this final division of my estate, as contemplated by this will leaving issue, such issue shall in all cases represent the parent.

Item 9 - At the expiration of one year from my death or so soon thereafter as practiable I will and direct my Executors to sell all of my lands in such parcels and upon such terms as they may think, but for the interests of my estate; and my Executors or the survivors of them, are hereby authorized and empowered to execute good and sufficient title deeds to the purchasers of said land: however, if my daughter-in-law, Malinda Barber, should, when my lands are about to be brought to sale, desire to retain her present home and such quantity of my land lying around about the houses as will amount invalue to a distributive share(child's part) of my real estate, I direct that my Executors shall have surveyed and laid off to her such parcel and execute to her and her children now living a conveyance in fee thereto - such parcel of land to be appraised by disinterested persons to be selected by my Executors and the value thereof accounted for by said Malinda and her children in the division of the proceeds of the sale of my lands hereinafter to be made.

Item 10 - Out of the proceeds of the sale of my lands made as herein before directed, my Executors are to pay to my beloved wife one thousand <u>dollars</u> to aid her in the support and education of my two youngest children, <u>Nancy and Thomas;next to pay to my daughter</u>, Jane, wife of <u>Musco Pickett</u>, a sum equal to a distributive share( a child's part) of my negroes herein before directed to be equally divided, such ahare to be ascertained by the appraisement herein before in their behalf, directed to be made the balance of the proceeds of said sales to be equally divided among all my children including my said daughter Jane - the widow and children of my deceased son, James Barber, are in this division, together or among them to receive one share or a child's part, provided however, that said widow does not elect to take the share of herself and children in land, as herein before provided for in this distrubution of the proceeds of the sale of my land, my son <u>Alexander Barber</u>, who has been advanced by me, is to account for five hundred dollars.

Item 11 - At or about the time of the division of my negroes, I direct my Executors to sell the remainder of my personal estate, and to divide the proceeds of such sale together with any other money that may belong to my estate after all my debts are paid, equally among <u>all</u> my childrenthe widow and children of my deceased son, James, to represent him, also in that division and to receive a child's part. In the division of my negro slaves directed in a foregoing clause of my last will and testament, I desire and direct that a kind humanity shall be exercised and that no separation of families disagreeable to the negroes themselves, shall be made.

Lastly I nominate and appoint as Executors of this my last will and testament, my son Adam Barber and my son-in-law, John Wright.

In testimony whereof I have hereunto set my hand and seal this twenty sixth day of September in the year of our Lord one thousand eight hundred and fifty five and the eightieth year of American Independence.

Signed and sealed in our presence, who in the presence of each other and of the testator, witness the execution hereof

James Barber

James B. McCants J. R. Stirling Thomas M. McCants

I, James Barber, as an addition or codicil to the above annexed last will and testament of mine of date the twenty sixth day of September A. D. 1855 do make the following - that is as my son, Alexander has departed this life since the execution of my said last will and testament leaving him surviving but three children and they well provided for by him, and as my said son Alexander received considerable aid from me at that time and was allowed by to engage in business on his account before he arrived at the age of twenty one years, therefore and for other good reasons, I will and direct that the children of my said son Alexander Barber shall not have or take as representatives of theier father or otherwise any part or portion of my negroes or the proceeds of the sale of my land directed by my said will to be divided among all of my children in the 8th and 10th items thereof, but that said negroes and the proceeds of said land shall be divided among all of my children as directed by said will excluding the children of my said son, Alexander from any part or share thereof.

I also in addition to what I have given her by my said will, do will and bequeath to my wife one negro girl, Lizzy, child of my woman Charlotte, and my mare called Aate.

I will and bequeath to my son, Thomas **3**. Barber my filly, the youngest colt of my mare Poll and one bedstead, bed and furniture.

I will and bequeath to my daughter, Nancy E. Barber. my horse called Buck and one bedstead, bed and furniture.

As executors of said last will and testament and of this codicil to act with those already named as executors in said will I nominate my sons George Barber and William Barber.

In testamony whereof I have hereunto set my hand and seal thisOct. 23,1858

Witnesses: James B. McCants Jesse R. Stevenson W. J. Price

FAIRFIELD COUNTY PROBATE RECORDS Box 19 Pcg.176

### WILL OF JAMES BARBER

### THE STATE OF SOUTH CAROLINA FAIRFIELD DISTRICT

In the name of God Amen- I James Barber of the District and State aforesaid being weak of body but of sound and disposing mind and memory do make my last will and testament as follows:

Item 1 - I will and direct that all my negor slaves except those hereinafter disposed of be kept together and worked upon the plantation whereon I now reside for one year or until one crop is raised, after my death, under the control and management of my Executors hereinafter named - the proceeds of the crop thus raised to be approiated to defray the expenses incurred upon the plantation to the necessary support and maintainance of my wife and two youngest children for the time and to the payment of of such debts if any, as I may owe at the time of my death.

Item 2 - I will and direct that my <u>daughter-in-law</u>, <u>Malinda Barber</u>, wife or widow, of my <u>deceased son James</u> <u>Barber</u>, be allowed to retain possession of the premises upon which she now lives, have land sufficient to cultivate and be continued in the enjoyment of all her present privileges in and about said place, until such time as my lands are sold by my Executors for division.

Item 3 - I give and bequeath to said <u>Malinda Barber</u> and her six children now living my negro woman Lucy and her six children, which slaves are now in the possession os said Malinda - The value of said woman Lucy and any child or children which she may have between this time and the time of the general division of my negores to be accounted for or charged to said Malinda and her children in the final division of my negro slaves hereinafter directed to be made.

Item 4 - I give and bequeath to my beloved wife my negro woman called Big Louisa, to be held by her during her natural life and at her death to be sold and the proceeds of the sale to be equally divided among such of my children as my be living at that time, should said woman Louisa die before the genral division of my slaves herein after directed, my wife is to be allowed to select another woman from among my negroes not specifically disposed of which is to be held by her.

Item 5 - I give and bequeath to my <u>daughter Martha F.</u>, wife of <u>Elias</u> <u>West</u>, my negro girl called Caroline "to her sole and separate use" free from the control, contracts, or liabilities of her present or any future husband.

Item 6 - I give and bequeath to my <u>daughter Mancy</u> <u>Barber</u> my negro girl called Ruth, and to my <u>son</u> <u>Thomas</u> <u>Barber</u> my negro girl called Hesttus children of Rachel.

Item 7 - I direct my Executors to rent out my "Knighton Place" (giving to such of my sons as may wish to live upon and cultivate this place for the time, a preference ar a moderate rate of rent) for the first

year after my death, so that all my lands may be sold as herein after directed, about the same time.

Item 8 - As soon as practiable after the expiration of one year from the time of my death, I will and direct that my Executors, with the aid of three practiced and disinterested persons to be selected by my Executors, shall appraise the whole of my negro slaves except those specifically disposed of and divided the same equally, share and share alike among all of my children excepting my <u>daughter,Jane,wife of Musco Pickett</u>, who is hereinafter and otherwise provided for - the widow and <u>children of my</u> <u>deceased son</u>, <u>James Barber</u> to represent my said son and take among them a share equal to one of my own childre - said widow and children to receive in this division as part of their share the woman Lucy and any child or children which she may hereafter have and which may be living at that time - should any of my children die before this final division of my estate, as contemplated by this will leaving issue, such issue shall in all cases represent the parent.

Item 9 - At the expiration of one year from my death or so soon thereafter as practiable I will and direct my Executors to sell all of my lands in such parcels and upon such terms as they may think, but for the interests of my estate; and my Executors or the survivors of them, are hereby authorized and empowered to execute good and sufficient title deeds to the purchasers of said land: however, if my daughter-in-law, Malinda Barber, should, when my lands are about to be brought to sale, desire to retain her present home and such quantity of my land lying around about the houses as will amount invalue to a distributive share(child's part) of my real estate, I direct that my Executors shall have surveyed and laid off to her such parcel and execute to her and her children now living a conveyance in fee thereto - such parcel of land to be appraised by disinterested persons to be selected by my Executors and the value thereof accounted for by said Malinda and her children in the division of the proceeds of the sale of my lands hereinafter to be made.

Item 10 - Out of the proceeds of the sale of my lands made as herein before directed, my Executors are to pay to my beloved wife one thousand dollars to aid her in the support and education of my two youngest children, <u>Nancy</u> and Thomas; next to pay to my daughter, Jane, wife of <u>Musco Pickett</u>, a sum equal to a distributive share( a child's part) of my negroes herein before directed to be equally divided, such share to be ascertained by the appraisement herein before in their behalf, directed to be made the balance of the proceeds of said sales to be equally divided among all ny children including my said daughter Jane - the widow and children of my deceased son, James Barber, are in this division, together or among them to receive one share or a child's part, provided however, that said widow does not elect to take the share of herself and children in land, as herein before provided for in this distrubution of the proceeds of the sale of my land, my son Alexander Barber, who has been advanced by me, is to account for five hundred dollars.

Item 11 - At or about the time of the division of my negroes, I direct my Executors to sell the remainder of my personal estate, and to divide the proceeds of such sale together with any other money that may belong to my estate after all my debts are paid, equally among <u>all</u> my childrenthe widow and children of my deceased son, James, to represent him, also in that division and to receive a child's part. In the division of my negro slaves directed in a foregoing clause of my last will and testament, I desire and direct that a kind humanity shall be exercised and that no separation of families disagreeable to the negroes themselves, shall be made.

Lastly I nominate and appoint as Executors of this my last will and testament, my son Adam Barber and my son-in-law, John Wright.

In testimony whereof I have hereunto set my hand and seal this twenty sixth day of September in the year of our Lord one thousand eight hundred and fifty five and the eightieth year of American Independence.

Signed and sealed in our presence, who in the presence of each other and of the testator, witness the execution hereof

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James B. McCants J. R. Stirling Thomas M. McCants

I, James Barber, as an addition or codicil to the above annexed last will and testament of mine of date the twenty sixth day of September A. D. 1855 do make the following - that is as my son, Alexander has departed this life since the execution of my said last will and testament leaving him surviving but three children and they well provided for by him, and as my said son Alexander received considerable aid from me at that time and was allowed by to engage in business on his account before he arrived at the age of twenty one years, therefore and for other good reasons, I will and direct that the children of my said son Alexander Barber shall not have or take as representatives of theier father or otherwise any part or portion of my negroes or the proceeds of the sale of my land directed by my said will to be divided among all of my children in the 8th and 10th items thereof, but that said negroes and the proceeds of said land shall be divided among all of my children as directed by said will excluding the children of my said son, Alexander from any part or share thereof.

I also in addition to what I have given her by my said will, do will and bequeath to my wife one negro girl, Lizzy, child of my woman Charlotte, and my mare called Aate.

I will and bequeath to my son, Thomas T. Barber my filly, the youngest colt of my mare Poll and one bedstead, bed and furniture.

I will and bequeath to my daughter, Nancy E. Barber. my horse called Buck and one bedstead, bed and furniture.

As executors of said last will and testament and of this codicil to act with those already named as executors in said will I nominate my sons George Barber and William Barber.

In testamony whereof I have hereunto set my hand and seal thisOct. 23,1858.

Witnesses: James B. McCants Jesse R. Stevenson W. J. Price

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Item 2 - I will and direct that my <u>daughter-in-law</u>, <u>Malinda Barber</u>, wife or widow, of my <u>deceased son James</u> <u>Barber</u>, be allowed to retain possession of the premises upon which she now lives, have land sufficient to cultivate and be continued in the enjoyment of all her present privileges in and about said place, until such time as my lands are sold by my Executors for division.

Item 3 - I give and bequeath to said <u>Malinda Barber</u> and her six children now living my negro woman Lucy and her six children, which slaves are now in the possession os said Malinda - The value of said woman Lucy and any child or children which she may have between this time and the time of the general division of my negores to be accounted for or charged to said Malinda and her children in the final division of my negro slaves hereinafter directed to be made.

Item 4 - I give and bequeath to my beloved wife my negro woman called Big Louisa, to be held by her during her natural life and at her death to be sold and the proceeds of the sale to be equally divided among such of my children as my be living at that time, should said woman Louisa die before the genral division of my slaves herein after directed, my wife is to be allowed to select another woman from among my negroes not specifically disposed of which is to be held by her.

Item 5 - I give and bequeath to my <u>daughter</u> <u>Martha E., wife of Elias</u> <u>West</u>, my negro girl called Caroline "to her sole and separate use" free from the control, contracts, or liabilities of her present or any future husband.

Item 6 - I give and bequeath to my <u>daughter</u> <u>Nancy</u> <u>Barber</u> my negro girl called Ruth, and to my <u>son</u> <u>Thomas</u> <u>Barber</u> my negro girl called Hesttus children of Rachel.

Item 7 - I direct my Executors to rent out my "Knighton. Place" (giving to such of my sons as may wish to live upon and cultivate this place for the time, a preference ar a moderate rate of rent) for the first

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Item 2 - 1 will and direct that my daughter-in-law, Halinda Bender, wife or widow, of my deceased son Jawes Burber, be allowed to retain possession of the premises upon which she now lives, have land sufficient to cultivele and be continued in the enjoyment of all her present privileges in and about cold place, until such time as my lands are sold by my Executors for division.

Item 3 - I whe and bequeath to said Malinda Barber and her six children now living my negro woman Lucy and her six ohildren, which slaves are now in the possession: on said Malinda - The value of said woman Lucy and any child or children which she may have between this time and the time of the general division of my negores to be accounted for or charged to said Malinda and her shildren in the Final division of my negro slaves hereinsiter directed to be made.

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year after my death, so that all my lands may be sold as herein after directed, about the same time.

Item 8 - As soon as practiable after the expiration of one year from the time of my death, I will and direct that my Executors, with the aid of three practiced and disinterested persons to be selected by my Executors, shall appraise the whole of my negro slaves except those specifically disposed of and divided the same equally, share and share alike among all of my children excepting my <u>daughter,Jane,wife of Musco Pickett</u>, who is hereinafter and otherwise provided for - the widow and children of my <u>deceased son, James Barber</u> to represent my said son and take among them a share equal to one of my own childre - said widow and children to receive in this division as part of their share the woman Lucy and any child or children which she may hereafter have and which may be living at that time - should any of my children die before this final division of my estate, as contemplated by this will leaving issue, such issue shall in all cases represent the parent.

Item 9 - At the expiration of one year from my death or so soon thereafter as practiable I will and direct my Executors to sell all of my lands in such parcels and upon such terms as they may think, but for the interests of my estate; and my Executors or the survivors of them, are hereby authorized and empowered to execute good and sufficient title deeds to the purchasers of said land: however, if my <u>daughter-in-law</u>, <u>Malinda Barber</u>, should, when my lands are about to be brought to sale, desire to retain her present home and such quantity of my land lying around about the houses as will amount invalue to a distributive share(child's part) of my real estate, I direct that my Executors shall have surveyed and laid off to her such parcel and execute to her and her children now living a conveyance in fee thereto - such parcel of land to be appraised by disinterested persons to be selected by my Executors and the value thereof accounted for by said Malinda and her children in the division of the proceeds of the sale of my lands hereinafter to be made.

Item 10 - Out of the proceeds of the sale of my lands made as herein before directed, my Executors are to pay to my beloved wife one thousand dollars to aid her in the support and education of my two youngest children, <u>Nancy</u> and Thomas; next to pay to my daughter, Jane, wife of <u>Musco Pickett</u>, a sum equal to a distributive share( a child's part) of my negroes herein before directed to be equally divided, such ahare to be ascertained by the appraisement herein before in their behalf, directed to be made the balance of the proceeds of said sales to be equally divided among all my children including my said daughter Jane - the widow and children of my deceased son, James Barber, are in this division, together or among them to receive one share or a child's part, provided however, that said widow does not elect to take the share of herself and children in land, as herein before provided for in this distrubution of the proceeds of the sale of my land, <u>my son Alexander Barber</u>, who has been advanced by me, is to account for five hundred dollars.

Item 11 - At or about the time of the division of my negroes, I direct my Executors to sell the remainder of my personal estate, and to divide the proceeds of such sale together with any other money that may belong to my estate after all my debts are paid, equally among <u>all</u> my childrenthe widow and children of my deceased son, James, to represent him, also in that division and to receive a child's part. veer after my death, so thut all my lands may be sold as herein afterdirected, shout the same time.

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Lastly I nominate and appoint as Executors of this my last will and testament, my son Adam Barber and my son-in-law, John Wright.

In testimony whereof I have hereunto set my hand and seal this twenty sixth day of September in the year of our Lord one thousand eight hundred and fifty five and the eightieth year of American Independence. (1855)

Signed and sealed in our presence, who in the presence of each other and of the testator, witness the execution hereof

James Barber

James B. McCants J. R. Stirling Thomas M. McCants

I, James Barber, as an addition or codicil to the above annexed last will and testament of mine of date the twenty sixth day of September A. D. 1855 do make the following - that is as my son, Alexander has departed this life since the execution of my said last will and testament leaving him surviving but three children and they well provided for by him, and as my said son Alexander received considerable aid from me at that time and was allowed by to engage in business on his account before he arrived at the age of twenty one years, therefore and for other good reasons, I will and direct that the children of my said son Alexander Barber shall not have or take as representatives of theier father or otherwise any part or portion of my negroes or the proceeds of the sale of my land directed by my said will to be divided among all of my children in the 8th and 10th items thereof, but that said negroes and the proceeds of said land shall be divided among all of my children as directed by said will excluding the children of my said son, Alexander from any part or share thereof.

I also in addition to what I have given her by my said will, do will and bequeath to my wife one negro girl, Lizzy, child of my woman Charlotte, and my mare called Kate.

I will and bequeath to my son, Thomas  $\mathbf{T}$ . Barber my filly, the youngest colt of my mare Poll and one bedstead, bed and furniture.

I will and bequeath to my daughter, Nancy E. Barber. my horse called Buck and one bedstead, bed and furniture.

As executors of said last will and testament and of this codicil to act with those already named as executors in said will I nominate my sons George Barber and William Barber.

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James Sarbur

Janes B. MeCarts J. N. Stirling Thomas M. McCants

T, Jones Barbar, as a addition or oction to the above arbaxed lass will and testement of nine of date the twenty sixth day of Schleebor A. C. 1855 do make the following - that is as my son, Alexander has departed this all's since the collowing - that is as my son, Alexander has departed this survives on there obtained they well provided for by him, and as any said son Alexander received considerable and from we at that time and as the age of twenty one years, therefore and for other good reasons, at the age of twenty one years, therefore and for other good reasons, not have on take as representatives of the set son Alexander Barber shall not have or take as representatives of their for both and son not have or take as representatives of their fitter or otherwise any and the contion of all devices or the proceeds of the sale of ay lend record of all there in the the divided among all of a children in the 8th and 10th items thereof, but the divided among all of ay children in the 8th lend the shall be divided among all of a condition in the 9th land shall be divided among all of a conditions or the son be shall there of the children of my said son, there are son all be and the lend of the shall be divided among all of a children in the 9th lend of the children of my said son, there are from any parts or the accluding the children of my said son, there are from any parts or there thereof.

I also in addition to what I have given her by my said will, do will and bequench to my wile one negro girl. Likey, child of my woman Charlotte, and my mare called wate.

I will and bequeath to my son. Themas Y. Sarber by filly, the youngest

I will and bequeath to my daughter, "ancy I. Berber. my horse called Buck and one bedeteed, bed and furniture.

As executors of said last will and testement and of this codicil to act with these already named as erecutors in said will I nominate my achs (corres Barber and Wilkiem Jorber.

In testanony whereof + have herewate set my hand and seal this Out. 83.1358

Witnesses: James 3. doCants James R. Stevenson W. J. Price

PARTETED SOUNTY PROBATE BECORDE BOX 12 Pog.146