

M.023 WILL OF JAMES HILL OF UNION COUNTY S.C. (SON OF MOSES HILL, FILED IN BOX 39, PACKAGE 5 OF S.C. STATE ARCHIVES)

STATE OF SOUTH CAROLINA) I JAMES HILL, of the State and
UNION DISTRICT) District aforesaid, do make and
publish this my last will and testament, which is as follows
(viz)

1ST.. I desire that my executors herein after named, shall from money due me and the proceeds of my crops an the cotton that I have on hand pay all my just debts and the balance, should there be a balance, to be approximated as herein after set forth and should there not be enough to pay all just debts, my sons J.T. HILL (John Thompson Hill) and G.W. Hill (George Washington Hill) and JAMES H. SCAIFE and MR. G. B. SCAIFE (Green Berry Scaife) are to each to make up one third the amount that as JAMES H. and M.G.B. SCAIFE is recognized to make up one third this amount for that purpose. (NOTE: JAMES H. SCAIFE & M.G.B. SCAIFE, Moses Green Berry Scaife, were two grandsons).

2ND... I give and bequeath to my wife SUSANNAH (GLENN) HILL my dwelling house, household and kitchen furniture, my carriage and a pair horses or mules, THREE THOUSAND DOLLARS in cash and in case there is not enough left after paying my debts to make this amount, J.T. HILL and G.W. HILL is each to make up one third this amount and JAMES H. and M.G.B. SCAIFE is to make up the other one third for her and in case this amount should prove insufficient to support her, the parties before mentioned, shall out of their share (herein) after set forth, make up the amount in ratio, as above specified and an old Negro woman named VASTI and at the decease of my wife, the said VASTI is to go to those of my sons or grandsons she may please and they must support and take care of her during her life.

WHOMEVER shall keep the horses or mules shall be entitled to those work for their feed and care and my wife can do as she pleases with the carriage and horses or mules at her desires. The dwelling house is to go at her decease to G.W.HILL and the household and kitchen furniture is to be disposed of as herein after mentioned and should there be any balance of the three thousand dollars left at the decease of my wife, it must be divided one third to J.T. HILL, one third to G.W. HILL and one third to JAMES H. and M.G.B. SCAIFE.

3RD... I give and bequeath to my grandsons JAMES H. and M.G.B. SCAIFE the following Negroes, Jack and his family, Jackson and his family, Dafney and her family, Eliza and her two children, making twenty seven Negroes in numbers. These Negroes together with others given to C.T. SCAIFE, years ago for the benefit of my grandsons, I give in this way if JAMES

H or M.G.B. SCAIFE die without children, the other brothers or children of these other brothers is to have all and in the event that neither of them shall have any living child or children then the said Negroes together with their increase, are to descend to my sons J.T. HILL and G.W. HILL or their child or children, the child or children representing their father and in case that my sons J.T. HILL and G.W. HILL shall have deceased and have no living child or children, why ? then it is to go to the child or children of either.????
I also give and bequeath to JAMES H and M.G.B. SCAIFE each a fine horse, bridle and saddle to be purchased for them out of the funds of my estate by my executors herein after named.

I give and bequeath to M.G.B. SCAIFE my blacksmith tools and all my stock, cattle, horses, mules, hogs-grain, fodder, farming implements and at the death of my wife, one third of the household and kitchen furniture and should there be any money remaining of the three thousand dollars given her, they are to have one third the amount and after paying all my debts and approximating the three thousand dollars for my wife, should there be any found left, they are to have one third of that amount and after paying my just debts, my executors herein after named shall not have found sufficient to make the three thousand dollars for my wife, why then JAMES H. and M.G.B. SCAIFE shall make up out of their share given them, one third the amount. I also give and bequeath to JAMES H. and M.G.B. SCAIFE each FIVE HUNDRED DOLLARS, to be paid (BY??) G.W. HILL.

4TH... I give and bequeath to my son G.W. HILL the following Negroes, Ausey Waitus???and Sam Short and the land where so ever I now live , excepting for my wife, the dwelling house during her life, the division line between house and my son J.T. HILL to commence on J.P.Sartor's line at the intersection of new ground fence, thence said new ground fence across the creek thence to out (1 or 2 words not legible) fence, thence from the (commenioer??) without said fences straight down to a holler thence up the Means??Swamp?? of said holler to Pesickney Road thence straight to the corner of Heminway's Old Field, thence along the edge of said old field to the Blanton Road, cornering on a Turkey?? Oak, thence the said road to the crossing of Railroad, thence up said railroad to where it intersects J.L.S. HILL'S (James Leslie Stewart Hill, a nephew). And I also give and bequeath to him one third of my stock, cattle, horses, mules, hogs, grain, fodder, farming tools and at the decease of my wife, one third the household, kitchen furniture and also one third of the funds left after paying my debts, should there be any and one third of the money remaining from the three thousand dollars given to my wife, at her decease, and after the payment of my debts. Should there not be funds enough to make this three thousand dollars for my wife, why then G.W.Hill shall make up one third of the amount out of his share now the condition of the above gift

is that the property, both personal and real, including that given off before, is to remain the said G.W. HILL and his child or children and in case the said G.W.Hill should die and not leave any living child or children, why then the said property is to go to J.T.HILL, JAMES H. and M.G.B. SCAIFE or the child or children of their child or children or children representing parents and the said G.W. HILL is to pay J.T. HILL One Thousand Dollars and JAMES H. and M.G.B. SCAIFE EACH, Five Hundred Dollars.

5TH... I give and bequeath to my son J. T. HILL (John Thompson Hill) the following Negroes, Ponsp??, Fanny, Fonzer?, Barthlema and child, Emily and all the land east and north of the division line designated in the 4th article of this will, also one third of all my stock, cattle, horses, mules, hogs, grain, fodder and then one third of the household and kitchen furniture at the decease of my wife and then one third of the balance of the three thousand dollars given to my wife at her decease and should there not be funds after paying my debts to make the three thousand dollars for my wife, why then the said J.T.HILL is to make one third the balance. Now the condition of the above gift and of this property here to fore given to him is this; that the property both real and personal is to remain (to) the said J.T. HILL and his child or children and should said J.T. HILL die and leave no living child or children, then the said property to descend to G.W. HILL and his child or children and JAMES H and M. G. B. SCAIFE and their children, that is G.W. HILL one half and then SCAIFE or SCAIFES the other half. And I also give and bequeath to J.T. HILL one thousand dollars, to be paid by G.W. HILL, it being one third amount (of?) above.(E. Evans, decsd.??) and also one third the amount over paying my debts and the approximates of this will should there be any such balance.

6TH... I do hereby constitute and appoint C.T. Scaife, J.T. HILL, and George W. Hill, executors of this my last will and testament. IN WITNESS where of I have here unto set my hand seal this 24th day of October 1854.

SIGNED: JAMES HILL (L.S.)

In presence of us:

J. L. S. Hill

JOHN P. SARTOR

THOS. E. EVAN ???

Notes of explanation by Robert Hill: J.L.S. Hill was James Leslie Stewart Hill, son of Moses Berry Hill and brother of James Hill. Charner Terry Scaife had married Elizabeth Hill, youngest child of James Hill. She died very young in delivering her last child and they were the parents of James H. (Hill) Scaife and M. G. B. Scaife, Moses Green Berry Scaife).

Charner Terry Scaife and James Hill were known to operated a store in Fish Dam (today's Carlisle) S.C. in

Union County and Scaife is listed in 1850 Census as a resident of Chester County. He too was a wealthy planter and slave owner. He is also the same man who administered the estate of Nathan Barrett Hill, who was the son of Thomas Hill and Jemima Woodward. Thomas Hill was the oldest brother of James Hill and Moses Berry Hill. (IN other words, G.W. Hill, J.T. Hill, J. L.S. Hill all mentioned in this will were cousins to Nathan Barrett Hill).

SOUTH CAROLINA) by B. Johnson Esquire Ordinary of aforesaid UNION DISTRICT) District, PERSONALLY appeared before me J.L.S. HILL, who being duly sworn (by??) This Holy Evangelist of Almighty God, doth make oath and say that he saw JAMES HILL sign, seal publish, pronounce and declare this same to be and contain his last will and testament and that he the said JAMES HILL was then of sound and disposing mind, memory and understanding, to the best of this deponents knowledge and belief and that he, the said deponent, did sign his name there to, as a witness together with JOHN P. SARTOR and THOMAS E. IAUSS??? at the request of the testor and in his presents and also in the presence of each other.
GIVEN UNDER MY HAND THIS 10TH DAY OF NOVEMBER, ANNO DOMINO 1854.

SIGNED: B. JOHNSON
(ORD.)

PERSONALLY ORDERED TO BE RECORDED 10TH NOVEMBER 1854 AND AT THE SAME TIME QUALIFIED C.T.SCAIFE, J.T. HILL AND G.W. HILL AS EXECUTORS TO THE WILL.

SIGNED: B. JOHNSON (DIST. ORD.)
RECORDED WILL BOOK 85.86????

The following is quite important and not dated but appears to have been filed, recorded and accepted by the courts when the will was Officially Recorded.

WHERE AS, we the undersigned heirs and Legatees of JAMES HILL, DECEASED, regarding the attempt of the said JAMES HILL, to entail property which he had previously given off, as illegal, see and do hereby agree that said portion of will shall be so regarded and shall be NULL and VOID, and we hereby bind ourselves and our heirs to abide the determination and this be recorded with the said will, (in?) UNIONVILLE, November 10th 1854.

SIGNED BY C.T.SCAIFE for
J.H. and M.G.B. SCAIFE
SIGNED ALSO BY G.W. HILL
JOHN T. HILL

J. T. HILL HIS ACCT. WITH ESTATE OF JAMES HILL, DCSD.

1855 Feb. 7 to amt paid J.L.S. Hill & Co. \$ 150.00

"	"	10	"	"	"	Richard Blalock	14.30
"	"	19	"	"	"	Taxes for Estate	53.30
1854	Dec.	16	"	"	"	James Hill note to	
						Wm. Kelly	5.63
"	"	"	"	"	"	Wm. Kelly freight	45.00
1855	June	29	"	"	"	Wm. Sten frght acct.	24.01
1854	Dec.	22	"	"	"	B.F.McGraw acct.	15.03
						G.B. Hogass	8.30
1854	Dec	14	"	"	"	J.T. Hill note, Bal.	\$136.143/4
1855	June	28	To	amt	paid	Wm. Kelly fgt	51.60
			on	86	bales	cotton	\$ 503.313/4
1855	May	5	"	"	"	for counter----	7.25
						Balance	\$ 510.563/4
1855	July	9	"	"	"	cash pd. Scaife	\$ 26.57
	"	"	"	"	"	cash pd. G.W. Hill	26.57
	"	"	"	"	"	cash kept for self	26.57
						\$ 79.71 ++79.71	
						\$ 590.28	

1855	To	amt	paid	J.L.S.	Hill	for	Susan	Hill	50.563/4
"	"	"	"	Goss.??	&	Cul/p??			11.71
"	"	"	"	"	"				37.25
"	"	"	"	John	Joiner				12.75
"	"	"	"	John	P. Sartor	on	note		456.58
"	"	"	"	Pomp???	for	the	com. ????		16.44
1856	Aug	8	Dr.	W. P.	Thompson				16.00
1857	Aug.	18th	Mary	B.	Glenn				250.00
Oct 1st	1857		cash	on	hand	to	balance		5.881/2
									\$ 957.18

1855	January	25	By	amount	from	R. O'Neale	\$ 528.90
	"	"	by	cash		61.35	
						\$ 590.28	

July 7	1855	by	cash	due	from	C.T. Scaife	\$ 578.05
May	1856	"	"	"	"	"	119.25
March	1857	"	"	"	"	"	259.88
rcvd	?????	"	"	"	"	on house to not	
						legible	6.87
						\$ 957.18	

(NOTE: the listing above that is underlined (rcvd etc..was scratched through on original).

The above is a true statement of all the money rcvd and paid out of the funds belonging to the estate of J. Hill, dcsd.

SIGNED J. T. HILL EXECUTOR

SOUTH CAROLINA) We the undersigned Executors of the last
UNION DISTRICT) will and testament of JAMES HILL, dscd., do
hereby certify that the estate of said James Hill has been
fully settled in conformity with the promises of the said

will.

IN WITNESS where of we here unto set our hands and seals
the 3rd day of October 1857. SIGNED JOHN T. HILL LS
GEORGE W. HILL LS
CHARNER T. SCAIFE LS

end of document.