

R253-4/1

HARRIET & THOMAS L. WHITLOCK PACK. 497
PETITION FOR SETTLEMENT OF LEGACY
CLERK OF COURTS OFFICE, ABBEVILLE, S.C.

AT 1220
State of South Carolina
Abbeville District) In Equity.

To the Honorable the Chancellors of the said State.

The humble Petition of Harriet Whitlock wife of Thomas L. Whitlock of Madison County in the State of Florida Respectfully sheweth.

That Edward Collier late of Abbeville District in the state first aforesaid, now deceased, made and executed his last will and Testament, which he left in full force at the time of his death. By the 25 Section of the said will he bequeathed to your Petitioner a certain negro man named Dave and Four Hundred Dollars. The following is a copy of the said Section. Item 25 I give and bequeath to Harriet Whitlock, wife of Thomas Whitlock and her heirs, a negro man named Dave, and four hundred Dollars, to be paid out of ^{any} my part of my Estate not hereby disposed of. That the said Slave is still in the possession of David Lesly Esquire Ordinary of Abbeville District, and who is charged with the due Execution of the said will, who is now ready and willing as your Petitioner is informed and believes to deliver him up to your Petitioner or her order, and that no part of the said pecuniary Legacy has as yet been paid by the Executor as aforesaid.

Your Petitioner is desirous of having the Legacy aforesaid settled upon her, to and for her sole and Separate use for life, with remainder to her children, and she has selected as her Trustee to preserve the said Legacy for the uses aforesaid her brother Hugh Waller Wardlaw. Your Petitioner therefore prays that your Honors may take her case into consideration, and by proper orders and decrees secure to her, to and for her sole and separate use and behalf, the said Legacy for and during her natural life with remainder over to her children and that her brother, the said Hugh Waller Wardlaw, may be appointed the Trustee with all necessary and proper powers, to protect, preserve and secure the same to her, as aforesaid. That the said Hugh Waller Wardlaw, of and concerning the said Legacy, and to deliver up and pay over the same to him upon his receipt .

* THOMAS WHITLOCK CONT..*

and that the said Hugh Waller Wardlaw may be vested with full power to sell the said said slave, if in his judgment it would be proper to do so, and that he may invest the proceeds or hold them in trust as aforesaid.

And that your Honors may grant such other and further orders in the premises as to your Honors shall seem.

And your Petitioner will ever pray &c.

Witness
B.F. Wardlaw

Harriet Whitlock

The State of Florida
Madison County) Be it known unto all whom it may concern that I Thomas L Whitlock husband of Harriet Whitlock who has signed the foregoing Petition and hereby acknowledge notice of the same, and having read the said Petition and carefully considered the same, do hereby consent and agree to the prayer of the said Petition, and do hereby relinquish all my right of, or to the said Legacy unto the Said Joseph Waller Wardlaw in Trust as aforesaid, and hope that the Court may, by a proper decree, settle the said legacy, upon the said Harriet for life, with remainder to her children.

In witness whereof I have hereunto set my signature this 6th day of May 1849.

Test. B. F. Wardlaw

Thos. L. Whitlock

.....