

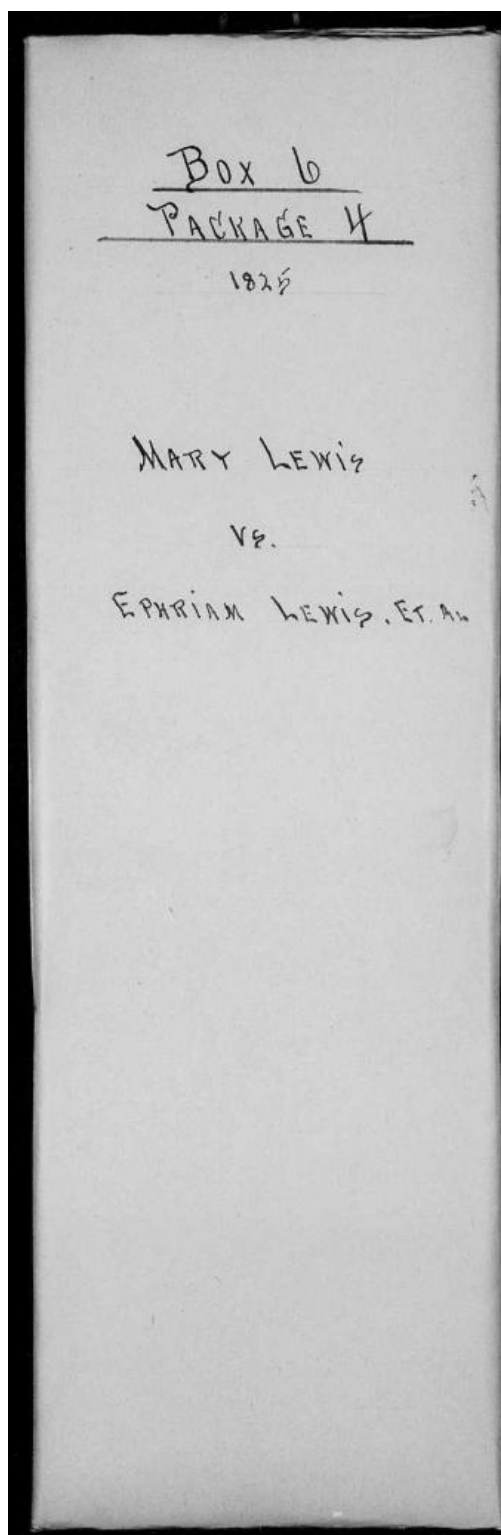
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From Family Search, starting at: <https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSLK-F773?view=fullText&keywords=Ephraim%20Lewis%20South%20Carolina&lang=en&groupId=>

We find the following records of a suit between Mary Lewis (wife of George Lewis, the brother of Ephraim Lewis?) and Ephraim Lewis, et al. The image of the actual document is presented below (spelling corrected) and then transcribed text.

It appears that Ephraim and his brothers and sisters weren't giving Mary Lewis the revenues that George's will specified. The lawsuit started in about 1822 and ran through 1829. It appears that Ephraim was still alive in 1829.

.....



South Carolina
 ?burgh District (Unknown district)
 In Equity
 To the honorable the Judges of the Court of Equity of the said State.
 Humbly complaining therewith to your Honors your Orator Mary Lewis that her husband George Lewis, departed this life sometime in the year 18 [blank] [blank]. That sometime previous to his death he execute a will which was duly attested and proven, the principal items in which were in the words following to wit, I will to my Brother Ephraim Lewis One thousand acre of Land lying on the South side of Tennessee river granted to me by the State of North Carolina. And I will to my beloved wife Mary Lewis the whole of my Lands which I now live in, and also all my Negroes, my French, Spanish, Lucy, Phoebe, Sam, Hannah, Abby, Eliza and Violet and their increase, and also all the rest of my living or property of whatsoever nature, leaving her a natural life or widowhood. But after her decease and my Will is that my Brother and Sister and their Heirs should have half of my Estate or property, and my beloved wife Mary Lewis and her Heirs should have the other half; that of the said Will, Ephraim Lewis was appointed Executor and executed accordingly, that the testator at the time of his death was possessor of two tracts of Land, besides a considerable personal property, which tracts lay adjoining each other on both sides of Lawson Fork of Rockwell River. Bounded by Lands of Edmund L. Bishop, Lands belonging to Joseph Lewis and Lands of Ephraim Lewis the Executor, upon which Land there is a Gift. While the testator was alive, the testator at the time of his death had four Brothers and two Sisters, to wit, Ephraim Lewis, Isaac Lewis, Abel Lewis, David Lewis, Polly Bailey wife of [blank] and Peggy Biron wife of [blank]. That the said Brothers and Sisters, according to the terms of the Will are entitled to the One Half of said tract of Land in Fee, and your Orator to the other Half in Fee, of which partition still remains to be made, and which your Orator is anxious to have done. To the end therefore that Partition may be made of the same, may it please your Honors to grant to your Orator the Right of Partition of the said tract of Land, and premises, between the Parties interested therein, pursuant to the act of Assembly of the said State in such cases made and provided. Your Orator further sheweth unto your Honors that the Personal Property belonging to the said George Lewis the testator, was appraised to the sum of Three thousand seven hundred and forty three Dollars and some few cents, which property, ought to be divided in the same way the Lands are to be that is equally between your Orator and the beforementioned Brothers and Sisters of the testator, a few samples in One Half is cash, with a life Estate in the whole to your Orator. Your Orator further sheweth that the said Ephraim keeps in his possession the whole of the said Property real and Personal, with the exception of twenty valued at fourteen hundred and seventy five Dollars, and utterly refuses to account for and pay over the part of the said Lands and personal property to your Orator, or to deliver her up possession of the same, and which actings and doings are contrary to Equity and good conscience and greatly to the damage of your Orator in every consideration whereof and in as much as things of the nature are properly cognizable in a Court of Equity, your Orator prays your Honors to take her case into consideration and grant such relief as justice shall seem meet, To the end therefore that the said Ephraim Lewis, Abel, David Lewis, and Polly Bailey and Peggy Biron, who are widows as your Orator believes, may upon their corporal Oaths full, true, and perfect answers made to all to all and singular the premises as if the same were herein again set forth and they thereunto particularly interrogated, and that the said Ephraim Lewis the Executor as aforesaid may be deemed to account to your Orator for the rents and profits of the said Estate, and pay over to your Orator what upon such account may justly be due her, and that he be deemed to deliver up the property to your Orator, or your assigns for the use of the same, and the annual payment of the rents and profits, as he is as your Orator is informed and believes.

South Carolina

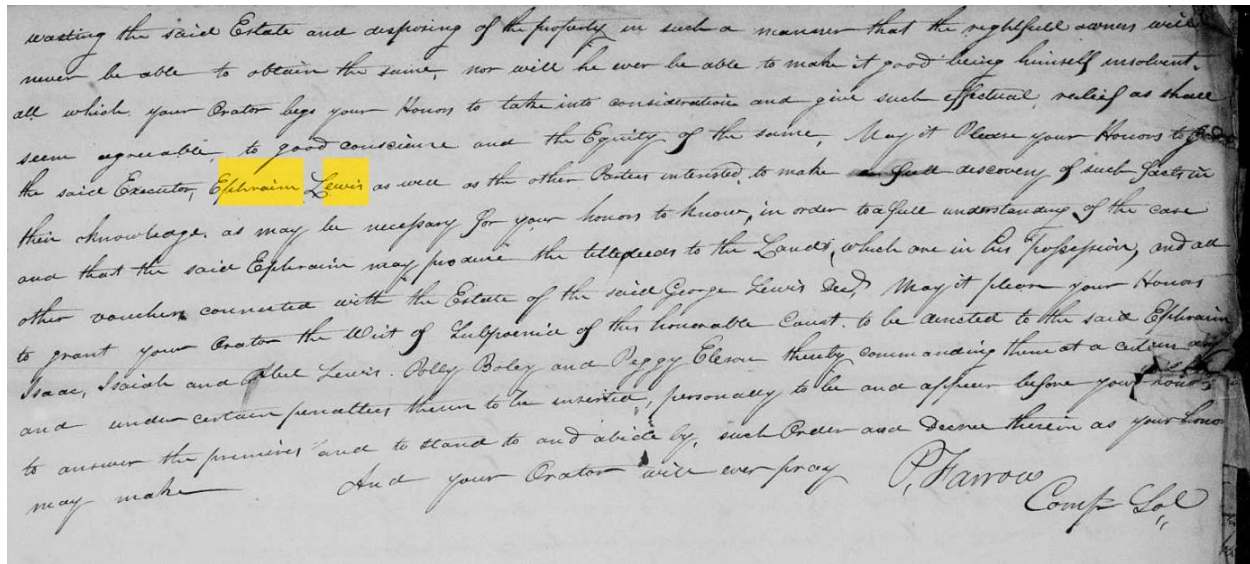
In Equity

?burgh District (Unknown district)

To the honorable the Judges of the Court of Equity of the said State. Humbly complaining therewith to your Honors your Orator Mary Lewis that her husband George Lewis departed this life sometime in the year 18 [blank] [blank]. That sometime previous to his death he execute a will which was duly attested and proven, the principal items in which were in the words following to wit, I will to my Brother Ephraim Lewis One thousand acre of Land lying on the South side of Tennessee river granted to me by the State of

North Carolina. Item I will to my beloved wife Mary the whole of my Lands which I now live on, and also all my negroes Frank, Isham, Lucy, Pheobe, Sim, Hannah , Nelly, Elsey, and Violet and their increase, and also all the rest of my living or property of whatsoever nature , during her natural life or widowhood, but after her decease or **[John Note: paper is badly damaged here and is unreadable]** my will is that my brother and sister and their Heirs should have half of my Estate or property **[John Note: forever?]** and that that my beloved wife Mary Lewis and her Heirs should have the other half: that of the said Wife. Ephraim Lewis was appointed Executor and qualified accordingly that the testator at the time of his death was possessed of two tracts of Land containing about five hundred acres which he then lived upon beside a considerable personal property, which tract **[John Note: land?]** adjoining each other on both sides of Lawson fork of Packolet River bounded by Lands of Edmund L Bishop, Lands lately belonging to Joseph Lewis and Lands of Ephraim Lewis the Executor upon which Land there is a Grist Mill & Saw Mill. That the testator at the time of his death had four Brothers and two Sisters (to wit, Ephraim Lewis , Isaac Lewis, Abel Lewis, Isaiah Lewis, Polley Boley wife of **[blank]** Boley, and Peggy Ellison wife of **[blank]** Ellison, that the said Brothers and Sisters who all but Ephraim Lewis reside **[John Note: “without the limits of the State”?]** according to the terms of the will are entitled to the one half of said tracts of Land in fee and your Orator to the other half in fee, of which partition still remains to be made and which your Orator is anxious to have done. To the end therefore that partition may be made of the same may it please your Honors to grant to your orator the writ of partition in the case to be directed to give fit and proper persons to make partition and division of the said tract of Land and premises between the parties interested therein pursuant to the act of assembly of the said State in such cases made and provided, your Orator further showeth unto your Honors that the personal Property belonging to the said George Lewis the testator, was appraised to the sum of Three thousand, Seven hundred and forty nine Dollars & some few cents, which property ought to be divided in the same way as the Lands are to be, that is equally between your Orator and the beforementioned Brothers and Sisters of the testator, a few simple in one half to each, with a life Estate in the whole to your Orator. Your Orator further shows that the said Ephraim keeps in his possession the whole of the said Property real and Personal, with the exception of three **[John Note: the paper is folded here, maybe “Negroes”?]** valued at fourteen hundred and Seventy five Dollars, and utterly refuses to account for and pay over **[John Note: paper is again folded, maybe “property”?]** the of the said Lands and personal property to your orator or to deliver her up possession of the same **[John Note: paper is damaged here and unreadable]** which actings and doings are contrary to Equity and good conscience and greatly to the damage of your **[John Note: paper is again damaged, probably “orator”?]** In tender consideration whereof and in as much as things of the nature are property cognizable in a Court of Equity, your Orator prays your honors to take her case into consideration and grant such relief as from the premises shall seem mete. To the end therefore that the said Ephraim, Isaac, Abel, & Isaiah Lewis, and Polly Boley and Peggy Ellison who are widows as your orator believes, may upon their corporal Oath full, true and perfect answer make to all to all and singular the premises as if the same were herein again set forth and they thereunto particularly interrogated, and that the said Ephraim Lewis the Executor as aforesaid may be decreed to account to your Orator for the rents and profits of the said Estate, and pay over to your Orator what upon such account may fully be due

her and that he be decreed to deliver up the property to your Orator, or give security for the safe of the same, and the annual payment of the rents and profits , as he is as your orator is informed and belief.



wasting the said Estate and disposing of the property in such a manner that the rightful owners will never be able to obtain the same, nor will he ever be able to make it good being himself insolvent, all which your Orator begs your Honors to take into consideration and give such effectual relief as shall seem agreeable to good conscience and the Equity of the same, May it please your Honors to the said Executor, Ephraim Lewis as well as the other parties interested to make full discovery of such facts in their knowledge, as may be necessary for your honors to know, in order to a full understanding of the case and that the said Ephraim may produce the title deeds to the Lands, which are in his possession, and all other vouchers connected with the Estate of the said George Lewis Decd. May it please your Honors to grant your Orator the Writ of **[John Note: Subpoena?]** of this honorable Court to be directed to the said Ephraim, Isaac, Isaiah and Abel Lewis, Polly Boley and Peggy Ellison thereby commanding them at a certain **[John Note: page is damaged here and cannot read this word]** and under certain penalties them to be inserted, personally to be and appear before your **[honors?]** to answer the premises and to stand to and abide by such order and decree therein as your honors may make. And your Orator will ever pray
P. Farrow
Comp Sol.

wasting the said Estate and disposing of the property in such a manner that the rightful owners will never be able to obtain the same , nor will he ever be able to make it good being himself insolvent, all which your Orator beg your Honors to take into consideration and give such effectual relief as shall seem agreeable to good conscience and the Equity of the same, May it please your Honors to the said Executor, Ephraim Lewis as well as the other parties interested to make full discovery of such facts in their knowledge, as may be necessary for your honors to know, in order to a full understanding of the case and that the said Ephraim may produce the title deeds to the Lands, which are in his possession, and all other vouchers connected with the Estate of the said George Lewis Decd. May it please your Honors grant your Orator the Writ of **[John Note: Subpoena?]** of this honorable Court to be directed to the said Ephraim, Isaac, Isaiah and Abel Lewis, Polly Boley and Peggy Ellison thereby commanding them at a certain **[John Note: page is damaged here and cannot read this word]** and under certain penalties them to be inserted, personally to be and appear before your **[honors?]** to answer the premises and to stand to and abide by such order and decree therein as your honors may make. And your Orator will ever pray W , Farrow County Sol.

C Lewis Esq
 et al
 agt.
 Mary Lewis

This Defendant now and at all other times hereafter saving and
 reserving to himself all and all manner of benefit and exceptions to the
 manifest and manifest intention in the said Bill of Complaint
 for answer thereto a To do musts thereof as he is advised is material for him
 to answer to, answers and says that he admits that George Lewis
 departed this life on or about the 10th of March in the said Bill
 of Complaint, and that the said Geo Lewis died intestate by his last will
 and Testament which was usually known and acted upon as
 is said in the said Bill; and that he the Defendant was appointed
 and Executor of said Will, and that he qualified and acted
 as such, this Defendant also admits that the said Geo was legally
 seized and possessed of the lands therein specified; and of personal
 property to the amount therein stated subject to a sum of money
 the parties therein named if they so living or among the heirs of either
 the Defendant for further answer that in a convenient time after
 the death of the Testator, that he as Executor to his said last
 will and Testament as aforesaid, had all the goods and chattels
 of the deceased regularly appraised; and by the consent and at the request
 of the complainant in this action obtained an order from the Court
 of this Court for the sale of all the personal, that the complainant
 within six months of, and in obedience to said order have had of
 said property sold which will together with the amount of said sale
 more particularly appear referred being had to the said Bill heretofore
 exhibited and marked A. This Defendant for further answer says
 that he wishing to manage the said estate to the best advantage for the
 parties therein interested leased the lands and mills the lands for the
 term of ten years at the annual rent of two hundred and thirty two
 shillings for and the quarter for which he has accounted as will appear
 by a receipt hereunto exhibited and marked B. This Defendant
 admits that he has received of said party, arising out of the sale
 of the personal property sold at the request of the complainant
 by virtue of the order aforesaid; and that he out of said money
 he has paid debt due by the Testator to the amount of
 £1000 as will appear by Exhibit C. which after deducting his percent
 for receiving and paying out leaves now in his hands
 This Defendant for further answer states that he reasons for not paying out
 the money now remaining in his hands after discharging his commissions &
 necessary expenses, as that he conceives himself entitled for the costs of

Jas. Wilson atty.
 for Mary Lewis
 1780-86-1/2
 63-93-3/4
 1854-80-1/4
 8-35-6 att^y fees

[John Note: starting with small receipt on the left of the document]:

Receipt: Jas. Wilson atty. For Mary Lewis

1780-86-1/2

63-93-3/4

1854-80-1/4

8-35-6 att^y fees

[John Note: These look like the attorney's estimates of the amounts owed to Mary Lewis by Ephraim Lewis and his siblings. Normally when you see money written like this, it is Pounds-Shillings-Pence: 12 pence to the shilling, 20 shillings to the pound. But the half, three-quarter, and one-quarter

pence make no sense. As the original estate was appraised to be worth \$3,749 and some pennies, and half that is \$1,874.50, these numbers must mean Dollars-pennies with fractions of pennies allowed. At least that makes the most sense of what I can determine!]

E. Lewis **[Esq.?)**

Et al

Ads

Mary Lewis

The Defendant now and at all other times hereafter saving and reserving to himself all and all manner of benefit and **[exceptions?]** to the many errors and and insuffiances stated in a Complainants Bill of **[Complaint?]** be seen for answer thereto or to so much thereof as he is advised and is material for him to answer to, **[answers?]** and saith that he admits that George Lewis departed this life on or above the time stated in complainants Bill of complaint and that the said Geo. did Execute his last Will and Testament which was regularly proven and acted upon as in said Bill stated; and that he the Defendant was appointed and Executor of said Will, and that he qualified and acted as such, the Defendant also admits that the said George was legally **[leased?]** and possessed of the the lands herein specified; and of personal property to the amount therein stated subject to a **[unknown?]** among the parties therein named if they are living or among the heirs of **[deceased?]** the defendant for further answer that in a convenient time after the decease of the Testator, that he as Executor to his said last Will and Testament as aforesaid, had all the **[Goods?]** and chattels of the deceased regularly appraised that was shown to him and by the **[comments? Concerns?]** & at the request of the complainant in this action obtained an order from the **[ordinary?]** of this district for the sale of all the personal property that the complainant wished disposed of, and in obedience to said order had part of said property sold which will together with the amount of said sale now particularly appear referenced being **[bring?]** had to the sale Bill herein exhibited and marked A. The defendant for further answer says that he wishing to manage the estate to the best advantage for the parties therein interested learned the land and mills the land for the term of ten years at the annual rent of one hundred and thirty two dollars **[fee?]** and one quarter for which he has accounted as will appear by a **[reapt? receipt?]** herewith exhibited and marked B. This Defendants admits that he has received **[blank]** dollars **[drawing? servicing?]** our of the sale of the personal property sold or the request of the complainant & by virtue of the order aforesaid, and that he out of said **[menes? probably mesne]** he has paid debts and by the Testator to the amount of **[blank]** dollars as will appear by Exhibit C. Which after deducting his percent for recurring and paying our leaves now in his hands **[blank]** dollars. The defendant for further answer states that his reasons for not paying **[unknown?]** the menses now remaining by his hand after deciding the commissions of necessary expenses, and that he conceives himself a trustee for the whole of

The parties interested inasmuch as the complainant did immedi-
 ately after the aforesaid ^{sale} also previous thereto dispose of a considerable
 part of the personal property & leave the State, and at various times
 declaring that if it was in her power that the heirs of the testator
 should now receive any benefit of the property devised to them in said
 Will. The defendant further answering State that a certain James Wilson
 some time previous to the filing the Bill in the case came and under
 a power of attorney claimed also the papers in his hands relative to the land
 of the lands now in question which was according, run up, & the lands
 leased out by the said Wilson as attorney for the complainant; he this
 defendant at the same time accounting to the said Wilson for the whole
 of the rents and profits of said lands and ^{when he had money} due, as appears by Exhibit D.
 The defendant claims that a lease of Pastures made by the com-
 plainant against & since also unlawful combination ^{may be a common}
 with the said estate.

Nocey keeps so.

This is to certify that the facts set forth in this my answer are true
 to the best of my knowledge and belief. 17 May 1893.

Edw. L. Lusk

J. H. G. Lusk

the parties interested and inasmuch as the complainant did immediately after the aforesaid sale & also
 previous thereto dispose of a considerable part of the personal property & leave the State, and at various
 times declaring that if it was in her power that the heirs of the testator should now **[never?]** receive any
 benefit of the property devised to them in said Will. The defendant further answering State that a certain
 James Wilson some time previous to the filing the Bill in the case came and under a power of attorney

claimed all the papers in her hands relative to the lease of the lands now in question which was according given up & the lands leased out by the said Wilson as attorney for the Complainant; he the Defendant on the same time accounting to the said Wilson for the whole of the rents and profits of said lands and mill which he had received as appears by Exhibit B. The defendant comments that a Writ of Partition may as the complainant request & **[denes? demesnes?]** all unlawful combination of process to be dismissed with his reasonable costs.

Rocedey Leefts Sol

I do solemnly swear that the facts as set forth in this my answer are true Sworn to before and 17 May 1823.

E. Lewis - Exect'

L. Foster, C. E. S. D.

Know all men by these presents that I Mary Lewis of the County of Hart and in the State of Kentucky reposing Special trust and confidence in my friend James Wilson of the County and State aforesaid do hereby remand, constitute and appoint him my Attorney in fact for me and in my name to ask, demand, receive receipt for (and due of necessary) for all my right, title and interest of the estate of George Lewis deceased now in the possession of Ephraim Lewis Executor of said Lewis in the district of Spartanburg in the State of South Carolina And I do by these presents give my said Attorney full power and authority to do and perform every act and acts whatsoever necessary to carry ~~the~~ foregoing power into effect as fully to all intents and purposes as if I were personally present and performed the same myself hereby ratifying and confirming whatever my said Attorney may lawfully do or cause to be done in or about the premises In witness

Know all men by these presents that I Mary Lewis of the County of Hart and in the State of Kentucky reposing Special trust and confidence in my friend James Wilson of the County and state aforesaid do hereby remand, constitute, and appoint him my attorney in fact for me and in my name to ask, demand, receive receipt for (and due of necessary) for all my right, title, interest of the estate of George Lewis

deceased now in the possession of Ephraim Lewis Executor of said Lewis in the district of Spartanburg in the State of South Carolina. And I do by these presents give my said Attorney full power and authority to do and perform every act or acts whatsoever necessary to carry the foregoing power into effect as fully to all intent and purposes as if I were personally present and performed the same myself hereby ratifying and confirming whatsoever my said Attorney may lawfully do or cause to be done in or about the premises In witness

of which I have hereunto set my hand and
 Seal this 19th day of April 1822^r
 Mary ^{her} Lewis 
 Harb

State of Kentucky
 Hancock County
 I George S. Wood Clerk of
 the County Court of said County do
 hereby certify that on the 19th day of April
 1822 the within power of Attorney from
 Mary Lewis to James Wilson was acknowledged
 before me in my office by said Mary
 Lewis as and for her act and deed and
 the same with this certificate is truly
 entered of record in my office

In witness of which I have hereunto
 set my hand and affixed the
 Seal of my said office
 this 25th day of April 1822^r
 In the 68th year of the Independence
 George S. Wood clk

of which I have hereunto set my hand and to Seal this 19th day of April 1822.

Mary (her mark) Lewis {Seal}

State of Kentucky

Hart County Sct

I George T. Wood Clerk of the County Court of said County do hereby certify that on the 19th day of April 1822 the within Power of Attorney from Mary Lewis to James Wilson was acknowledged before me in my office by said Mary Lewis as and for her act and deed and the same with this certificate is truly entered of record in my office.

In witness of which I have hereunto set my hand and affixed the seal of my said office this 25th day of April 1822 & In the 30th [?] year of the Commonwealth.

George T. Wood

Hart County Sct.
I as senior justice of the peace for the County
aforesaid do hereby certify that George T Wood
whose name is annexed to the preceding certificate
is and was at the time of signing the same
acting clerk of the aforesaid County and that
all faith and credit is due to his official
acts given under my hand as justice aforesaid
this 25th day of April 1822
Geo. McLean J.P.

Hart County Sct.

I our senior justice of the peace for the County aforesaid do hereby certify that George T Wood whose name is annexed to the preceding certificate is and was at the time of signing the same acting Clerk of

the aforesaid County and that due faith and credit is due to his official acts Given under my hand as justice aforesaid this 25th day of April 1822.

Geo . McClean

Know all men by these presents that I Mary Lewis
of the County of Hart and State of Kentucky have made
nominated and appointed and by these presents do make
nominate and appoint William T Brooks of the County of
Hart and State of Kentucky my true & lawful attorney for me
and in my name and for my use and benefit to ask demand
due for recover and receive of and from all persons indebted
to me any sum or sums of money they may owe me, and
more particularly to ask demand & receive of Ephraim Lewis
Executor of George Lewis dec'd of Spartanburg South Carolina
Any and all money that may be due or coming to me from
said estate, and to have use and take all lawful ~~ways~~
and means in my name ^{or otherwise} for the recovery thereof by attachment
arrest distress or otherwise, and to compromise arbitrate and
agree for the same, and acquitances or other sufficient dis-
charges for the same for me and in my name ~~to make~~ to
make seal and deliver, and to do all lawful acts and
things whatsoever concerning the premises as fully and in
every respect as I my self might or could do were I person-
ally present ratifying and confirming and by these presents
allowing whatsoever my said Attorney shall in my name
lawfully do in and about the premises by virtue of these
presents, In Witness whereof I have hereunto set my hand
and affixed my seal this 13th day of October 1829

Mary ^{per} Lewis Test
mark

Know all men by these presents that I Mary Lewis of the County of Hart and State of Kentucky have made nominated and appointed and by these presents do make nominate and appoint William Brooks of the County of Hart and State of Kentucky my true & lawful attorney for me and in my name and for my use and benefit to ask demand sue for recover and receive of and from all persons indebted to me any sum or sums of money they may owe me , and more particularly to ask demand & receive of Ephram Lewis Executor of George Lewis decd of Spartanburgh South Carolina any and all money that may be due or coming to me from said estate , and to have use and take all lawful ways and means in my for the recovery thereof by attachment arrest distress or otherwise , and to compound arbitrate and agree for the same , and acquittances or other sufficient discharges for the same for me and in my name to make to make seal and deliver , and to do all lawful acts and things whatsoever concerning the premises as fully and in every respect as I myself might or could do were I person ally present ratifying and confirming and by these present allowing whatsoever my said Attorney shall in my name lawfully do in and about the premises by virtue of these presents , In Witness whereof I have hereunto set my hand and affixed my seal this 13th day of October 1829.

Mary (her mark) Lewis {Seal}

State of Kentucky
Hart County

I George S Wood Clerk of the
County Court for the County aforesaid do hereby certify that
this letter of attorney from Mary Lewis to William S Brooks & co was
brought on the day of the date hereof produced into the County Court
of the County aforesaid and acknowledged by the said Mary Lewis
to be her act and deed for the purposes therein contained and
specified, and the same together with this certificate is correctly
entered of record in my office; In witness of which I have hereunto
set my hand and affixed the seal of my said office in the
Town of Murfreesville this 13th day of October 1829 and
in the 38th year of the commonwealth

George S Wood Clerk

State of Kentucky
Hart County
Thos B. Hatt Presiding
Justice of the Peace
for Hart County do
certify that the above
named George S Wood

is Clerk of our said County
Court and that full faith
and credit may be given to
all his acts as such given
under my hand this 14th day
of October 1829

Thos B. Hatt J.P. &c

State of Kentucky
Hart County

I George T Wood Clerk of the County Court for the County aforesaid do hereby certify that letter of attorney from Mary Lewis to William T. Brooks Jr. was on the day of the date hereof produced into the County Court aforesaid and acknowledged by the said Mary Lewis be her act and deed for the purposes therein contained and specified , and the same together with this certificate is correctly entered of record in my office; In witness of which I have hereunto my hand and affixed the seal of my said Office in the of Munfordville this 13th day of October 1829 and the 38th year of the Commonwealth.

George S Wood Clerk

State of Kentucky
Hart County

Thos. B Hate Presiding Justice of the for Hart County **[unknown]** certify that the above named George T. Wood is Clerk of our said County Court and that full faith and credit may be given that all his acts as such given under my hand this 14th of October 1829

Thos. B. Hate, J. P. H. C.

State of South Carolina
Spartanburgh Dist

For James Young, John P. Howland John Walker, John Turner, & W^m [Trimmier?]

Whereas it has been suggested to at the Court of Equity at Spartanburgh Court House that Geo. Lewis late of the Dist and State aforesaid Decd was in his lifetime and at the time of his death seized and possessed in his Demesne as of fee of two certain plantations or tract of Land, adjoining each other lying and being in the list and State aforesaid more particularly and fully described in the Bill of Complaint of Mary Lewis against Ephraim Lewis and others. Heirs and Representatives, Legatees of the said Geo. Lewis Decd. for the purpose filed in the Office of the Commissioner of Equity for Spartanburgh Dist which said tract of Land we are informed the said Geo Lewis did by his last Will and testament devise to his Widow Mary Lewis and to his the brothers and Sisters - all of whom are entitled to their proportion of the said tract of Land , according to the exigencies of the said Will, that is to say, Mary Lewis to one half of the whole in fee with a life Estate in the remainder, Ephraim Lewis to one sixth of the remaining half in fee, Isaac Lewis to one sixth of the remaining half in fee, Abel Lewis to one sixth of the remaining half in fee, Isaiah Lewis to one sixth of the remaining half in fee, Polly Boley, late Polly Lewis, to one sixth of the remaining half in fee, Peggy Ellison, late Peggy Lewis to one sixth of the remaining half in fee, all subject to the life Estate of the said Mary Lewis the Widow.

L. Torlen, C. E. S. D.

And no partition of Devision having been made of the said Land, the said Mary Lewis as above named, hath filed her Bill in our s^d Court of Equity praying for a Writ of Partition to make partition and division of the said tracts of Land agreeable to the Acts of Assembly made and provided, the said Ephram Lewis, one of the Defendants assenting to the same.

You the said James Young, John P. Rowland, John Walker, John Turner and William Trimmier, Esquires being first sworn fairly and impartially to execute this writ according to the best of your knowledge, and understanding are hereby required and authorised that in your proper persons you go to and upon the land aforesaid in the presence of the parties aforesaid if they wish to be present by you to be summoned and the said tract of land respect being had to the value of the improvements you cause to be divided in the manner and in the proportion above set forth, and that you cause the several and respective parts to be delivered and assigned, to them to be in severalty so that neither of the parties have more of the inheritance than to them belongeth to have. And the same partition by you as aforesaid to be made, you are commanded plainly and distinctly under your hands and Seals to have before the aforesaid Judges of the said State at the Court of Equity to be holden at Spartanburgh Court House on the first Monday June next, and in what manner you shall execute our writ there and there make known unto us. And have you then and there this writ.

Witness Simpson Foster Esq Commissioner of the said Court of Equity the first Monday in February in the year of our Lord one thousand Eight hundred and twenty four and in the forty Eighth year of the Sovereignty and Independence of the United States of America Snow.

Thomas Henry Court Sol.