

last will and testament is in the words and figures following to wit.

In the name of God I Joseph Gay of the County of
Dyer and state of Tennessee being sound of mind but weak in body
and knowing the uncertainty of life and certainty of death do make
~~the my last will and testament to wit~~ — 1st I will my soul to
God who gave it, and my body to its mother dust — 2nd After my bu-
rial and funeral expenses and just debts are paid, I ~~devise~~ my prop-
erty the remainder or residue to be kept together until my youngest child
Charles Clement Gay becomes of age unless my wife Margaret A Gay
should die or marry again in either event, I will that my property
to be divided equally and my said wife to have a child's part. I
will that my children shall receive a good education — In case Jacob
Burton a free man of colour should never return from Texas I
desire his wife Ellen and her children to be decently supported, but in
case 1st Jacob Burton should return and get the bounty of land he is
forth for the inducement of settling in Texas for which I have aided
for two thousand two hundred and twenty two acres shall be equally
divided between Matthew Green Gay, Joseph B Gay and Charles Cle-
ment Henry Gay my three sons the real estate or place on which I

now live. I will at my wife's death to belong to my daughter Sarah
Amanda Flay provided Jacob Burton obtains the indisputable
right to the Texas Land before mentioned, otherwise this land on which
I live is also to be equally divided between my above mentioned heirs &c

I desire that Major Joseph W. Chalmers of Jackson Tennessee to have
the superintendence and care in the educating my boys and daughter
Sarah Amanda Flay. I desire that my new house now commenced be
completed in a good workman like manner for the accommodation
and comfort of my family as early as possible and I hereby appoint
my wife Margaret A. Flay my Executrix to this my last will and
Testament, and my friend Doctor Thomas Nash as Executor in settling
the business of my estate and doing all things as may lawfully belong
and as an Executor to do.

In witness whereof I have hereunto
set my hand and affixed my seal this 18th day of December in the
year four Lord 1838.

Signed sealed and in presence of us

Joseph Hille Jurat, Elijah ^{his} Stigall Jurat
David Jordan Jurat
mark

J. A. Flay

State of Tennessee

Dyer County

I Isaac Sampson clerk of the County Court of Dyer County do hereby certify that the foregoing is a full true and perfect copy of the last will and Testament of Col. Joseph Gay deceased, as the same now stands of record in my office and of the proof thereof taken in said County Court together with the granting of Letters Testamentary thereon.

Isaac Sampson

In testimony whereof I have hereunto set my hand and affixed my seal of office as clerk in Dyer County this 16th day of August A. D. 1839 and 61th year of American independence.

Isaac Sampson Clerk of
Dyer County Court.

State of Tennessee Dyer County

I James McLean chairman and presiding magistrate of the County Court of Dyer County do hereby certify that Isaac Sampson whose name appears to the foregoing record and certificate as clerk of said County Court is and was at the time of subscribing the same, clerk of said Court, and that his said ^{certification} ~~attestation~~ is in due form of law to

Given under my hand and seal this the 20th day of August A. D. 1839

James Miller chairman and presiding judge of the
County Court of Tyler County do hereby certify that Isaac Sampson whose
name appears to the foregoing record and certificate as clerk of said
County Court is and was at the time of subscribing the same, clerk of
said Court, and that his said ~~signature~~ ^{certificate} is in due form of law to
be given under my hand and seal this the 20th day of August A.D.

1839.
James Miller

Virginia to wit

At a Circuit Superior Court of Law & Chancery convened there for
the County of Pittsylvania the 21st day of May 1840. This copy of the
Last Will & Testament of Joseph Clay dec^d upon the certificate annexed
was ordered to be recorded, and the executor and Executrix in said
will named not appearing to qualify it is ordered that the Estate
of the said Testator in this State be committed to Joseph Adams Sheriff
of the said County to be administered with this the said will annexed
file of this County to be administered with this the said will annexed

W. H. Jumball clk