

WILL OF

LEWIS STUBBS SENR.

South Carolina

Marlborough District } E, Lewis Stubbs Senr. of the District
& State aforesaid do make and ordain and publish & declare
the following my last will and testament To Wit

First I give and bequeath to my wife Elizabeth Stubbs for and
during the term of her natural life, Six negroes to wit, Lucy
Julia, Young Jim, Jeffrey, Marina & Tom. Also ten head of Catt-
le Such as she may S elect. Twenty ~~that~~ five head of hogs and
one horse & two mules. All my household & kitchen furniture
except one feather bed and furniture & except all such arti-
cles of furniture as I purchased at the Sale by the Sheriff of
the property of my son Lewis E. Stubbs and after her death to
be disposed of as herein after directed.

Second. I give and bequeath to my said wife Elizabeth Stubbs one
hundred dollars & one years provision Sufficient to Support her-
self and the stock and negroes as above. Also farming utensils &
implements of husbandry Sufficient to employ Said negroes ashere-
after directed.

3rd. I give and bequeath to my wife Elizabeth Stubbs for and dur-
ing the term of her natural life the following tract or parcel of
land with my dwelling house and all my other houses and buildings
thereon which said tract or parcel of land is to be Separated and
divided from the residue of my lands as follows to wit. Beginning
in the ford of Muddy Creek on the road leading from Bennettsville
to My house & running thence along said road to a ditch crossing
Said road near to a bottom in field Called the hog hole. thence
Same Course to the fence of my new ground field. thence to the
left with Said new ground fence & continuing the Course of Said
fence in Meadow to the line of the Vaneavery land thence along the
Vaneavery line to the land now belonging to the Estate of Camp-
bell Stubbs thence along Campbells Stubbs line to the corner at or
near my pasture fence and within about two hundred yards of the
beginning of this tract, thence along my pasture fence to the run
of muddy creek, thence up the run of Said Creek to the beginning

at the road Said tract to be run and divided as above supposed to Contain three hundred acres be the Same more or lefs. Together with all the rights members hereditaments and appurtenances to the same belonging & also the right to Cut and use all Such wood and timber on all my other lands as she may see fit, for & during the term of her natural life & after her death to the said tract to be disposed of as hereinafter directed.

4th. I give devise and bequeath to my grandson Martin S. Feagin the seven following negroes to wit. Harry, Wallace, Bartholomew Alex and Edgenora Mary (bot from James) & Julia the said Julia to be delivered to him after the death of my wife Elisabeth Stubbs also the following tract or parcel of land to be separated from my other lands as follows to wit, beginning at a corner to be set in meadows when the line of of the tract Set apart for my wife for life Striker the Vaneavery land thence back the line of said tract to and with my new ground fence and continuing Same direction through a pond until it intersects the line of a tract of land known as the McRimmon land & now owned by J.E. David. Thence to the left with the line of the McRimmon land to a tract granted to myself in 1806. Thence with the line of said tract to the corner of a tract purchased by me as part of the real estate of Alexander Lamb Dec. & conveyed by me to the said Martin S. Feagin by deed of gift, thence to the left with the line of said last mentioned tract to the Vaneavery land. Thence to the left with the line of the said Vaneavery land to the beginning. the said tract in this clause mentioned supposed to contain Eighty acres to be the Same more or lefs the Said negroes and land in this clause mentioned to the Said Martin S. Feagin his heirs and assigns forever.

5th. It is my will and desire that my executors hereinafter named do allot and Set apart the Seven negroes following to wit. Andrew Cuffee, Agnes, & her child Maria Isaac, Hannah & Tom together with their future increase Also a certain tract or parcel of land as follows to wit. Beginning in the ford of Muddy Creek on the road leading from Bennettsville to my house, thence along said road to a ditch inside of my gate near the end of my old road

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thence up Said ditch with the line of tract Set apart for my wife for life, to my new ground fence, thence to the right with Said fence & continuing Same Course with Said fence through pond to the libe of the McRimmon land thence to the right with the line of the McRimmon land to a pine corner being the Corner of the McRimmon land, Hartwell Ayers land & my own thence down with Hartwell Ayers line to a pine corner near a ditch thence down through bay a straight Course to the beginning at Ford of Creek. And that my executors do divide the said lot of negroes and parcel of land into three equal parts according to their Judgments either by Sale or otherwise and pay and render over one third part of the Same to my grand daughter Mary Ann Hayes and her heirs forever one third part to my grand daughter Clarissa Newton & her heirs forever. One third part to Cornelius Newton in trust for the use & behoof of of the children of my grandson Lewis A.I. Stubbs so as that the same or any part thereof Lewis A.I. Stubbs although he may be allowed to use the same at the discretion of the Said Cornelius Newton without rendering life & after the death of the said Lewis A.I. Stubbs then the said Cornelias Newton to convey the Said share herein this clause last mentioned to the children of the Said Lewis A.I. Stubbs that may be surviving at the time of his death to them & their heirs forever.

6th. I give devise & bequeath to Martin S. Feagin the Seven following negroes to wit. Ned, Dick, Big Milly & her child Calvin, Isaiah young Jim & Jeffrey the said young Jim & Jeffrey to be delivered to him after the death of my wife Elizabeth Stubbs with the future increase of the Said Seven negroes. Also the tract or parcel of land Set apart for my wife during her life Supposed to contain three hundred acres being the tract on which is situated my dwelling & all other buildings to be Severed from residue of my lands according to the lines & boundaries mentioned in the third clause of this my will & testament, The said negroes & land mentioned in this clause that is to say the five first mentioned of the Said Negroes with no particular or previous estate in them and the two last named negroes Young Jim & Jeffrey & the said tract of

land after the death of my said wife Elisabeth Stubbs and also one half of all my household & kitchen furniture. All my farming utensils One wagon & one horse cart also one Sorrel horse Pavlo & the two mules loaned to my wife Elisabeth Stubbs her life time to him the said Martin S. Feagin in trust however & for the use & purposes herein after directed that is to say to hold the Same for the use & behoof of my Son John S. Stubbs to occupy & use the same without rendering an account of the rents & profits but the Said property to remain with the legal title in the Said Martin S. Feagin as trustees & not to be Subject to the debts & contracts on Sale of my said Son John S. Stubbs for & during the term of his natural life of my said Son John S. Stubbs & should he die leaving a child or children lawfully begotten by him then the Said Martin S. Feagin to convey the Said Real & Personal Estate in this clause mentioned to Such child or children of the Said John S. Stubbs surviving him at the time of his death. But should he the Said John S. Stubbs die leaving no child or children lawfully begotten by him then the Said Martin S. Feagin Trustee as aforesaid to divide the Said negroes & personal estate in this clause mentioned with their future increase & the said tract of land in this clause mentioned into four equal parts & pay the surrender over one share of the Same to my grand children the children of my son Lewis E. Stubbs one share to my grand children, the children of my daughter Clarissa Stubbs. One share to my grand children the children of my son Campbell Stubbs & retain the fourth share to & for himself the said Martin S. Feagin in his own right & absolute title.

7th. I give & bequeath to John S. Stubbs the five following negroes to wit Moses, Little Milly, Prince, Edmund, & Lucy the said Lucy to be delivered after the death of my wife Elisabeth Stubbs also all the articles of furniture which I purchased at the sale by the Sheriff of the property of my son Lewis E. Stubbs except a Sideboard. Also all the residue of my lands not disposed of, the same lying on the upper side of Muddy Creek, adjoining the lands of Hartwell Ayers, Campbell Stubbs, estate & my other lands above

mentioned & set apart for others also one Bed, Bedstead & furniture, the said negroes, furniture & lands in this clause described to him the said John S. Stubbs his executors & Administrators in trust nevertheless & for the uses & purposes hereinafter mentioned, that is to say the Said five negroes with their future increase for the use & behoof of my three grand children the children of my son Lewis E. Stubbs to wit Cornelia Stubbs, Victoria Stubbs & Lewis E. Stubbs to be held by the said John I. Stubbs as their trustee until either of the said three grandchildren arrive at the age of Twenty one years or marries & upon that event to Convey an equal portion of the Same to each of the said parties whenever they arrive at legal age or marry as aforesaid & should either of the said three grand children die under age & before marriage then the portion to which he or she would have been entitled to be divided into equal portions to be Conveyed also to the Survivors or either & each of them as they arrive at age or marry and the Said bed, bedstead & furniture of bed in this clause mentioned and the said land in this clause mentioned and described in trust for the sole & separate use & behoof of my Said grand daughter Cornelia Stubbs to be held by the Said John S. Stubbs as her trustee as aforesaid until she arrives at the age of Twenty one years or marries & upon the happening of either event, then to be conveyed to her in fee simple. But should she die before marriage or arriving at the age of twenty one years then to be conveyed by him to the Survivor or survivors of her brother & sister as mentioned in this clause directing his conveyance to the three of that portion in this clause bequeathed in trust for the said three grand children.

8th. I give & bequeath to John S. Stubbs a negro girl Laura to him his executors & Administrators in trust nevertheless & for the use & behoof of my grand daughter Cornelia Stubbs to be held by the Said John I Stubbs as trustee as aforesaid for the said Cornelia Stubbs with her future increase whenever she the said Cornelia arrives at the age of twenty one years to convey the Said negro Laura with her future increase to the Survivor or Survivors of

of her brother and sister in equal parts as each of them arrives at the age of twenty one years or marry.

9th. I give & bequeath to my grand daughter Cornelia Stubbs one side board which I bought at the Sale of her fathers property.

10th. I give & bequeath to my grandson William Beattie Lindsey one negro girl named Marena to be delivered to him after the death of my wife Elizabeth Stubbs, but should the Said William Beattie Lindsey die before he arrives at the age of twenty one years then the said negro Marena to go to the children of my Son Lewis E. Stubbs above named.

11th. I give and bequeath to my four grand children the children of my dead son Campbell Stubbs to wit Thomas Stubbs, Mastin Stubbs, Elizabeth Stubbs & Virginia Stubbs the four following negroes to wit Mary Daniel, Simon, & Jordan, share & share alike to them & their heirs forever.

12th. I give & bequeath to my daughter Clarissa Stubbs, Two hundred Dollars to be paid her by my executors hereinafter mentioned.

13th. It is my will and desire that my negro man Old Jim be comfortably supported according to his condition out of my estate by my executor without requiring from him labor exceeding that he may be willing to do & that he ^{be allowed to live on the plantation} now occupies during his life without disturbance.

14th. It is my will and desire that should I depart this life at anytime during the year in crop making season, that is between February & December Succeeding that all my negroes & stock together with all my farming utensils & provisions on hand, be kept on my plantation untill the then growing crop be made & gathered & then that my executors give my wife Elizabeth Stubbs the Sum of one hundred dollars for her own use & behoof & pay to my daughter Clarissa Stubbs two hundred dollars above ~~mentioned~~ bequeathed to her & that they also set apart & render to my said wife her said tract of land above given her life together with a sufficient portion of my farming utensils to employ the negroes given to her for life & one years provision to feed & support the same and

then that my executors herein after named after paying my Just liabilities do make five equal lots or shares of all such monies as may be on hand at my death & realize from all debts due me & from the Sale & proceeds of all the crop Stock & property not above disposed of and that one share or lot of the Same be given to my grandson Martin S. Feagin One lot or share to my three grand children Lewis A.I. Stubbs Mary Ann Hays & Clarifsa Newton, One other lot or share to my son John S. Stubbs one lot or share to my three grand children the children of my Son Lewis E. Stubbs to wit Cornelia Stubbs Victoria Stubbs & Lewis E. Stubbs & the other lot or share to my four grand children the children of my son Campbell Stubbs, to wit Thomas Stubbs Mastin Stubbs Elizabeth Stubbs & Virginia Stubbs and after the death of My Said Wife Elizabeth Stubbs then I desire my executors herein after mentioned to sell & dispose of all the stock furniture & implements of husbandry hereby given to her for life and not otherwise disposed of after her death and divide the proceeds of the Same into five equal shares & pay over the same to the same parties & in the Same manner as I have directed the disposition of the proceeds of the crop Stock, monies & so forth in this the fourteenth clause of my will above.

15th. I hereby nominate constitute and appoint Martin S. Feagin William D. Bridges, Cornelius Newton John I Stubbs & John McQueen my executor to this my last will and testament continued on the Seven annexed sheets of letter paper hereby revokeing and annulling all previous wills by me made

In testimony whereof I have hereunto Set my hand & Seal this the Twenty Eighth day of December in the year of our Lord Eighteen hundred & Forty four.

Signed Sealed published & declared in the presence of us who subscribed the same in the presence of the testator & in the presence of each other as the ^{his} Lewis I Stubbs (SEAL) mark last will & testament of testator, contained on the Seven Annexed sheets of paper. The words "ing" on second sheet & a black line run between line part way on third sheet inserted before Signed

making one of the ~~executors~~ before signed.

Wm. I Cook

Thos. Cook

A.J. Miller

William Munnerlyn

South Carolina)

Marlboro District)

I Lewis Stubbs Sen. of the District of Marlboro and State of South Carolina do make ordain publish and declare the following to be a codicil to my within last will and testament contained on the Seven annexed sheets of paper Signed and Sealed by me in the presence of Wm. I Cook Thomas Cook, A.J. Miller & William Munnerlyn. And I do hereby make ordain publish and declare the following alteration of the Said within last will and testament to wit- I do hereby revoke and annul and declare void the following clauses of the Said Will & testament, to wit the Seventh Eighth Ninth and tenth as numbered in the Said within will in figures 7th 8th 9th, 10th and in lieu of the disposition made in the Said four clauses of my Said will I do hereby make the following to wit.

1st. I give and bequeath & devise to Cornelius Newton the Six following named negroes to wit Moses Little Milly, Prince Edmond Lucy & Marena the said Lucy and Marena to be delivered to him after the death of my wife Elizabeth Stubbs also all the articles of furniture which I purchased at the Sale by the Sheriff of the household furniture of my son Lewis I. Stubbs including a Side-board so all the residue of my land not disposed of in my will above which an situate & lying on the upper side of Muddy Creek adjoining the lands owned by myself or otherwise disposed of in my will also one Bed Bedstead & furniture, the said negroes lands & furniture in this Codicil devised & bequeathed to him the Said Cornelius Newton & his executors in trust nevertheless and for the uses and purposes herein after mentioned that is to say the five first mentioned negroes to wit Moses Little Milly Prince Edmond and Lucy with their future increase for the use and behoof of my three grand children the children of my son Lewis E. Stubbs to wit Cornelius Newton the children of Lewis