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WILL OF

JOHN PAYSINGER

The State of South Carolina

Lowberry District

I John Paysinger do make the following disposition of my estate to take effect at my death as my last will and testament.

First. I wish my executors to hold the legal title (which is hereby vested in them) to the tract of land on which my sister Christina Mills lives purchased from Moses Riley to the sole ^{and} separate use of my said sister during her life; and at her death to the use ~~of all her five children and those she may hereafter~~ and who may be then living in fee simple. The legal title to vest in said surviving children without any act on the part of my executors.

Second. I authorize my executors to sell the tract of land and the personal property which I bought at sheriffs sale as the property of John Metz.

Third. I wish my debts to be paid out of the money I may leave on hand, the debts due me, the proceeds of the crop, and any other money which may come into my executors hands.

Fourth. I wish all the rest of my property to be kept together and my business to be carried on by my executors in the same manner as I have been accustomed to carry it on, making crops, selling the surpluses and applying the money for the benefit of my estate in paying my debts, supporting my family, educating my children or keeping the money at interest or investing it in property according to circumstances. So long as my wife remains a widow I leave it to her discretion to regulate the ~~management~~ ^{supporting} of the family and the education of my children, and desire that she may exercise the same control in matters falling within her sphere as she has been accustomed to exercise, and that she be supported according

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Fifth. If my wife should marry again upon her marriage I wish my whole estate to be valued by five disinterested persons to be selected by my executors and approved by the then ordinary of Newberry, and I give to my said wife a child's share of the personal property, to be absolutely hers and a life estate in one sixth part of my lands, - the personal property to be selected by her with the approval of my executors and the land to be run off for

her according to the concurring discretion of herself and my executors.

Sixth. When any one of my children shall come of age or marry I wish my executors to make a reasonable advancement of property to him or her, such as I might reasonably be expected to make if living, and to take a receipt for the same ^{containing} such descriptions of the property as may afterwards be useful in fixing a valuation upon it. And when the final division shall be made among my children I wish all these advancements to be brought in- taking the property as it was when advanced and fixing the price according to the prices ~~current~~ at the time of the division.

Seventh. The final division among my children shall be made whenever a majority of my children shall be of age or married. If my wife should be then living without having married again, she must have a child's share of my personal property absolutely and a life estate in one sixth of my land- to be selected and run off for her as is hereinbefore provided in case of her marrying again.

Eighth. In directing my property to be kept together, I do not wish to restrict the power of my executors as to the surplus property not necessary to keep up my plantation, which they are authorized from time to time to sell. I do not wish any of my negroes to be sold unless it should become necessary for the payment of my debts or unless some of them should become ungovernable. Unruly ones may be sold at any time by my executors.

Ninth. I wish my sister Catharine Paysinger to be permitted to live with my family if she will do so allowing to my estate such moderate sum as the ordinary think ~~right~~ to defray the expenses.

Tenth. I wish the education of my children the expenses of which are defrayed out of the common fund to be as nearly equal as may be. If any one of them should desire a more expensive education

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Eighth. In directing my property to be kept together, I do not wish to restrict the power of my executors as to the surplus property not necessary to keep up my plantation, which they are authorized from time to time to sell. I do not wish any of my negroes to be sold unless it should become necessary for the payment of my debts or unless some of them should become ungovernable. Unruly ones may be sold at any time by my executors.

Ninth. I wish my sister Catharine Paysinger to be permitted to live with my family if she will do so allowing to my estate such moderate sum as the ordinary thing might to defray the expenses.

Tenth. I wish the education of my children the expenses of which are defrayed out of the common fund to be as nearly equal as may be. If any one of them should desire a more expensive education let the extra expense be charged against him or her as an advancement.

Eleventh. I declare it to be my will that all my children shall share equally in my estate and I give to them all the rest, residue and remainder of my estate of whatsoever nature or kind.

Twelfth. I appoint my sons Benjamin Frederick Paysinger & Jacob S. Paysinger and Thomas H. Pope executors of this my last will and testament, hereby revoking all others heretofore made by me.

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WILL OF JOHN PAYSINGER PAGE 3.

In witness whereof I have hereunto set my hand and seal the
15th, day of June 1844.

Signed, sealed, published and
declared by John Paysinger as
and for his last will and tes-
tament, he having also signed
his name in the margin of the
first and last pages of the
first sheet, in the presence of
us who have at his request and
in the presence of him and of
each other subscribed our names

John Paysinger (L.S.)

as witnesses thereto

Jacob Lang (B. River)

William F. Pratt

George G DeWalt

Recorded in Will Book No. 1. Pages 168- 172. "Record of Wills".

Proved October 14th, 1844.

Recorded November 8th, 1844.

W. Wilson, Ordinary Newberry District.

Box No. 93. Pkg. No. 243. Est. No. 2319.