

IN THE NAME OF GOD, AMEN;

James Lay, of the State and District aforesaid, being of sound mind but feeble in body and fearing the uncertainty of life do declare my last will and testament to be as follows, viz:

ITEM. I desire my wife Elizabeth to have and to hold during her widowhood and no longer the following property, viz, the tract of land whereon I now reside and three back tracts known as the Mill tract the Ned Norton tract and the Lemuel Nicholson tract, also the following six negroes, viz, Ben, Nice, Bob, Cale, George and Lucinda. Also provision for her the stock negroes as herein devised to her for one year. Also twelve head of stock hogs, such as she may choose. Also fifteen head of sheep. Also four cows. Also one mare "Gray" and two mules Beck and Sal. Also all the Beehives. Also ten best hogsheads. Also blacksmith tools. Also all my household and kitchen furniture. Also I desire my Executor to purchase for her a wagon such as will be suitable for her use. Also two thousand dollars in money to be loaned on interest which interest or so much as be found necessary is also to be applied to her support and should the said interest prove inadequate then the principal may be encroached upon and used for that purpose and when her widowhood is terminated by death then the property before devised to her is to be divided amongst my heirs at law, but should she terminate said widowhood by marrying then immediately on her marriage I direct a division of my whole estate to be made and that she receive a child's part of the same.

ITEM. I further authorize my Executor by and with the advice and consent of my said wife Elizabeth, to sell any part of the property before herein devised to her when it shall become unmanageable or unprofitable, and to invest the proceeds in other property, or put them out at interest as they may think best.

ITEM. I instruct my Executor to execute deeds to my son Jesse Lay for the lands he now resides on and known as the William Deadman,

the Moss and the Gilly tracts, so soon as in conformity with terms of sale, being three thousand five hundred dollars in all, he pays thereon the installments in periods as they may be prescribed for the sale of the real estate in general.

ITEM. I give and bequeath all the rest of my real and personal estate to my heirs at law to be divided amongst them in equal shares so soon as the same or any part thereof has been realized and I instruct my Executor herewith to effect such sale necessary for said division.

ITEM. I appoint Samuel Lovingood as Guardian of my granddaughter Josephine Lovingood to receive her portion of my estate when to be divided, and if she should die without living issue the said portion is to return to my other heirs at law.

ITEM. I appoint my son Charles Middleton Lay Executor of this my last Will and Testament.

WITNESS my hand and seal this 2nd day of February eighteen hundred and sixty.

We being called on by James Lay to witness this his last will and testament have in presence of each other and in presence of the testator subscribed the same as witnesses this the 8th day of February eighteen hundred and sixty.

JAMES LAY. (SEAL)

BENNET MOODY. (SEAL)
A. B. GRANT. (SEAL)
E. M. PERRY. (SEAL)

SOUTH CAROLINA.)
PICKENS DISTRICT.)

PERSONALLY appeared before me E. M. Perry who being duly sworn says on oath that he was present and did see James Lay sign and seal the foregoing as his last will and testament and that Bennet Moody and A. B. Grant were present and that they all three signed their names as witnesses to the same in presence of each other. and the testator.

SWORN to before me June 21st 1860.

E. M. PERRY.

W. E. HOLCOMBE, O.P.D.