

RICHLAND DISTRICT)

IN THE NAME OF GOD AMEN. I James Davis of the Town of Columbia in the district and state aforesaid, Physician, being of sound mind memory, and understanding ~~we~~ have thought proper to make this my last will and testament, intending hereby to direct in what manner my estate shall be disposed of after my death.----

Imprimis, It is my will that my whole estate real and personal be kept together, and managed to the best advantage, and that so much of the annual proceeds or income from whatever sources desired ~~may~~ as may be necessary, shall be applied to the support and maintenance of my beloved wife, and unmarried children, and to the education of my sons James and Henry, and the balance thereof to the payment of my debts, and it is my will that my said estate shall be kept together untill all my debts are paid, But if the urgency of creditors shall render it necessary . or if my executrix and executors herein after named or a majority of those who shall qualify, shall at any time think it more beneficial and expedient then, and in either of these cases, my said executrix executors or those of them who shall qualify, or a majority of them, are hereby authorized and empowered to sell and convey so much and such part, of my estate real and personal as they may select to an amount sufficient to pay my said debts, or the balance that may be then due,-----

Item. After the payment of my debts, and before the partition of ~~of~~ my estate herein after intended to be provided for, it is my will that my said executrix and executors shall set apart and employ so much of my estate or the income thereon as shall in their judgements be sufficient to give my sons James and Henry as good an education and maintain maintenance untill they are twenty one years of age, or marriage, whichever may first happen, as my elder sons have had, or as nearly so as circumstances will permit and justify, which I leave absolutely to the judgement, discretion, and decision of my said executrix and

executors, or a majority of those who shall qualify.-----

Item- It is my will and I hereby give devise and bequeath to my beloved wife Catharine Davis for and during the term of her natural life one third part of all the rest residue, and remainder of my said estate real and personal of whatsoever the same may consist, and wheresoever found or situate, with power, to dispose of one third, of the said one third part to such uses and for such purposes as she ~~may~~ may think proper.

Item- To my daughter Caroline Palmer wife of Edward G. Palmer and Louisa Penelope Preston, wife of the Hon Willaim G. Presto and my sons William James, and Henry and to their heirs and assigns forever,-----

I give devise and bequeath the remaining two thirds of the said rest residue, and remainder of my said estates real and persoanl, to be equally divided between and ~~xxx~~ amongst them, share and share alike, ~~as tenants~~ in common. After the death of my said wife likewise give devise, and bequeath to my said children and to their heirs and assigns forever the remaining two thirds of the one third part of the said rest, residue and remainder of my said estate real and personal, before devised and bequeathed to my said wife, to be equally divided between and amongst them share and share alike, as tenants in common.--

Item- Iff at the time of the partition and division of my estate, at the time and in the manner herein before provided, any or all of my said children shall have before died, leaving children or other lineal descendants living at the time, then the children or child of such deceased child, or other lineal descendants shall take the share that their deceased parents, or ancestor would have taken if living,-----

Item-. If any one of my said children should die under the age of twenty one years, unmarried and without children or other lineal descendant living at the time of the ~~partit~~ partition and division of my estate at the time and in the manner herein provided then, and in that case it is my will that the share o

children or other lineal descendant shall be equally divided between, and amongst my surviving children, the lineal descendant of a deceased child taking the share or portion their parent or ancestor would have done if living.-----

Lastly- I do hereby nominate and appoint my beloved wife Catharine Executrix and my son in-law Edward G. Palmer and my son James executors of this my last will and testament, hereby authorizing my son James to qualify and assume the office of Executor when he shall have attained the age of eighteen years but not sooner.-----

In testimony whereof I have hereunto set my hand and affixed my seal in the town of Columbia this fifth day of April in the year of our Lord one thousand eight hundred and thirty seven-----

Signed sealed and published

as the last will and testament Jas Davis.

of the said James Davis in the presence of the undersigned, who in his presence and in the presence of each other have subscribed their names hereto.

David Johnson

Robert Henry

David W. Johnson

SOUTH CAROLINA) Before me personally came and appeared
RICHLAND DISTRICT) the Honble David Johnson and made oath

that he saw Doctor James Davis sign seal publish pronounce and declare the foregoing Instrument of writing to be his last will and Testament that he was then of sound and disposing mind and memory according to the best of this Deponents knowledge and belief and that he with Robert Henry and David W. Johnson at the request of the Testator in his presence and in the presence of each other witnessed the due execution thereof.-----

Sworn to before me
11 August 1838

David Johnson

Catharine David & Edward G Palmer

James S. Guignard qualified as Ex & Exor 27 October 1838

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of writing to be his last will and Testament that he was then
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request of the Testator in his presence and in the presence of
each other witnessed the due execution thereof.-----

Codicil to my last will and testament dated April 5th 1837

It is my will that any monies or parts or portions of my estate
that may be advanced to either of my sons after they ~~mak~~ shall
have attained the age of twenty one years, or my daughters from
and after the date hereof be me hereafter in my life time,
or by my executors after my death, and before the partition or
division of my estate as provided, for in my said above mentioned
will, ~~that in that case the said monies parts, or portions of~~
my estate so advanced shall be deemed and considered as a part
or parts of the distribution share to which he she, or they
shall be entitled in the partition or division provided and shall
be deducted therefrom accordingly.-----

In testimony whereof I have hereunto

set my hand and affixed my seal in the town of

Columbia this tenth day of May

(Jas Davis)

in the year of our Lord one thousand eight

hundred and thirty seven.-----

Signed sealed and published as a Codicil to my

last will and testament in the presence of the

undersigned who in my presence and in the presence of

each other have subscribed their names hereto.

David Johnson

Christopher C. Johnson

Henry C. King