

283

The State of South Carolina.)

County of Greenville. ) Whereas, Stephen S. Howard, late of the County and State aforesaid, died prior to the 24th day of July A.D. 1877 leaving of force his last will and testament which was proven in common form in the office of the Probate Judge for the said County and State on the 24th day of July 1877, and at the time of his death was seized and possessed of the lands hereinafter described in fee simple; and, WHEREAS, by the terms of the said will he bequeathed and devised all of his personal estate and said real estate to be equally divided between his two sons Augustus Howard and Matthew D. Howard after certain specific legacies of personal property in kind to the widow and daughters of the said testator; and, WHEREAS, it was provided in said last will and testament that the real estate devised therein was to be kept for a home for the wife of the testator during her widowhood, and for the daughters of the said testator; to wit: - Nancey M. Howard and Martha Howard, and the devisees Augustus Howard and Mather D. Howard so long as they might remain single; and, WHEREAS, the said Mary Howard, the wife of the testator has since died, and the said Martha Howard, Augustus Howard and Matthew Howard have, since the death of the testator, married, and, WHEREAS, Augustus Howard and Matthew D. Howard as devisees of the said testator, have since the death of the testator, been holding and enjoying the lands of the testator as tenants in common, and the said Augustus Howard has been providing a home and supporting the said Nancey M. Howard, single daughter of the testator, for a period of more than twenty years last past out of his interest in said lands; and, WHEREAS, the said Augustus Howard and Mathew D. Howard desire to partition the said real estate between themselves in order that they may each enjoy their respective portion thereof in severalty, and the said Nancey M. Howard has agreed and by these presents does agree, that the said land may be so divided; and, WHEREAS, the said Mathew D. Howard in consideration of the said division and in consideration of his brother - Augustus Howard having supported the said Nancey M. Howard and furnished her a home for the twenty years last past out of his interest in said land, has agreed and by these presents does agree to support the said Nancey M. Howard and furnish her a home out of his interest in said lands so long as she, the said Nancey M. Howard remain single after the date of these presents; and the said Nancey M. Howard has agreed and by these presents does agree, in consideration of the said Augustus Howard having supported her and furnished her a home for the twenty years last past out of his interest in said land to release the said Augustus Howard from any duty or liability on his part to contribute anything further to her support or towards the fur-