In the Name of God Amen I David
Sibley a Native of the Province now
Commonwealth of Massachusetts in North
America formerly of the State of Georgia
afterwards of the State of South Carolina
Merchant at present of Stamford Street
in the Parish of Christ Church in the County
of Surry and Kingdom of Great Britain
Gentleman but intending shortly
with Gods permission to embark for North
America being in good health of body
and of sound and disposing mind
Memory and understanding do make
publish and declare this my and for my
Last Will and Testament in manner and
form following that is to say Where as
I am seized in fee or otherwise well
entitled under a Moiety or half part
of and in a Store Wharf and other
Buildings with the appurtenances
situate partly on and partly under
the Bluff or Shore on the North side
of the Town of Savannah in the State
of Georgia aforesaid which said premises
now are or lately were in the possession
of Oliver Greene and William Thompson of
the Town of Savannah aforesaid Merchants
and Partners and I am also seized of
Lands in other parts of America
as Heir at Law I have now in the

hands of John Ainsley George Bainbridge and Thomas Gould three Copartners now or lately carrying on business under the Name or firm of Harrison Ainsley and Company at Number fifty two Broad Street in the City of London and Kingdom of Great Britain the Sum of five thousand pounds Sterling in the Accounts for which they allow me Interest at and after the rate of five pounds by the Hundred by the Year and I am also possessed of Mortgages Bonds and other securities for money and likewise of sundry articles of personal Estate of various Kinds and I am also entitled to Debts due to me from Different Persons Now therefore I do hereby give Devise and bequeath all my real and personal Estate whatsoever and howsoever which I shall be seized possessed of or entitled unto at the time of my death unto my good friends William Gouthit of Old fish Street in the City of London and Kingdom of Great Britain merchant and Paul Hamilton late of Charleston in the State of South Carolina aforesaid but now of Liberal Row in the parish of Saint George in the County of Surry aforesaid Gentlemen their Heirs Executors Administrators and Assigns according to the nature and quality of the same Estate respectively Upon the special Trust and confidence that they the said William Gouthit and Paul Hamilton or the survivor of them his Heirs Executors or Administrators

and shall as soon as conveniently may be after my decease sell and dispose of my real Estates together with such parts of my personal Estate as shall not consist of ready money or securities for money for the best price or prices that can be reasonably gotten for the same and do and shall (nevertheless subject nevertheless to the provisions conditions and restrictions hereinafter contained in that behalf) place out the clear surplus of the moneys produced from such Sale or Sales and all other the moneys whatsoever arising from my real and personal Estate (be the same in Cash or Securities or otherwise howsoever) after payment of my Debts and funeral Expences upon any Public or private Security or Securities at Interest or invest the same in Stock in the Public funds as my said Trustees shall think will be for the Interest of my Legatees hereinafter named and most likely to increase the fund by me bequeathed for their benefit I give and bequeath unto my Nephew, Enock Bixby of the Town of Boston aforesaid (an Infant of the age of twelve years or thereabouts) the sum of One thousand five hundred pounds Sterling money of Great Britain to be paid to him when he shall attain his age of twenty one years (subject to the

Process herein after mentioned) and I do hereby
Will & Bequeath my said Trustees shall in the
meantime during the minority of the
said Enoch Silsby pay the Interest of the
said One Thousand five hundred pounds
to such Person who for the time being
shall be the Guardian of the Body and
Estate of the said Enoch Silsby during
his minority to be applied towards his
maintenance and Education and the Surplus
thereof if any shall be left to accumulate
for his benefit until he shall attain his
age of twenty one Years and I do hereby
direct that the first quarterly receipt or
payment of such Interest money shall be
commenced from the quarter day next after
my Decease And in case my said Nephew
Enoch Silsby shall die before he attains his
said age of twenty one Years leaving issue
by him lawfully begotten living at the
time of his Death then I do hereby direct
that the said Legacy of One thousand
five Hundred Pounds shall be equally
divided to and among such issue (if
more than one) as shall be living at
the time of his Death and if only
one then the whole to go to such Child
and in case the said Enoch Silsby shall
die under the age of twenty one Years
leaving no issue lawfully begotten
living at the time of his Death then
I direct that my said Trustees shall
pay the same and make over the said

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Sum of One thousand five hundred pounds
on the Stocks Funds and Securities
to be in the same shall be invested
to and on such Person and Persons only
as by and under the Statutes of
Distribution of Intestate Estates in
England would have been entitled
thereto in case I the said Daniel
Sisley had died intestate and I do
hereby further direct that my said
Trustees shall set apart the Sum of
One thousand pounds Sterling and pay
the Interest thereof to my Sister Sarah
Sisley at the Town of Boston aforesaid
spinster during her natural life and
to and for her sole and separate use
whether married or unmarried so that
the same may not be at the disposal
of or subject or liable to the controuls
Debts or engagements of any Husband
she may marry but only at her
own sole and separate disposal —
The first Quarterly payment of which
Interest is to commence from the Quarter
Day next after my Decease and in
case my said Sister Sarah Sisley
shall die leaving Issue lawfully
begotten living at the time of
her death then I do hereby direct
that the said Sum of One thousand

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pounds shall be equally divided to and amongst such Issue (if more than one) as shall be living at the time of her Death and if only one, then the whole to go to such child But if my said Sister Sarah Silsby shall die unmarried or if being married she shall leave no Issue lawfully begotten then I Direct that my said Trustees shall pay transfer and make over the said Sum of One Thousand Pounds on the Stocks Funds and Securities wherein the same shall be invested unto my said Nephew Enoch Silsby — And in case he the said Enoch Silsby shall happen to die in the life time of the said Sarah Silsby leaving Issue living at the time of his death then upon this further Trust that my said Trustees shall pay the said One thousand pounds to and amongst such Issue of the said Enoch Silsby (lawfully begotten) if more than one as shall be living at the time of his death and if but one then the whole to go to such child And in case the said Enoch Silsby shall die in the life time of the said Sarah Silsby leaving no Issue living at the time of his Death then I Direct that my said Trustees shall pay transfer and make over

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the said Sum of One Thousand Pounds or the Monies Funds or Securities wherein the same shall be invested to remain amongst such Person and Persons only as by and under the Statute of Distributions of Intestate Estates in England would have been entitled thereto in case I the said Daniel Sibley had dies Intestate And I do hereby further direct that my said Trustees shall set apart the further Sum of One Thousand Pounds Sterling out of the Interest thereof to my Sister Abigail Sibley of the Town of Boston aforesaid Spinster during her natural life to and for her sole and separate use whether married or unmarried so that the same may not be at the disposal of or subject or liable to the control Debts or Engagements of any Husband she may marry but only at her own sole and separate disposal the first Quarterly Payment of which Interest is to commence from the Quarter Day next after my Decease And in case my said Sister Abigail Sibley shall die leaving Issue lawfully begotten between her and the time of her death then I do hereby direct that the

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said sum of one thousand pounds shall be equally divided to and amongst such issue (if more than one) as shall be living at the time of her Death and if only one then the whole to go to such child. But if my said Sister Abigail Sibley shall die unmarried or if being married she shall leave no Issue lawfully begotten then I Direct that my said Trustees shall pay transfer and make over the said sum of One thousand pounds on the Stocks Funds and securities wherein the same shall be invested unto my said Nephew Enoch Sibley and in case the said Enoch Sibley shall happen to die in the life time of the said Abigail Sibley leaving no Issue lawfully begotten living at the time of his death then upon this further trust that my said Trustees shall pay the said One thousand pounds to and amongst such Children of the said Enoch Sibley lawfully begotten if more than one as shall be living at the time of his death and if but one then the whole to go to such Child. And in case the said Enoch Sibley shall die in the life time of the said Abigail Sibley leaving no Issue living at the time of his death then I Direct that

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my said Trustees shall pay transfer
and make over the said Sum of the
Mortgage and proceeds of the Mortgaged
and Securities wherein the same
shall be invested to and among
such Person and Persons only as by
virtue of the Statute of Distribution
of Intestates Estates in England
would have been entitled thereto in
case I the said Daniel Silsby had
died Intestate — Item I give and
Bequeath unto my Nephew Daniel
Silsby Certain son of my Sister Mary
Certain Widow of Ezra Certain late
of the Town of Boston aforesaid Decd
an Infant of the age of ten years
or thereabouts the Sum of five hundred
Pounds Sterling money of Great Britain
to be paid to him when he shall
attain the age of twenty one Years
And I do hereby direct that my said
Trustees shall in the mean time
out of the principal of the said
Daniel Silsby Certain pay the —
Interest of the said five hundred
Pounds to such Person who for the
time being shall be Guardian
of the Body and Estate of the said
Daniel Silsby Certain Discretion
in order to be applied towards
his maintenance and Education

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and the surplus thereof if any shall be to accumulate for his benefit until he shall attain his said age of twenty one years And I do hereby direct that at the first Quarterly receipt or payment of such Interest money shall commence from the Quarter Day next after my Decease And in case my said Nephew Daniel Silvey Curtain shall die before he attains the said age of twenty one years leaving Issue by him lawfully begotten living at the time of his death then I do hereby direct that the said legacy of five hundred pounds shall be equally divided to and amongst such issue if more than one, as shall be living at the time of his Death, and if only one then the whole to go to such Child. And in case the said Daniel Silvey Curtain shall die under the age of twenty one years leaving no issue lawfully begotten living at the time of his Death then I direct that my said Trustees shall pay to and invest the said Sum of five hundred pounds on the Stocks Funds and Securities wherein the same shall be invested to and amongst such Person and Persons only as by and under the Statute of Distribution of Intestates Estates in England would have been entitled thereto in case I the said Daniel Silvey had died Intestate And I do hereby further direct that my said Trustees shall set apart the Sum of five hundred pounds Sterling

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and pay the Interest thereof to my Sister the
said Mary Curtain during her natural life
and to and for her sole and separate use —
whether married or unmarried so that the
same may not be at the disposal of or
subject or liable to the control Debts or
engagements of any Husband she may
marry but only at her own sole and
separate disposal the first quarterly —
payment of which Interest is to commence
from the Twenty Day next after my Decease
and from and immediately after the
Decease of the said Mary Curtain I —
Direct that the said last Mentioned Sum
of five hundred pounds shall be equally
divided to and amongst such of the
Children of my said Sister Mary Curtain
now born or hereafter to be born which
shall be living at the time of her Death
except her Son Daniel Sibley Curtain who
is already provided for by me as hereinbefore is particularly mentioned and
if there shall be only one then the
whole to go to such Child But if my
said Sister Mary Curtain shall leave
no Issue living at the time of her Death
(other than the said Daniel Sibley —
Curtain) then I Direct that my
said Trustees shall pay transfer

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and make over the said sum of five hundred pounds or the Stocks Funds and Securities wherein the same shall be invested to the said Daniel Silsby certain to be paid to him when he shall attain his age of twenty one years But in case the said Daniel Silsby certain shall die before he attains that age leaving Issue by him lawfully begotten living at the time of his death then I do hereby direct that the said Legacy of five hundred shall be equally divided to and amongst such Issue (if more than one) as shall be living at the time of his death and if only one then the whole to go to such Child and in case the said Daniel Silsby certain shall die under the age of twenty one Years leaving no Issue lawfully begotten at the time of his death then I direct that my said Trustees shall pay transfer and make over the said sum of five hundred pounds or the Stocks Funds and Securities wherein the same shall be invested to and amongst such Person and Persons as by and under the Statute of Distribution of Intestates Estates in England would have been entitled thereto in case I the said Daniel Silsby had died Intestate I give and Bequeath unto my Brother Thompson Silsby of the Town of Boston aforesaid

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the Sum of five hundred pounds Sterling
and in Case he shall die before me then
I Direct that the said five hundred pounds
shall be equally divided to and amongst
such children of the said Sampson Silsby
lawfully begotten as shall be living
at the time of his Death But if there
should be only one then the whole to
go to such child — If there shall be no issue
of the said Sampson Silsby living at the
time of his Death then I direct that my
said Trustees shall pay transfer and make
over the said last mentioned Sum of five
Hundred pounds on the Stocks funds and
Securities wherein the same shall be
invested to and amongst such Person or
Persons only as by and under the Statute
of Distribution of Intestates Estates
in England ought to have been
entitled thereto in Case I the said
Daniel Silsby had died Intestate
I Give and Bequeath unto my Niece
Ann Otterwell Nancy Curtain
Daughter of my said Sister Mary
Curtain the Sum of Twenty five
pounds Sterling to be paid her
within Six Months after my Decease
and in case the said Mary Curtain
shall die before me then I direct
my said Trustees to pay the said

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Sum of Twenty five pounds to and among such Person and Persons only as by and under the Statute of Distribution of Intestates Estates would have been entitled thereto in case I the said Daniel Sibley had dyed intestate I give and bequeath unto my Cousin Samuel Sibley son to my uncle Samuel Sibley of the Town of Lynn in the said Commonwealth of Massachusetts the Sum of Twenty five pounds Sterling to be paid him within Six Months after my Decease and in case the said Samuel Sibley shall die before me then I direct my said Trustees to pay the said Sum of Twenty five pounds to and among such Person and Persons only as by and under the Statute of Distribution of Intestates Estates would have been entitled thereto, in case I the said Daniel Sibley had dyed Intestate — I give and bequeath unto my Mother in Law Patience Sibley of the Commonwealth of Massachusetts aforesaid, the Sum of Twenty five pounds Sterling to be paid her within Six Months after my Decease and in case the said Patience Sibley shall die before me then I direct my said Trustees to pay the

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said Sum of Twenty five pounds to and
among such Person and Persons only
as by and under the Statute of Distri-
=bution of Intestates Estates would
have been entitled thereto in Case
the said Daniel Sisley had died
Intestate — I give and bequeath
unto such of my first Cousins as shall
be living at the time of my Decease
the Sum of Two hundred pounds to be
equally divided between them share
and share like — I give and bequeath
unto the said William Gouthit and
Paul Hamilton the Sum of twenty
five pounds sterling a piece payable
within Six Mon ths after my Decease
And I do hereby declare that my Trustees
and Executors shall not be answerable
for any involuntary Loss that may
happen with respect to any of the
Trust monies or Securities whereon
the same may happen to be invested
nor any Trustee or Executor answerable
for the act or default of the other of
them but each of them for his own
acts Receipts neglects and wilfull
defaults only And my will further is

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that my Trustees and Executors do retain and reimburse themselves all such Costs Charges and Expences as they shall Destrain expend or be put to in the execution of the Trusts hereby in them reposed — Provided always and I do hereby expressly declare it to be my Will and Meaning that in case the Personal Estate and the produce arising from the real Estate which I shall die Seized and possessed of shall not be sufficient to answer the several annuities and Legacies herein before by me bequeathed then and in such Case I Direct that the said Annuities and Legacies so by me given and bequeathed shall not abate in proportion but that the whole of such deficiency (if any there shall be) — deducted out of the said Sum of One thousand and five hundred Pounds herein before by me bequeathed to my said Nephew Enoch Silsby and in case the personal Estate and the produce arising from the Sale of the real Estate which I shall die Seized and possessed of shall be more than sufficient to answer or satisfy the several annuities or Legacies herein before by me bequeathed

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Men and in such case I give and bequeath the Surplus and residue which shall so exceed the purposes of this my Will unto my said Nephew Enoch Silsby subject to such conditions as are herein before in this my Will mentioned and contained touching and concerning the said Sum of One Thousand five hundred pounds Sterling so by me bequeathed as herein before is particularly mentioned And lastly I do hereby Nominate constitute and appoint the said William Southall and Paul Hamilton Executors of this my last Will and Testament and hereby revoking all former Wills and Wills by me heretofore made I do declare this to be my last Will and Testament In Witness whereof I the said Daniel Silsby have hereunto my hand and Seal the Eleven day of January in the Year of our Lord One Thousand Seven Hundred and Ninety one

Daniel Silsby (L.S.)

Signed sealed published and declared by the above named Testator Daniel Silsby as and for his last Will and Testament in the presence

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offices who have hereunto subscribed their
Names as Witnesses thereto in the presence
of the said Testator Daniel Sibley and at
his request and also in the presence of each
other the said Testator having signed his
Name at the foot of the ~~three~~ first three
pages hereof and sealed and
this last in our presence as above
the words "John Townsend of Smithfield
Barn in the Parish of Saint Pancras
without in the County of Middlesex and
Kingdom of Great Britain Esquire" in the
first page being struck through
with a Pen and the words "Paul Hamilton
late of Charlestown in the State of South
Carolina aforesaid but now of Gibraltar
Now in the Parish of Saint George in the
County of Surry aforesaid Gentleman"
interlined in the room thereof the words
"John Townsend" in the first page being
struck through with a Pen and the
words "Paul Hamilton" interlined in
the room thereof the word "thousand"
in the third page being struck
through with a Pen and the word
"Hundred" interlined in the room thereof
the word "my" in the third page being
struck through with a Pen in two
places and the words "his" interlined
in the room thereof the words "John Townsend"

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In the third page being first struck through with a Pen and the words "Paul Hamilton" interlined in the room thereof the words "Commodities" in the fourth page and also the word "be" in the same page being first interlined and the words "John Goodwin" in the fourth page being first struck through with a Pen and Paul Hamilton interlined in the room thereof

Samuel Phillips Clerk to Mr Stokes Barrister at Law Carey Street Lincolns Inn
John Stevens Clerk to Mr Rideaux Upper Court Middle Temple
Rob. Hopper Crier to Middle Temple

The six foregoing sheets and this is a true Copy of the Probate of the Will of the said Daniel Sibley mentd therein examined this 26th day of December 1791.

Ra. Ellis Grays Inn
T. C. Jackson

Whereby Divine Providence Archbishop of Canterbury Primate of all England and Metropolitan Do by these Presents make known to all Men that on the fourteenth

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day of February in the Year of our Lord
one thousand seven hundred & ninety
one at London before the worshipful
John Nicholl Doctor of Laws Surrogate
of the Right Honourable Sir William
Wynne Knight Doctor of Laws Master
Keeper or Commissary of our Prerogative
Court of Canterbury lawfully constituted
the last Will and Testament of Daniel
Sisley late of the parish of Christ Church
in the County of Surry but a Bottend in
South Carolina deceased hereunto annexed
was proved approved and registered
the said Deceased having goods Chattels
and Credits in diverse Dioceses
or Jurisdictions by reason whereof the
proving and registering the said Will
and the granting Administration
of all and singular the said goods
Chattels and Credits and also the
auditing allowing and finally
discharging the Account thereof
are wholly known to appertain only
and solely to us and not to any other
Judge And the Administration of all
and singular the goods Chattels and
Credits of the said Deceased and any way
concerning his Will was granted to
William Gorthit one of the Executors
named in the said Will he having

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been already sworn well and faithfully to administer the same and to make a true and perfect Inventory of all and singular the said Goods Chattels and Credits and to exhibit the same into the Registry of your said Court on or before the last day of August next ensuing and also to render a just and true account thereof powers reserved of making the like grant to Paul Hamilton the other Executor who he shall apply for the same Given at the time and place above written and in the Eighth year of our Independence —

Sworn under five thousand pounds — Geo: Gosling, James Bowlby, R. Bowlle — Deputy Registers

Examined with the original by us — Ra: Ellis, J. B. Lachlan

Sworn under £5000 pr

WR
Bk

March 10th 1809 Then Enoch Selby appeared in Court and was qualified (with the well annexed) to the foregoing Will of Francis Selby Dec'd

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To all and singular the faithful in
Christ to whom these our present Letters
Testimonial shall come or shall
matters herein written do or may
after in any wise concern John by
Divine Providence Archbishop of Canter-
bury Primate of all England and Metropolitan
and Director in and Lord Bishop of Lichfield
and Coventry in and Lord Bishop of Lichfield
and Coventry sendeth an undoubted faith be
given to these presents and do make
known and will that it be hereby
made known to you that on searching in
the Registry of our Prerogative Court
of Canterbury in the archives thereof
there are faithfully preserved and
kept be same found and plainly
discovered among other things that
on the Nineteenth day of October in the
year of our Lord 1758 at London before
the worshipful John Fisher Doctor
of Laws Surrogate of the Right Worship-
ful William Wynne Doctor of Laws
Master Keeper or Commissary of our
Prerogative Court of Canterbury lawfully
constituted the last Will and Testament
with a Codicil of Charles Opie
late of the Parish of Saint Clement

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James in the County of Middlesex Esqr. the
deceased having goods chattels living and
at the time of his death Goods Chattels
or Credits in diverse Dioceses or Jurisdictions
sufficient to found the Jurisdiction of
our Prerogative Court of Canterbury
aforesaid was proved approved and
registred and Administration of all
and singular the said Goods Chattels
Credits of the said Deceased and any
way concerning his said Will was
granted to George Agdwick Esqr.
the Nephew of the said Deceased and one
of the Executors named in the said
Will he having been already sworn
duly and truly to administer the same
and to make a true and perfect
Inventory of all singular the said
Goods Chattels and Credits and to
exhibit the same into the Registry
of the said Court on or before the last
day of April then next ensuing and
also to render a just and true account
thereof upon oath when
the Grant to Alexander Agdwick
Esqr. the Brother of the said Deceased Alex.
Gordon and John Hutchinson Esqrs. the
other Executors named in the said
Will when they or either of them

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shall apply for the same which said
Will & Codicil as also an affidavit of
Robert Hoare and Robert Wells — follow
witnesses to be of London —

In the Name of God I
Charles Ogilvie of London merchant
being at present in good health and
perfect and disposing mind memory &
understanding but considering the
uncertainty of life do revoke & ordain
this my last Will and Testament as —
follows as I still owe very considerable
debts I will and direct that the whole
of my said just Debts shall be paid
as speedily as may be without great
prejudice to my Estate which lay
chiefly in America and in Debts
due to me by sundry Persons there will
require time to be disposed of to advan-
tage or collected and remitted home
all my household Goods Plate and
all my other effects in Europe I
desire may be forthwith disposed of
including some annuities on lives
provided said annuities can be
sold without loss, but as foreign
a sale of those kind of securities may
be attended with a heavy one I hope
my Executors will wait until these