

The last Will and Testament of Mr. Henry Nichols

In the Name of God Amen I Henry Nichols of the Parish of St. Paul in the County of Colleton being sick in Body but of sound and disposing Mind and Memory (blessed be God) do make and Ordain this to be my last will and Testament that I bequeath my soul to Almighty God hoping for Eternal Life and Salvation through the Merits of my Saviour Jesus Christ and my Body I bequeath to the Earth to be buried decently at the discretion of my Executors And as to my worldly Goods I dispose of the same as followeth.

Impo Dis I Give and Bequeath unto my beloved wife Hannah Fifty thousand pounds weight of Gold and Merchandise One hundred with the Cattle that I have in this my said Part and Delivered to her on her life and (on Charles Town Bay) the several of my Negroes by my Executors doing for Nature and Justice of Justice and Bequeath unto my said wife One Negro Boy named Cuffee, and one Negro Woman named Sabinah and the value of One Horse out of all my Horses due to her and to her heirs and assigns for ever together with all kinds of Money Profits and several ways of Arriving and belonging to the Estate of her former Husband after our the Part of the profits Arriving from the said Estate which is due to me to this time. no longer as also what Cattle I have already killed during no further Share in the than those already slain with all other Charges and Disbursements laid out on the said Estate are allowed and adjusted for to my own proper Use.

Item And for the further more Comfort and Support and Maintenance of my said wife I do also give her Ordain and Appoint Fifty pounds of Annual Current Money as Pay for in all payments now at the Date here of to be paid her Annually out of the Profits of my Estate for and during her said widowhood what should happen she shall marry or at the End of her said widowhood from the Date here of if she continues a Widow, I bequeath my will is that during her said widowhood she shall have sufficient and convenient Accommodations with necessary provisions out of the produce of my plantations with her residence on the plantation I have well on (Purchase of Mr. Isaac Wright) but it should be upon my said wife should marry again she shall have her residence on the plantation only till my daughter Sarah shall attain to the Compleat Age of Fifteen with full Liberty of planting and Manning the same at her discretion (Providing together with the use of all Landings thereon, without any Interruption, Opprobrium or Suspicion whatsoever which Legacies, Gifts, and Bequests be before mentioned shall be taken repeated and provided to be in Stead of the said full Satisfaction of all Legacies or Donations which my said wife may have any Claim or Right to out of any part of the said Estate either by Law or Equity.

Item I do will and Ordain that part of my Towne of Little Purchase of Mr. Richard being distinguished in the middle of the Towne plot by the line to be sold to the the money to be disposed of towards the schooling of my three youngest Children

Elizabeth Bennet and Sarah provided if any of my Children shall a Will they may keep it — among the Bibles as before to the line is also so mentioned.

I do Give and Bequeath to my Daughter Sarah the Part of Gold and Jewels on (Purchase of Mr. Isaac Wright) to have and to hold to her and hers and assigns for ever Subject to the debts to the said Estate and to the said Estate to my wife Hannah.

I do Give and Bequeath all my goods and estate my Great Estate first before given unto my two sons Isaac and Stephen, And to their respective Heirs and assigns for ever Equally to be divided between them, according to the most Exact rate and value at the time my said sons shall Arrive at the Age of Twenty one Years by the Majority of my Executors, and in case my Executors shall agree on the Division of the said Estate within three Months after my said sons shall be of legal Age. Part of my said sons shall Remain and Appoint one Portion to be the said Division to be for and so determined by them shall make Choice of two allowed persons to begin with them which shall go together with the said persons appointed by myself shall make the said Division to each of my said sons their respective Parts which shall be taken and sold by them and their Heirs for ever in as full and Effectual manner to all Intents and Purposes as if they were particularly limited and assigned.

I Give and Bequeath unto my Daughter Hannah One Negro Woman Flora and One Negro Boy named Peter (both already in her possession) to her and her Heirs for ever.

I Give and Bequeath unto my said Daughter Hannah One thousand pounds Current Money of this Province (Computed at the present Value) to be kept her as soon as — Conveniently may after my own Just Desires Good and Discharge.

I Give unto my Daughter Lydia One thousand and Pounds Current Money as aforesaid and to be paid in like manner as my Daughter Hannah.

I Give and Bequeath to every of my Children such Horses and neat Cattle as are known and distinguished to belong to them to have them respectively belong And that none of the said Horses or neat Cattle be loaned any part of my Estate.

I Give and Bequeath all my Lands, Stock and other my Goods and Chattels of what kind soever (not already given) unto my Children by Names Isaac, Stephen, Elizabeth, Ruth, and Sarah to be Equally divided among them according to their Value in the most Equitable manner by my Executors and Executors as my Children shall respectively attain my Sons the Age of Twenty one Years, and my Daughters the Age of Fifteen Years But notwithstanding that is hereby provided that if any of my Executors shall discharge any of my said Sons capable to Manage and Improve his Share or Part that they may discretely assign unto him his Share or Part although under the Age of Twenty one Years And they shall be as fully and Effectually discharged and indemnified to all Intents and Purposes as if they had attained the Compleat Age of Twenty one Years And I do hereby further will and Appoint that if either of my Sons die without Lawful Issue before they attain the Age of Twenty one Years that then his Share of the said Estate shall fall to the other Son and his Share of my personal Estate to be Equally divided among the surviving Children before mentioned in the said paragraph, To have and to hold such Shares or parts to them respectively

their Heirs and Assigns for Ever.

Item I do hereby Ordain and Appoint that the Most Profits arising from any part of Estate Over and above the payments of the General Legacies & Duties and Annuity Given shall be laid out in the purchase of Negroes or the Money put out at Interest at the Discretion of my Executors and Administrators for the benefit of all my Children (Daughters Hannah and Lydia Excepted) to be equally divided as they shall see proper to be divided.

Lastly I do nominate and appoint my beloved wife Hannah Executrix during the her being a Widow, my son Isaac, Capt John Hewson, Mr Richard Godfrey, and Mr William Elliott (Son of Mr Thomas Elliott) Executors of this my last Will and Testament And that my said wife with my Executors be Guardians over my Children In Witness whereof I have hereunto set my Hand and Seal this Twentieth Day of October Anno Domini One thousand seven hundred and Twenty Nine

Signed Sealed published and declared this within written to be the last Will & Testament of the Testator in the presence of us the subscribers who at his request and in his presence have subscribed our Names as Witnesses thereto.

Thomas Gasberry.
Henry Hodgkin.
Thomas Cooper.

Henry Nichols (Seal)

By the Honble Arthur Middleton Esq. President of
18 Jan. 1729.

Personally appeared before me Thomas Gasberry, Henry Hodgkin, and Thomas Cooper the three Subscribers to the within Instrument who being duly sworn the holy Evangelists declare they were present and did see the within named Henry Nichols Sealed published and declare the within Instrument to be his last Will and Testament that he said at the same time of Sound and disposing Mind Memory and Understanding the best of his Reason & Knowledge And the Deponent further say they severally subscribed their Names as Witnesses in the Testators presence.

Edm. Do
The said Executors Sworn
Subscribed by me
18 Jan. 1729

18 Jan. 1729

Ar. Middleton.
Recorded of Chas. Hart Esq.

Letter Testamentary to Henry Nichols

By the Honble Arthur Middleton Esq. President and Commander in Chief in and over his Majesty's Province of South Carolina and Ordinary of the same.

To all to whom these presents shall Come Greeting.

Know ye That on the Twentieth Day of January in the Year of Our said One thousand seven hundred and Twenty Nine the last Will and Testament of Henry Nichols of the parish of St Paul in the County of Ballston in this Province deceased was proved approved allowed of, the said Decedent having whilst he lived and at the time of his Death as Goods Rights and Credits within the province aforesaid by means whereof the Probation and allowing of his Testament and the power of granting the Administration of all and singular the Goods Rights and Credits of the said Decedent to me is manifestly made to belong, And that the Administration of all and singular the Goods Rights and Credits of the said Decedent, and his Testamentary Executor was committed unto his beloved wife Nichols, his son Isaac Nichols, Captain John Hewson, Mr Richard Godfrey and Mr William Elliott named Executors in his said last Will and Testament being first sworn on the Evangelists of Almighty God well and faithfully to Administer and make a full and perfect Inventory of all and singular the Goods Rights and Credits of the said Decedent and to exhibit said into the Secretary's Office in Charles Town in Order to be Reviewed On or before the 11 Day of April next and to render a just and true Account & Requisition of the same of which the same is required

In Testimony whereof I have hereunto set my Hand and Seal this five & Twentieth Day of January Anno Domini 1729 And in the third Year of his Majesty's said Majesty.

Certified

Chas. Hart Esq.

Ar. Middleton

28 Jan. 1729

Recorded of

Chas. Hart Esq.

Barolina

To all to whom these presents shall come Greeting

Whereas Martha Nicholls an Infant of the Age of fifteen years hath made humble Suite unto me to appoint William Hazard of Port Royal in this Province Esq. to be her Guardian Therefore for the better Managing the Estate and for the more Carefull Maintenance and Education of the said Infant Out of the Confidence I have in his Wisdom and Integrity of You the said William Hazard I Do hereby Comitt the Traction Burden and Guardianship of the said Martha Nicholls unto You the said William Hazard according to her Desire Hereby Charging You That You Do Main-
tain her in Meat Drink Washing Lodging Schooling Clothing and such good Education as may be fitting and convenient according to the Circumstances and Interest of said Infant during her Minority And that the said William Hazard Do Equiv-
into and take Charge of the Estate of the said Infant both Real and Personal & Do all other Things as her Guardian by Law ought to Do Or as such may or may And a true and faithfull Account thereof and of what Estate of the said Martha Nicholls shall Come to the Hands of You the said William Hazard or any person for You to You are to render when shall be thereunto required by me or by such Guardian or Guardians as shall be Chosen by the said Infant when she shall Attain the Age of Two and Twenty years or be Married

Given under my Hand and Seal this One and
Twentieth Day of January in the third Year of his
Majesty's said Anno Domini 1729

Ar: Middleton

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31 Aug 1729.

Bill of Sale from W^m Hales to Edward Hull and Thomas Goodale
 Now all Men by these Presents That William Hales of Charles Town
 Province of South Carolina Merchant for and in Consideration of the sum of
 hundred pounds Current Money of South Carolina to us in Hand paid by Edward
 Hull and Thomas Goodale Merchants and Thomas Goodale of the same place
 with the Receipt whereof I do hereby Acknowledge and my self to be bound
 Obligated Contented and Satisfied have Bargained and Sold let over and Delivered And
 do hereby sell in plain and Open Market according to the best and due form of Law
 that I see meet and proceede Do Bargain Sell let over and Deliver unto the said
 Edward Hull and Thomas Goodale One Portmanger the Quantity of burden One hundred
 and thirty five Sacks together with Masts Sails Oars Rigging Groppling and all other the
 accessories thereof Negroes men named James and also the property of the remaining
 of the full bullock over and above the duty Powers Current Money of our Negroes
 named Tom (beginning to my self the said Edward Hull and Thomas Goodale as to be
 and arrived from the Day of the said Lord of our full till the second Tuesday in March
 pursuing the said Lord of the said Portmanger and Negroes above mentioned) To
 me and to Hold the said Bargain and purchase (except as before is reserved) unto the
 Edward Hull and Thomas Goodale their Executors Assigns and Assigns to their
 use and behoof for ever And the said William Hales for my self my Executors
 Assigns and Assigns (except as before is reserved) the said Bargain and purchase unto the
 Edward Hull and Thomas Goodale in manner and form aforesaid shall and will
 not and for ever Defend by the persons so provided Now the said and it is
 agreed by and between the said Edward Hull Thomas Goodale and William
 Hales that if the said William Hales shall and do personally Appear at the General
 and of the peace to be hold in Charles Town next ensuing the said Lord of the said
 award to such verdict or to such award as shall then and there be pronounced
 and to pay the said Court without Law That then this Present Bill
 shall be void and of none Effect any thing to the contrary above Expressly
 notwithstanding In Witness whereof I have hereunto set my Hand and Seal this
 14th Day of December in the third Year of the reign of our Sovereign Lord
 the third King of Great Brittain France and Ireland Defender of the Faith
 1703 20th Decr 1703
 W^m Hales

W^m Hales. Chas