

03 been presented to M^r Jean Charles Torjue to sign it but the weakness to which he is reduced by his sickness has permitted him only to write the letters of his name in an informal and illegible manner over the undersigned and above witnesses do certify and attest that this was his intention in consequence of which we have signed.

Pierre Laurans - John Baptist Mary Delahogue.
Proved before Charles Lining Esquire C. C. T. D. January 6. 1801. At same time qualified Francois Labonde Executor

Examined
9th Co. H. & C. L.

143
No. 41.

In the Name of God Amen, I Benjamin Marych of St. James Parish, Goose Creek Planter at present enjoying perfect health a tranquil mind and sound memory, do make publish and declare my last Will and Testament in manner and form following, that is to say, Imprimis, It is my Will that all my just debts and funeral expenses shall be paid by my Executors hereinafter named as soon as can be made convenient after my death, out of the funds herein after mentioned and desired to be appropriated for that purpose. Item I give devise and bequeath unto my Son Daniel and his heirs and assigns forever, those two lots of land in Marych's Borough each containing half an acre, known by the numbers 7 (seven) and 8 (eight) fronting upon Washington Street and facing Cooper River which I have bought from the Estate of Alexander Marych, also that Plantation in St. John's Parish.

the containing about four hundred and ten acres, composed
of two adjoining tracts which I purchased from
Abraham Chinnus, also another tract containing
three hundred and thirty seven acres, and one
containing ninety² acres which I purchased from
Benjamin Williamson these three tracts, contain-
ing in the whole eight hundred and thirty seven
acres, and being connected with a Place called Sum-
merset which he inherited from his Mother, also
my tract of land containing one thousand acres
which I understand lies in c Ninety Six District
and which was surveyed by c Moses Kirkland,
also my other tract of land containing about one thou-
sand two hundred and fifty acres, and my other tract
of land surveyed by c Moses Kirkland, containing se-
+ ven hundred and fifty acres; I then I give and devise
unto my friends Peter Porcher, John Cordes, William
Mazyck, Doctor Samuel Wilson, Daniel Ravenel,
Thomas Broughton, Alexander c Mazyck and Stephen
Ravenel, and the survivors and survivor of them
and the heirs of such survivor, all that plantation
composed of several tracts of land containing, as will
appear by the several Plats thereof, about twelve
hundred and five acres which I bought from my
late Nephew Alexander c Mazyck, and that small
plantation containing about one hundred and eighty
three acres, which I bought from James Rockford, and
also that Plantation whereon I now reside, containing
about nine hundred acres, these three plantations
being connected together, make in the whole about
twenty two hundred and eighty eight acres and lie

on the north side of Forsters Creek in St. James Parish aforesaid, to have and hold the said several plantations together with all and singular the houses, buildings, improvements, rights, members, hereditaments and appurtenances whatsoever, to the same belonging or in any wise incident or appertaining to them the said eight trustees and the survivors and survivor of them and the heirs of such survivor, to the use and behoof of my Son Stephen and his assigns for and during his natural life, and from and immediately after the determination of that Estate, to the use and behoof of the said eight trustees and the survivors and survivor of them and the heirs of such survivor to preserve the contingent remainders herein after limited from being defeated or destroyed, and for that purpose to make entries and bring actions as occasion shall require, but nevertheless in trust to permit and suffer my said Son Stephen and his assigns for and during his natural life, to receive and take the rents, issues and profits of the said premises to and for the sole use and benefit of my said Son Stephen and his assigns but so as in no case whatever to be in any wise subject to or liable for his debts, charges or incumbrances at any time whatever, and from and immediately after the death of my said Son Stephen if his present Wife Mary should be then living to the use and behoof of his said Wife Mary and her assigns, so long as she shall remain his Widow and from and immediately after the decease of my said Son Stephen or the said Mary

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age of his present Wife Mary which ever shall last
happen, to the use and behoof of such Child or
Children of my said Son Stephen lawfully be-
gotten as may be living at the death of my said
Son Stephen or at the second marriage of his
said Wife whichever shall last happen, to be equal-
ly divided between them if more than one, and
their heirs and assigns, without any further
trust condition or limitation, and if any such
Child or Children should depart this life leaving
Issue lawfully begotten which shall be living
at the death of my said Son Stephen, or at the
second marriage of his said Wife which ever
shall last happen then such Issue shall repre-
sent, and take equally between them if more
than one such share or shares in the premises,
as his, her or their parent or their parents res-
pectively would have taken if such parent or
parents had been then living. I have said above
that the said premises shall be equally divided
between my Son Stephen's Children, but it is my
intention that if among them there shall be any
female Child or Children (not meaning how-
ever that this clause shall extend to his Grand
Children) then the share or shares of such fe-
male Child or Children shall in value be each
less than the share of a male Child, by one fourth
part of the share of a male Child; Item I give
and devise to my Grand Son Paul & Marych
(the present youngest Son of my Son Stephen)
and to his heirs and assigns for ever, my lot
of land on the north side of Queen Street, in
Charleston aforesaid, known in a deed of

partition made between my late brothers and myself, by the number 18 (eighteen) containing about seventy five or eighty feet in front upon the said street, and about two hundred feet in depth, the same to be held and leased upon a building lease by his father, until he attain the age of twenty one years, but if he die under that age, then his Father, shall have the use of it during his life, and at his death it shall be vested in such person or persons (and for such Estate and Estates) as shall upon the death of my said Son Stephen, be intitled to the Plantations which I have herein before devised to the said trustees to his use. I term I give and devise unto my Grand Son Benjamin Maryck (the Son of my said Son Stephen) my lot of land at the West End of broad street, on the north side thereof in Charleston aforesaid, known in the said deed of partition by the number 6 (six) containing in front upon the said street about fifty feet, and running in depth to short street about two hundred and twenty eight feet, and to his heirs and assigns for ever, to be held and improved, upon a building lease, till he attain the age of twenty one years by his father (my Son Stephen) but if he die under that age, then his Father during his life shall have the use of it, and at his death, it shall go to, and be vested in such person or persons and for such Estate and Estates as shall upon the death of my said Son Stephen be intitled to the Plantations which I have herein before devised to the said trustees

to his use, but it is to be remembered that the lot mentioned is now subject to a lease for five years. Item It is my Will that my debts, funeral expenses and pecuniary legacies shall be paid out of such monies as may be in my possession at the time of my decease, and such debts as may be then owing to me, but if those funds should be inadequate for those purposes, then my Executors shall sell and convey away either at public or private sale, or for cash or credit, or upon such terms as they may deem most advisable, the several lots pieces and parcels of land herein after mentioned or so much thereof as may be necessary for those purposes, that is to say, The three lots known in the said deed of partition, by the numbers 11 (eleven) 24 (twenty four) and 26 (twenty six) the first containing about fifty feet in front upon the north side of short street and running in depth about two hundred and twenty eight feet to queen street, the second situated on the corner of Marych and Magazine streets, containing ~~that~~ one hundred and five feet upon each of the said streets, and the third being a corner lot containing upon baytain street about ~~feet~~ feet and upon archdale street about ~~feet~~ feet but if it should not be necessary to sell all the said three lots, or if any surplus shall remain upon their being necessarily sold for the purposes aforesaid, then such parts thereof as may remain unsold, or such surplus if any there be, shall be divided into two equal parts, one part whereof I give unto my Son Daniel and his heirs.

and assigns for ever, and the other part thereof, I give
to the said eight trustees and the survivors and sur-
vivor of them and the heirs of such survivor, to,
for and upon the same uses, trusts, intents and
purposes as are herein above declared and expre-
sed of and concerning the Plantations herein before
devised to the said trustees, Item It is my Will that
my tract of land in the neighbourhood of Wins-
borough surveyed by Winn and contain-
ing about five hundred acres, shall be sold by
my Executors in the manner by which they are
before authorised to sell the said three lots of land
and if the funds already desired to be appro-
priated to pay my debts, funeral expences and
pecuniary legacies shall not be sufficient for
those purposes, the proceeds of this tract shall
also be appropriated to make up the defi-
ciency, but if those funds should be sufficient,
then the said proceeds shall be laid out in the
stock of one or more of the banks in Charles-
ton for the use of my said Grand Sons Ben-
jamin and Paul and their Executors, Admi-
nistrators and assigns, the profits whereof
shall be applied during their minority, to
their use if necessary, and if not necessary, to
be vested and improved in bank stock as
aforesaid, Item if the funds above ordered to be
appropriated to pay my debts, funeral expences
and pecuniary legacies should still be deficient,
then my other tract of one thousand acres, sur-
veyed by Winn in the neighbourhood
of Winstonsborough shall be sold in the same
manner as is directed respecting the above
mentioned three lots, and the proceeds thereof
shall be applied to make up such deficiency.

20 If there be no such deficiency, then the said
said acres of land shall be equally divided betwixt
my two sons Daniel and Stephen and their heirs
and assigns as tenants in common, Item it is
my Will that my lot of Marsh land at the West
End of Queen Street, containing about four hun-
dred and fifty feet upon Queen Street and Short
Street and about two hundred and twenty
eight feet in depth from one of the said Streets to
the other, shall be divided into two lots, by a line
to be run Eastwardly and Westwardly so as to
give each lot a depth of one hundred and fourteen
feet, and then my Sons Daniel and Stephen
shall draw lots for the same, and the lot that
shall be drawn by Daniel, I give and devise
to him and his heirs and assigns, and the lot
drawn by Stephen, I give and devise unto the
said eight trustees and the survivors and sur-
vivor of them and the heirs of such survivor, to
for and upon the same uses, trusts, intents and
purposes as declared of and concerning the
Plantations herein before first devised to the
said trustees, Item I give and bequeath unto the
said eight trustees and the survivors and survivor
of them and the Executors and Administrators
of such survivor, three hundred pounds sterling
money of this State in trust to be vested in the
stock of one of the Banks of this State, and to
apply the annual profits thereof to the use of
Grand Son Daniel Waring, during his na-
tural life, and after his death then in trust
to apply annually the profits thereof to the use
of his present Wife Harriott during her natu-

Her life, if she survive him, and from and immediately after the death of the survivor of them the said Daniel Waring and Harriot his Wife, I give and bequeath the said three hundred pounds and the Bank stock purchased therewith to such Issue of the said Daniel Waring upon the body of his present Wife aforesaid begotten or to be begotten, as shall be intitled to the same in the legal course of distribution. Item I give and bequeath to the said eight trustees and the survivors and survivor of them and the Executors and Administrators of such survivor, six hundred pounds sterling in trust to be vested by them in the stock of one or more of the banks in this State, the profits whereof shall be annually applied to the use of my Grand Daughter Elizabeth, the Wife of George Parker, for her sole and separate use, during her natural life, and from and immediately after her decease then I give and bequeath the said six hundred pounds and the Bank stock purchased therewith, to such Issue of the said Elizabeth Parker, lawfully begotten, as she may leave living at her death, to be divided among them, if more than one (notwithstanding she may leave a Husband then living) according to the directions of the late act of distributions, in the same manner as if she had left no Husband living at her death, but if at her death she shall leave no Child or other more remote Issue then living which shall live to be married or attain the age of twenty one years, then I give and bequeath the said six hundred pounds and the bank stock bought therewith to be equally divided between

The Daniel and Stephen, my said sons, Item it is my Will that no Husband which my said Grand Daughter Elizabeth may have shall ever take, or be intitled to any part of the said six hundred pounds, or the Stock to be bought therewith or any part thereof, either as her representative, or as the representative of any Child that she has or may have; Item it is my Will that the said two legacies of three hundred and six ^{hundred} pounds shall be paid as soon as can be made convenient after paying my debts and funeral expences, and at all events within six years after my death; Item it is my Will that if either of my Sons should alter the family name of Maryck which they hitherto as well as myself and my forefathers have borne either by adding to, or taking from it, any letter or letters, the one so altering it, shall forfeit to the other and his heirs, Executors, Administrators and assigns, all his share, part and Interest of, in and to my estate, whether the same be divided thro' or under this Will or otherwise howsoever; the rest residue and remainder of my Estate and all such of my slaves as I have not already disposed of by deed or otherwise, I shall dispose of either by a Codicil to this Will or by some deed or deeds hereafter to be executed; Item it is my Will that such one or more of the above named trustees as may undertake to perform the trusts reposed in them by this Will, shall have all the power and authority herein given to the said trustees. And lastly I do hereby nominate and appoint the said eight trustees and also my sons Daniel and Stephen to be Executors of this my last Will and Testament, hereby giving and granting unto such one or more of them as may qualify hereon, all the powers and authority herein given

and granted to my Executors, revoking every other Will by me at any time heretofore made and declaring this only to be my last Will and Testament. In Witness whereof (the words "and his assigns" between the tenth and eleventh lines of the second page, and the words "which shall live to be married or attain the age of twenty one years," between the twenty sixth and twenty seventh lines of the fifth page of this Will, being first interlined) I have hereunto set my hand and seal, this 31st day of October in the Year of our Lord one thousand seven hundred and ninety six, and in the twenty first Year of the Independence of the United States of America.

Benjamin C Marrych (Test)

Signed, sealed, published and declared by Benjamin C Marrych, the above named Testator, as and for his last Will and Testament in the presence of us, who at his request, in his presence and in the presence of each other, have hereunto subscribed our Names as Witnesses thereto.

Margaret Marcarthy - Simon C Mackintosh
Jacob Cantor -

The State of South Carolina.

Whereas on the thirty first day of October last, I Benjamin C Marrych of St. James Parish Goose Creek, Planter did make and duly execute, publish and declare my last Will and Testament in writing, and it is now my wish to make some alterations and additions thereto, now therefore I do hereby declare my Will as to such alterations and additions in manner and form following, that is to say, In presence, It

My Will (so far as concerns all the real Estate left
by my said Will to the eight trustees therein
named for the use of my Son Stephen during
his life, and after his death under the limita-
tions therein contained) that my said Son Ste-
phen shall have full power, good right and lam-
ful authority, (notwithstanding any thing
contained in the said Will) to devise and bequeath
by his last Will and Testament to be duly execu-
ted in Writing the whole or any part of the
said real Estate, to any one or more of his
Children, Grand Children or Great Grand
Children (but to no one else) in such manner
and proportions and under such trusts, conditi-
ons and limitations as he may think fit, but in
such manner nevertheless as not to defeat the
life Estate in any part of the said premises left
by my said Will to Mary, the Wife of my said
Son Stephen, in case she should survive him.
Item I give and bequeath unto my Son Daniel
my nine Negroes called Lizette, Abraham, Will,
Lucy, Jerry, Rosella, Pompey, Cunny and
Scipio, also my large silver Waiter, my desk
and my book case, and one hundred pounds
sterling to be paid out of the rest and residue
of my Estate, to have and hold the same and
the future Issue and Increase of such of the
said slaves as are females to my said Son Da-
niel and his Executors, Administrators and assigns
for ever, Item I give and bequeath to Sarah Dues-
esto and her Executors, Administrators and assigns
my two Negroes called Hester and Joe, as a return
for her tenderness and attention to me when I was

25 I lay sick at my Son Daniels Stern I give and bequeath unto my Grand Daughter Elizabeth Parker the bond given to me by William Maryant and all the money due and to grow due thereon. Stern I give and bequeath unto my friends mentioned in my said Will, viz. Peter Parker, John Cordes, William Maryck, Doctor Samuel Wilson, Daniel Raverel, Thomas Broughton, Alexander Maryck and Stephen Raverel and the survivors and survivor of them and the Executors and Administrators of such survivor, one hundred pounds sterling, to be paid out of the rest and residue of my Estate and property, to be held, applied and appropriated in the same manner, to the same uses, and under the same trusts, conditions and limitations as the other three hundred pounds bequeathed to them in my said Will for the use of my Grand Son Daniel Waring his present Wife Herriott and their Children, Stern I give and bequeath unto my Son Stephen and his Executors, Administrators and assigns all my plate, household goods, household linen, household furniture and kitchen furniture, and also my boat and all my Carts and plantation tools and utensils, Waggon and Geers, (not herein otherwise particularly disposed of. Stern I give and bequeath unto the eight trustees herein before named and the survivors and survivor of them and the Executors and Administrators of such survivor my three Negroes Billy (the driver) Murriah and Mary, and also one half of all my other slaves not herein before particularly disposed of together with the future Issue and Increase of all such of the said slaves as are females, in trust to permit and suffer my said Son Stephen during his natural life, to have, take and enjoy the use, work

26 labor and service thereof, without being in any
wise subject to, or liable for his debts, charges or incum-
brances, and from and immediately after the death
of my said Son Stephen, then in trust for such
Child or Children or other more remote Issue law-
fully begotten of my said Son Stephen, and for
such Estate or Estates and subject to such uses,
trusts, conditions and limitations as my said Son
Stephen, by his last Will and Testament duly
executed in writing, shall give, will, limit or ap-
point the same or any part thereof, but if my Son
Stephen should depart this life without making
and leaving duly executed any such Will, direc-
tion, limitation or appointment in favor of
some one or more of his Children or other more
remote Issue lawfully begotten, then in trust for
such Child or Children of my said Son Ste-
phen lawfully begotten as shall be living at
his death, to be equally divided between them,
if more than one, share and share alike, and
his, her or their Executors, Administrators and
assigns for ever, without any further or other
condition, trust or limitation whatsoever pro-
vided always that if any such Child or Chil-
dren of my said Son Stephen should depart
this life leaving Issue lawfully begotten and liv-
ing at the death of my said Son Stephen, then
such Issue shall represent his, her or their
parent, or their parents respectively, and shall
take equally between them, if more than one
such share or shares of the said slaves as his,
her or their parent, or their parents respectively
would have been intitled to take if he, she or
they had survived my said Son Stephen; Item
I give and bequeath unto the eight trustees here-
in before named and the survivors and survivors
of them and the Executors and Administrators

27. such survivor, all the remainder of my slaves and
the future Issue and Increase of such of them
as are females, in trust to permit and suffer
my Son Daniel, during his natural life, to have,
take and enjoy the use, work, labor and service
thereof, without being in any wise subject to, or
liable for his debts, charges or incumbrances,
and from and immediately after the death of
my said Son Daniel, then in trust to per-
mit and suffer my said Son Stephen, during
his natural life, to have, take, and enjoy the
use, work, labor and service thereof, without
being in any wise subject to or liable for
his debts, charges or incumbrances, and
from and immediately after the death of
my Son Stephen, or if at the death of my
Son Daniel, my Son Stephen should not be
living, then in trust for such Child or
Children or other more remote Issue, law-
fully begotten of my Son Stephen, and
for such Estate or Estates and subject to
such uses, trusts, conditions and limitati-
ons as my said Son Stephen, by his last
Will and Testament duly executed in Wit-
ness, shall give, will, limit or appoint the same
to, or any part thereof, but if my Son Stephen
should depart this life without making and
leaving duly executed any such Will, direction,
limitation or appointment in favor of some one
or more of his Children or other more remote
Issue lawfully begotten, then in trust for such Child
or Children of my said Son Stephen, lawfully
begotten as shall be living at his death, to be equal-
ly divided between them, if more than one share
and share alike, and his, her or their Executors,
Administrators and assigns for ever, without any
further or other trust condition or limitation.

99 personal, to which he, she, or they might be entitled
either as my heir or heirs, ^{at law} or as my next of kin,
or as devisee or legatee, or representative of any
devisee or legatee either under my Will or this Co-
dical. Item It is my Will that my Executors shall
settle and finally close all the concerns of my
Estate as speedily as possible; Item it is my Will
that the Executors named in my said Will shall
also be the Executors of this Codicil, and that
my much loved daughter in law Mary
Maryck, the Wife of my Son Stephen, shall be
an Executrix of that Will and this Codicil
hereby giving and granting unto the major-
ity of such of my Executors and Executrix
as may qualify upon my Will and Codicil
all the powers and authority which I have
given to the whole of them. And lastly I do
hereby declare, publish and pronounce this to be
a Codicil to my last Will and Testament and
do desire that it may be so construed and ta-
ken, and in Testimony thereof I do now, while
I possess a tranquil mind and sound memory,
subscribe my name and affix my seal hereunto
this 21. day of July in the Year of our Lord one
thousand seven hundred and ninety seven
and in the twenty second Year of the Independ-
ence of the United States of America.

Benjamin Maryck (Ld.)

Signed, Sealed, published and declared by Benja-
min Maryck above named, as and for a Codicil
to his last Will and Testament, in the presence of
us, who at his request in his presence and in the
presence of each other have hereunto subscribed
our Names as Witnesses thereto,

James Downing - Jacob Breaker - Lewis Breaker
Proved before Charles Timmerman

13 1801. At same time qualified Daniel Marych &
Stephen Marych Executors.

Examined
53^d C. Sh. } C. L.

State of South Carolina.

14 B^d

N^o 46.

In the Name of God Amen, I James Muirhead of the City of Charleston, in the State aforesaid Merchant, being sick and weak of body, but of sound and disposing mind, memory and understanding, do make and ordain, this my last Will and Testament, in manner and form following, vizt. first and principally I recommend my soul to God, who gave it and my body I commit to the earth to be buried in a Christian like manner in the discretion of my Executors herein after named, and as for and concerning the worldly Estate, wherewith it hath pleased God to bless me, I will and dispose thereof in manner following vizt. secondly my Will and desire is, that all my just debts and funeral expences be fully paid and satisfied, and in order thereto, and for the better distribution of my Estate in the manner and form herein after particularly mentioned, I order and direct that all my Estate both real and personal, whatsoever and wheresoever, be sold by my Executors aforesaid at any time after my decease, at public or private sale, for cash or on credit, in the discretion of my said Executors. Thirdly