

Box 35
8-21
The State of South Carolina In the name of
God Amen I Elizabeth Smith of Hampstead
do make and publish this my last will and Testament
Inprimis I direct that all my just debts and funeral
expences be paid by my Executors herein after named
as soon as conveniently after my death in the manner
hereinafter directed. Item I give to my nephew James
Poyas Senior ~~xxxx~~ his Executors and administrators
my servants James and his two sons William and
James and also my Tea table and Clock Item I give to
my niece Elizabeth Catharine Ball my servants Violet
her daughter Nancy and her children Peter & Marcoal
Item I give to my said nephew James Poyas Senior
thinking of my ~~South Carolina~~ ^{South Carolina} ~~James~~ ^{James}
in trust for the sole and separate use of Ann Hall
Wife of S^r William Hall Item I give devise and
bequeath unto James Poyas Senior and James Southam
Poyas their and each of their heirs and assigns my house
and lot in Amherst Street in which I now reside with
trust to sell and dispose of the same and the proceeds
thereof to divide into two equal parts one whereof to be
held by them to and for the sole and separate ^{use} of my niece
Maria Louisa Gibbs Wife of Matthew G. Gibbs with
out being subject to the debts contracts and

to give them and each of their heirs and assigns my house
and lot in Amherst Street in which I now reside in
trust to sell and dispose of the same and the proceeds
thereof to divide into two equal parts one whereof is to be
held by them to and for the sole and separate ^{use} of my niece
Maria Louisa Gibbs wife of Mathurin J. Gibbs with
out being subject to the debts contracts or obligations of her
present or any future husband during her natural
life and from and after her decease then in trust
to and for the use benefit and behoof of such child
or children grand child or grand children as she may
leave living at the time of her decease such grand
child or grand children taking only such share as his
her or their parents if alive would have taken. And in case
of the death of the said Maria Louisa Gibbs in my life
time then the said moiety shall be to the use benefit and
behoof of such child or children grand child or grand
children as she may leave living at the time of my
decease, the grand child or grand children taking only
such share as his her or their parents would have taken
if alive at the time of my said decease. Item I give
devise and bequeath the other moiety of the proceeds of
the said house and lot to Harriet J. Foster during

her natural life with a remainder to her children and
 grand-children in the same way and under the same
 trusts limitations and conditions as have been made
 in reference to the other Moseley heretofore devised to
 Maria Louisa Gibbs Item I give to James Poyas
 junior and John E Poyas and William R Poyas each
 ten of my South Carolina Bank Shares. To Catharine
 G Poyas and Ann B Jenkins each fifteen of my
 South Carolina Bank Shares. To Catharine Shews
 fifteen of my South Carolina Bank Shares and my
 servant Judy Item I direct that all the rest of my
 Bank of South Carolina Shares together with any
 cash that I may have at my death be applied first
 to the payment of my debts and funeral expences -
 And the residue thereof I give and bequeath to Catharine
 G Poyas and Ann B Jenkins to be equally divided
 between them share and share alike. Item I give and
 bequeath the principal and interest of the Bond
 due me by Elias B Scott of St Pauls to his sister
 Elizabeth Ann Poyas her Executors and Administrators
 Item I give and bequeath unto James Poyas Jr and
 John E Poyas the principal sums of money together
 with the interest due and to grow due thereon contained
 in two Bonds of Charles Foster the one for the sum

with the interest due and to grow due thereon contained
in two Bonds of Charles Foster the one for the sum
Three thousand and Eighty dollars and the other for
the sum of fourteen hundred and Eighty dollars and
fifty cents their and each of their executors and admin-
istrators In Trust to collect and receive the said sums
of money and to invest and reinvest the same as
often as they may be received and collected and the
interest incomes dividends and proceeds to collect and
pay over to said Harriet S Foster during her natural
life for the maintenance of herself and family without
being in any wise subject to the debts, contracts, or con-
traints of her present or any future husband. And
from and after the death of the said Harriet S.
Foster then in Trust to divide the said principal
sums of money among the Children of the said Harriet
S Foster living at the time of her death if only one
Child then to that Child and if grand Child or grand
Children be living at her death then such grand Child
or grand Children taking only such share as ^{they} her or their
parents would have taken if alive. And in Case the
said Harriett S Foster shall die before me then
the said sums of money shall be divided among
such of her Children as may be living at the time of
my death share and share alike.

to James Poyas Junior and John B. Poyas their Executors
and administrators; my servant Marcia and her three
Children Nancy, William and Daniel and any other Child
or Children that they may have and also my book case
books and silver plate and also my dining room
furniture and mahogany stand In trust to and for
the sole and separate use benefit and behoof of the
said Harriett S. Foster during her natural life without
being subject to the debt, contract, or contrivance of any
present or future husband. And from and after her death
in trust to divide the same equally share and share
alike among such Child or Children as she may have
living at the time of her death. If one Child, then to that
Child, if grand Child or grand Children, then such
grand Child or grand Children shall take such share
as his her or their parents would have taken if alive.
Item I give and bequeath all the rest of my furniture
beds, bedding and of every kind to Maria Louisa
Gibbes wife of Mathew G. Gibbes, and Harriett S.
Foster to be equally divided between them share and
share alike. Item I give my mahogany press to Eliza-
beth Catharine Gibbes. Item In case the said
Harriett S. Foster shall die before or after my
decease leaving no Child or Children

decease leaving no child or children grand child
or grand children living at the time of her decease
then I give and bequeath the said negro Slaves Maria
and her three children Nancy boys and Daniel
with the future increase and increase to Bathune, G. Poyas
and Ann B. Jenkins to be equally divided between them
share and share alike. Lastly I do hereby constitute
nominate and appoint James Poyas Senior James Poyas
Junior and William Ball executors of this my last
will and Testament. In witness whereof I have hereunto
set my hand and seal at Charleston this twenty fifth
day of February Anno Domini 1846.

Elizabeth Smith (Test)

The prefixed will written in this and the four preceding
pages were signed sealed and published by the testator
as her last will and Testament in our presence and we
at her request and in her presence have subscribed our
names as witnesses thereto.

G. C. Walker R. A. Walker James M. Walker
This is a Codicil to my prefixed last will and
Testament I give and bequeath to James Poyas Senior
and James Penham Poyas my servants Cato Laura
and their three children Cato Marcus and Nathaniel
to and for the sole and separate use of Maria Smith.

46 Wife of M^r G. Gibbs upon the same limitations, conditions and restrictions as she takes by this will the one moiety of the proceeds of my said House and lot in Hampstead Item. It is my will that the negro girl Mary daughter of Marcia should be held by James Poyas junior and J^r E. Poyas for the same term as I have given her said mother Marcia and her three sisters and under the same limitations Item. It is my will that after the death of the said Elizabeth Ann Poyas the bond of Chas. Beckett should be equally divided between Catherine G. Poyas and Ann P. Jenkins the said Elizabeth Ann Poyas is taking only the interest of the said Bond during her life and to effect this more certainly I revoke the former gift to Elizabeth Ann Poyas and give the said Bond to James Poyas and J^r E. Poyas in trust for the uses mentioned in this Codicil

Elizabeth Smith (L.S.)

Witnessed by us in the presence of Testator and as her request

G. E. Walker R. A. Walker James M. Walker
Proved before Thomas Lebre Esq^r O.C. 7 & 52
August 1846 August 27th 1846 qualified James
Poyas Senior Executor