

and it is my Will and desire that my Executors do permit my
dear wife Mrs. Elizabeth Sherman to have the full and entire use
and services of the aforementioned negro woman Gilly and her
children Jim and Chlo for and during the lifetime of my said
wife Mrs. Elizabeth Sherman. Lastly I hereby constitute and ap-
point my brother Mr. John M. Furious of St. Helena Island
and Justus Angel of John's Island, Executors of this my last Will
and Testament. In witness whereof I have hereunto set my Hand
and Seal this third day of August in the year of our Lord one
thousand eight hundred and eighteen and in the forty third year
of the Independence of the United States of America.

George W. Sherman (S.S.)

Sealed, signed and published in the presence of

Rich^d Freeman. Franklin P. Mackey. —

Passed before James Dittichell Esquire, C. & J. D. October 22^d 1818.

At the same time qualified Justus Angel Executor. — November
12^d 1818, qualified John M. Furious Executor.

6. 1818

1817

In the Name of God Amen! I Morton Wilkes Smith of the
State of South Carolina of the Parish of St. Johns, Berkeley, Planter,
deeming it correct and prudent to make a disposition of my temporal
concerns and affairs before the awful hour of death, when cir-

circumstances of unusual Interest, must surprise and enlarge the mind. I the
^{say} Morton Welles Smith being of sound mind and body, do acknowledge
this Instrument of writing (done with my own hand) to be my last Will and
Testament, in confirmation of which it is my wish that after my death
my just debts should in a proper time be all paid, the balance of my
Property both real and personal, I then bequeath to my brother Thomas
Young Smith, subject to a few and such deductions and conditions
as will appear by the sequel of this my last Will. In the first
place; it is my earnest Will and desire, that my yellow man named
John (now my Driver) in consequence of his obedience and fidelity to
me, be immediately after my death be liberated and set free, and
as a further acknowledgement of my esteem for him, I give and be-
queath to my said yellow man, his son named Joe (by his wife
named Grace) I mean my said yellow man John, provided,
nevertheless that my said yellow man John should behave himself
uprightly soberly and honestly, then I leave him his said son Joe
(about two years old) to him and his heirs forever, but should he con-
duct himself improperly after my death so as not to embrace the
good character I require of him, it is my wish that his son aforesaid
named Joe should belong to my brother Thomas Young Smith him
and his heirs forever; and that my friends Mr. Thomas Broughton of
Mulberry and Mr. Philip P. Broughton be regularly consulted before

and his heirs forever; and that my friends Mr. Thomas Broughton of
Mulberry and Mr. Philip P. Broughton be regularly consulted before
the alteration in this clause contemplated should take place. Second
It is ^{also} my earnest will and desire that my female servant Hannah
named, who I received by the death of my pious and good parent
Mrs Jane Smith, be immediately after my death liberated and set
free, her & the issue of her body forever (I mean my female servant
named Hannah and as I was informed some time since, by my
brother, when she was purchased from the Estate of William E. Edings that
many of the Slaves belonging to the said Est. of William E. Edings, had
been previously mortgaged to some person or persons, and that pro-
bably my servant Hannah aforesaid, who I am now in possession of,
had been included in the said Mortgage, now therefore, it is wish
and desire, that any person or persons, laying and seeing a just
claim to my female servant Hannah after my death, do not again to
enslave her, that there be one thousand dollars taken out of my Estate
and appropriated to the purchase of my my said female servant Han-
nah together with her and her heirs forever, that they may enjoy that
liberty which I contemplate, by mentioning her in this my Will. 3.^d
As I have formed a particular attachment for writing man named
Richard and the occupation in life which my brother aforesaid has left
may subject him to the loss of property, it is my Will and desire, that

24. The death of my brother, that my said writing man Richard (who, I purchased from Mr Benjamin Mazyck of Horse creek) be set free and liberated - Lastly should my brother Thomas Young Smith, die without leaving lawful children I give and bequeath after his death to my aunt M^{rs} Mary Mazyck all the Sterling Plate which I was in possession of at the time of my decease and after the death of the said M^{rs} Mary Mazyck to be equally divided, between her three daughters Margaret, Jane and Caroline - Also that it is my wish and desire that should my brother die without lawful children, that my half sister, M^{rs} Mary Eding should receive out of ^{my} Estate, bequeathed to my brother five hundred pounds Sterling to be paid immediately by the Executors and administrators of my brother's Will or property. Should any legal exception, as to the phraseology or dictation of this my Will, be attempted after my death, to the end that a Court of Justice might be induced to destroy or upset it, I beg that the Court will weigh well their opinion, before they proceed to lay aside, the last Compact, which may be acknowledged valid between the decedent and his once beloved country - 22^d January/1816.

Morton W. Smith L.S.

Signed in presence of

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which may be acknowledged valid between the deceased and
his once beloved country - 22^d January 1816.

Morton W. Smith 

Signed in presence of

Philip Broughton. William N. Mitchell. William White.

Passed before James D. Mitchell Esquire, C. B. J. D. October 29th 1818.

Exam^d
15. 60. 84.
S. D. 11.

16. 11. 18

I Edward Prescott of New York in the presence of the