

South Carolina

By His Exc^t Francis Nicholson Esq^r
General and Govern^r in Chief in and over His M^{ty}
Province of South Carolina, and Ordinary of the same
To James Nicholas Mayrant Esq^r one of His Majesty's Justices
of the Peace, for Craven County, in the Province, Greeting—

Whereas John Gordon Esq^r hath set forth to me by Petition, in
his own Charter, late of the said County dec^d, in this time of his being of sound
reasoning mind and memory, under his last Will, which is herewith annexed
and that he hath endeavored to get the same proved in the usual form; but
several of the Witnesses thereto being aged and infirm, are unable to take
them the Oathes of traveling further, without much danger, and therefore
a Devisus Testamentum might be granted to empower some proper
to administer to the several Witnesses their Oaths proper in such cases; and
Therefore give you full power and authority, and hereby direct you to summon
before you all and every the Witnesses to the said Will, subscribing at such
and place as you shall judge most convenient, and then and there to examine
in each and every or any of them, the oath of a Witness, a copy of which is
herewith annexed; and if any scruple should arise touching the form of the
that you follow the direction of the form of this Province, in such cases re-
quired. And of your doings therein you are to make a just and due return
thereto me, under your hand and seal. Given under my hand & Seal
Twenty ninth day of April 1732, in the Tenth Year of His Majesty's Reign.

Albert Penderous, Jacques Guery,
Pierre Robert, Pierre Robert Jun^r.

LS

Fr. Nicholson

Copy the Oath of a Witness subscribing to a Will, viz^t
You shall swear that you, and the Testator Philip Gordon (who hath as it
is proved, executed the Testament herewith annexed, importing his last Will and
Testament, and now shewn you) sign, seal, publish, & declare the same to
his last Will and Testament, and that he was of sound disposing mind and
memory at the time of his so doing. So help you God.

Copy

South Carolina
Whereas by a Devisus Testamentum herewith annexed from His Excell^{cy}
Francis Nicholson Esq^r Governour, directed to me James Nicholas Mayrant
Esq^r one of His Majesty's Justices of the Peace for Craven County, in the
Province aforesaid, have caused the Reverend Albert Penderous & Peter Robert
and James Guery, three of the Witnesses to the said Testament of writing herewith
annexed, to sign, seal, publish, and declare the same to be his last Will and
Testament, and that the said Philip Gordon at the time of his so doing
of sound and disposing mind and memory, and that they the Depositions
sign as they did; and further the said Depositions, with the
from before me as Witness my hand and seal this fifth day of May An-
no Dom^o 1732, and in the Tenth Year of the Reign of our Sovereign Lord
King George

LS

Recorded June 5th 1732 Char: Hart Secy

(Indor)

(Witnessed on the Will of Philip Gordon dec^d. — as follows — viz^t)
South Carolina. By His Exc^t Francis Nicholson Esq^r Govern^r and
Ordinary of the same. May the 25th 1732.
Letters Testamentary was thereunto granted to John Gordon Esq^r Executor
hereto appointed, who accordingly took the Oath of an Executor.

Recorded June 5th 1732 Char: Hart Secy

South Carolina
Francis Nicholson Esq^r His Majesty's
Capt^a General and Governour in Chief of this
Province, and Ordinary of the same.
To All to whom these presents shall come, Greeting.

Know Ye that on the fifth day of May in the Year of our Lord
One Thousand seven hundred and thirty two, before James Nicholas
Mayrant Esq^r one of His Majesty's Justices of the Peace for Craven County
in the Province aforesaid, the last Will and Testament of Philip Gordon
late of the aforesaid County and Province, dec^d; the copy whereof is to these
presents annexed, was proved by virtue of a Devisus Testamentum for that
purpose under my hand and seal granted, to him, bearing date the twenty
ninth of April Anno Dom^o 1732, and the same being duly executed to returned
to me, was approved and allowed of, the said dec^d having whilst he lived,
and at the time of his death, devised goods, rights and credits within the
Province aforesaid, by means whereof the appraisement and allowing of
his Testament, and the power of granting the Administration of all and
singular the goods, rights and credits of the said deceased, and also the audit
of the accounts, calculations and reckonings of the said Administration
and the final dismission and discharge from the same to me is manifestly
known to belong; and that the Administration of all and singular the
goods, rights and credits of the said deceased, and his Testament any
manner of way concerning, was committed unto John Gordon Esq^r
sole Executor named in the said Will and Testament, being first sworn in
the help, complete, well and faithfully to administer the same, and to make
a full and perfect Inventory of all and singular the goods, rights and credits
of the said deceased, and to exhibit the same into the Secretary's Office at
Charles Town, in order to be recorded, at or before twenty eighth day
of August next ensuing, and to render a true and just account, calculation
and reckoning thereof when thereunto required.

In Testimony whereof I have herewith set my hand and
Seal, the twenty eighth day of May, Anno Dom^o 1732, and
the Tenth Year of His Majesty's Reign. Fr. Nicholson
Certified for me, Char: Hart Secy
Recorded June 5th 1732 Char: Hart Secy

South Carolina

By His Excellency Francis Nicholson
His Majesty's Capt. General and Governour
Chief of this Province, and Ordinary of the

These are to authorize and empower you whose
are hereunder written, to repair to all such parts and places within this
as you shall be directed unto by John Henderson Esq^r, sole Executor of the last
and Testament of Philip Henderson late of England deceased in this Province
viz^t, whereever any of the goods of the said dec^d are or do remain, within
parts and places, which shall be shewn to you by the said John Henderson &
there view and appraise all and every the said goods, being first sworn on
holy Evangelists, to make a full and perfect Inventory and appraisement,
and to return or cause the same to be returned under your hand, (or of any thr
you) into the Secretary's Office at Charles Town, in order to be recorded, at o
before the twenty eighth day of August next ensuing. Dated the
Eighth day of May, Anno Domⁱ 1724, and in the tenth Year of H
Majesty's Reign

By His Excellency's Command, Char. Hart, Esq^r
To James Nicholas Maynard Esq^r, Peter Roberts Esq^r, Esq^r, Mr. Peter
Mr. John DeLeplaine, or Mr. Isaac Le Grand, or any three of them
By His Excellency's Command, Char. Hart, Esq^r
Recorded June 5th 1724, per Char. Hart Esq^r

South Carolina

Francis Nicholson Esq^r, His Majesty's Capt.
General and Governour in Chief in and over His
Province of South Carolina, and Ordinary of the

To all to whom these presents shall come, Greeting.

Know ye that Whereas John Hearn a Minor, aged upwards
fourteen Years, did by Affidavit preferred to me, in Council, on the Eleventh
of this instant June, pray, for the reasons therein set forth, that Thomas D
Esq^r (who is willing to take into his care the charge and management of
said Minor's Estate) may be appointed his Guardian: Therefore for
better securing of the Estate, and for the more careful maintenance and Edu
of the person of the said John Hearn, Infant, Orphan and Child of John
late of this Province dec^d, out of the confidence I have in the wisdom, integrity
uprightness of him the said Thomas Fairchild, then Tutor, Guardian and
Education of the said John Hearn, Minor, to him the said Thomas Fair
I do commit, and him the said Thomas Fairchild, Guardian and Tutor
said John Hearn, Minor. Do by these presents make and to him, here
charging him that he maintain the said Minor in Meat, drink, Lodging
Clothing, Schooling and good education, so may be fitting to his degree and
quality; during the time he shall be under his tuition and guardianship, or o
the time of his minority, and that he do inquire into and take care and cha
of the Estate of the Minor aforesaid, both Real and Personal, and do all th
things as a Guardian by Law may, can or ought to do, and a true and fa
account of the goods and money belonging to the said John Hearn, Minor,
shall come to the hands of him the said Thomas Fairchild, now to render
he shall be thereto required by such Guardian and Guardians as shall be ch
by the said John Hearn, or to the said John Hearn, when he shall come to
age to demand and receive the same by Law. In Testimony whereof
I have set my hand and seal, the twelfth day of June, in the tenth Year of



Majesty's Reign, Anno Domⁱ 1724, per
By His Excellency's Command Char. Hart, Esq^r
Recorded June 15th 1724, per Char. Hart Esq^r

Thomas Smith Esq^r, dec^d, Will. (vide bundle) FF N. 20.
In the name of God Amen, the thirtieth day of May in the
Year of our Lord 1723, Thomas Smith of St. James Parish in the County
in Berkeley County in this Province of South Carolina being in perfect mind &
memory thanks be given unto God therefore calling into mind the mortality
of my body and knowing that it is appointed for all men once to dye do
make and Ordain this my last Will & Testament That I give principally
and first of all I have and Recommend my soul into the hands of God that
gave it, and for my Body I recommend it to the Earth to be buried in a Christian
like manner at the discretion of my Executors, nothing doubting but at the
General Resurrection I shall receive the same again by the mighty Power of
God And as touching such worldly Estates wherewith I have been and do
possess in this life, I give, devise and bequeath the same to my Loving Son
James & request him that he do give and pay unto the said James & his heirs
the sum of Five hundred and fifty pounds in Money or the value thereof in
Tract of land now live on, containing Two Hundred acres of land and also Tract
of land lying back of this, containing One Hundred & Twenty five acres, and also
part of the Tract of land purchased of James Brown, commonly known by the
Name of Portman, the widening lane to as the Westernmost side of the Two Hundred
Acres I had of Lady Thomas Smith and paying to my daughter Hannah
Corner to the Southernmost Pine Corner of the said land with One Hundred acres of
land part of a Tract of One Thousand acres I had of the said Lady Smith, Batten
& according to the Northmen on Mrs. Thomas Sumners and to the Southward of
Col^d Thomas Broughton with all the improvements on the said Tract of land
with One Negro Boy named Tom and One young Negro woman named Judy
and here I give to be enjoyed by my said son and his heirs, at the age of Twenty on
Years I give unto my Wellbeloved Son Thomas Smith the Remainder of
the above Tract of land purchased of James Brown also the Two Hundred acres
lying to the Northward of said Tract that I had of Lady Thomas Smith
as also Fifty acres of land commonly known by the name of Indian Field n
Two Hundred acres of Wapamond swamp, being the Remainder of the Two
acres aforesaid and also One Negro Boy named David & One young
negro woman named Molly with her issue, to be enjoyed by him & his heirs
at the age of Twenty one Years.
I give & bequeath unto my Wellbeloved Daughter Ann Smith
Seven Hundred pounds to be paid her and the Income of my Estate if possible
if not, they shall be allowed her out of my Two Sons land Estate each of them
according to their Shares accounting money as it is at this time with One
Negro Woman named Lucy & One Negro Girl named Malinda & their
issue to be enjoyed by her and her heirs at the age of Eighteen Years.
I do here & Will that if either of my Children dye before they arrive
Age that the part of them that dies shall be equally divided between the
survivors and if either of them dies it shall go to their survivors and if should
please God at all my Children should dye before they arrive of Age
it is my Will that the Real Estate shall fall to my Loving Brothers
William & John Smith, they paying my Sister Katharine and