

Coll: William Rhett's last Will and Testament (vide bundle)

In the Name of God Amen I William Rhett of Berkley County in the Province of South Carolina Esq. being of Sound and perfect mind and memory praise be given to Almighty God for the Salvation of my Soul and the certainty of the time there do make and Ordain this my Last Will and Testament in manner & form following First I bequeath my Soul into the hands of Almighty God trusting and assuredly believing the Salvation of the same through the alone Merits of Jesus Christ my Saviour and Redeemer. And my body I commit to the Earth to be decently buried at the Discretion of my Executors mentioned hereinafter being in full and certain hope of a happy resurrection into eternal life. And for my Estate which it hath pleased

God to bestow upon me in this world I do give & dispose of the same as followeth. I will that my Just debts and funeral Expenses shall be first paid and discharged. Item Whereas I have formerly in my life time given and conveyed to my son William Rhett and to his heirs and assigns forever a Real Estate in Charles Town of a Considerable value and which I designed as his portion therefore I do hereby only give unto my said son William Rhett the Sum of five pounds Current Money of this Province. Item Whereas now in my life time I have advanced a Portion to my eldest Daughter Sarah and given her in marriage to Mr. Leazar Allen one of this Province Merchants and what I have so advanced for my said Daughter in Marriage I designed as her Portion therefore I do hereby only give unto my said Daughter Sarah the Sum of five pounds Current money of this Province. Item Whereas now in my life time I have advanced a Portion for my second Daughter Catharine and given her in Marriage to Roger Munn of this Province Gentleman and what I have so advanced for my said Daughter in Marriage I designed as her Portion therefore I do hereby only give unto my said daughter Catharine the Sum of Five Pounds Current money of this Province. Item I do give and bequeath unto my youngest Daughter Mary Rhett the Sum of Fifteen hundred Pounds current Money of South Carolina to be paid her when she shall come to the Age of Twenty One Years or day of Marriage which shall first happen. The said Sum of fifteen hundred pounds to be paid my said Daughter Mary at the value of the present Current Money. And I do hereby will and ordain that the Part or Portion hereby given to my said Daughter Mary Rhett during her Minority shall be and remain in the hands, Custody, Possession & Management of my Wife Sarah Rhett out of the intire Trust and Confidence I repose in her and that she shall not allow any Interest for the same nor be accountable for the profits thereof to my said Daughter Mary or to any other Person whatsoever but in Consideration of the use and advantage my Wife shall have

Have by the said Legacy or Portion hereby given to my said Daughter Mary being in her hands during her Minority My Will is that my said Wife at her Fort and Charge I shall maintain and provide for my said Daughter Mary till she shall arrive to the Age of Twenty One Years or day of Marriage which shall first happen. And my Will is that my said Daughter Mary shall be brought up in vertuous Learning & Education as it shall please God to make her apt unto. Item As to all my Real Estate in Gardens as parts of Town Lots in Charles Town and the houses and buildings on the same Standing and being and all other my Real Estate whatsoever and wheresoever lying and being (Excepting the Land or Plantation lying without the fortifications of Charles Town commonly called the point or Robertsons together with the Mansion house in which I now dwell and all other the buildings Standing and being on the same. And also excepting a Plantation in Berkley County called the Hagan and the buildings on the same both which said Plantations are held in Joint Tenancy between me and my Wife and in case of my death before her doth in Course of Law descend to her and her heirs and assigns forever) my will is and I do hereby Improve my Wife my Executor hereafter named to sell alien and dispose of such my Real Estate (Except as is before Excepted) to any person or persons whatsoever and their heirs and assigns for ever in fee Simple by all and Every such lawful ways and means in the Law as to my Executors or next Council Sealed in the Law shall seem fit. Item All the rest and residue of my Estate both Real and Personall (Excepting the said Point or Robertsons Plantation with the buildings thereon and value Excepting the said Hagan Plantation and the buildings thereon) whosoever lying and being and what particularly disposed of in this my Last will and Testament, as also the remainders of the Money proceeds upon the Sale of that part of my Real Estate ordered by these presents to be sold after the payment of my funeral Expenses and my Just debts and Legacies I do give and bequeath the same unto my loving wife Sarah Rhett her heirs Executors Administrators and assigns for ever. But my Will is that the Severall Gifts and Bequests in this my Last Will and Testament given unto my said Wife be in full recompence of all her Dower Right title or Interest and other demands whatsoever which she may have or make to all or any Part of my Estate whether Real or Personall. Item I do hereby nominate constitute and appoint my said Wife Sarah Rhett the Executrix of this my Last Will and Testament during her Natural Life & after her decease then such Person or Persons as she shall by her Last Will and Testament nominate to be Executor or Executors. And this my Will and Testament in or making such Nomination of an Executor to my Estate

Then my will is that my Son William Rhett shall be the Executor
of this my Last Will and Testament. AND my will is that in Case of the
death of my Wife the person or persons so named by her to be my Executor
or Executors of her last Nomination my said Son William Rhett be
Executor and that such Executor or Executors shall have all the power in
selling and disposing of my Real Estate and all other the Power given my
said Wife as Executors of this my Last will and Testament.

Lastly I do hereby revoke, Revoke, frustrate and make
void all former Will and Testaments by me here before made and I do de-
clare and appoint this to be my Last Will and Testament. Witness my hand
and the first above named William Rhett have to this my Last Will and Testamen-
tation in two sheets of Paper set my hand to each sheet and my Seal to
the same placed at the Top this sixth day of July in the Eighth Year of the
Reign of our Sovereign Lord George the Great of Great Britain
King of Great Britain and Ireland King of the Faithful &c. And in the Year of
our Lord One Thousand Seven Hundred Twenty and Two.

Signed, Sealed, published and Declared

At the above named William Rhett
to be his Last Will and Testament

In the Presence of George Lea, Thomas Wigg, Jane Keys.

Wm Rhett

Wm Rhett

At a Council held at the Council Chamber in Charles City Parish the 18th 1722
Present His Excellency The Governour.

The Hon^{ble} Arthur Middleton Esq^r Secy^r of the Hon^{ble} Council
Charles Hart Esq^r
Wm Bull Esq^r
James Kinloch Esq^r
Benjamin Schenck Esq^r

The foregoing will was then proved by the Oaths of George Lea, Thom
Wigg and Jane Keys Witnesses thereto and a Verdict was returned to The
Hon^{ble} Arthur Middleton and James Moore Esq^r Jurors for Adminis-
tration the Executors both to the Executors therein mentioned.

(Annexed, as follows, viz)

South Carolina. Francis Nicholson Esq^r Captain General and
Governour in Chief in and over his Majesty's Province
of South Carolina and Ordinary of the same.

To the Hon^{ble} Arthur Middleton & James Moore Esq^r Gentlemen
Whereas

Whereas Madam Sarah Rhett Widow and Relict of William Rhett
late Esq^r late of this Province deceased hath this day made a voluntary will
to me in Council that letters Testamentary may be granted to her on the
last Will and Testament of the said deceased according to the last day
of July 1722, this day proved in Council by the Oaths of George Lea
Thomas Wigg and Jane Keys the being therein appointed Executors and
whereas it is necessary that she should be qualified according to law and
usage in such Cases but as I am informed that is Indisputable as not to
admit me in Council for that end. These are therefore to Inquire and
require you to Advise to the said Executors the said appointed Executors
of Executors (a Copy whereof is hereto annexed) and make return of your
doing therein; Hereof fail not.

Given under my hand and Seal this Eighteenth Day
of January 1722, in the Ninth Year of His Majesty's Reign
Francis Nicholson

In Council Parly the 18th 1722
Signed and Sealed. Test. Wm Tunley Cl. Cor

Copy of the Executors Oath
you shall appear that you believe the Instrument or writing hereto annexed signed
Wm Rhett and Sealed to be the last will and Testament of the deceased and that
you will pay off the debts and Legacies of the deceased before as the said will extends &
Laws that bind you and that you will cause all the said Goods to be appraised & make
true & perfect Inventory of the said Goods (at a day appointed by the Ordinary) and
likewise a Just & true List of the said Goods when you shall be thereto Lawfully called.
To help you God / Copy Test. Wm Tunley Cl. Cor

We do hereby Certify that we this day in pursuance of the direction of a Verdict
hereto annexed did administer to Madam Sarah Rhett Executrix of Wm Rhett
late Esq^r deceased appointed in and by the will or Instrument hereto annexed
the Oath of an Executor according to the form above Copied witness our hands
the date above

Arthur Middleton James Moore.
Recorded July 7th 1722 of Wm. H. S. S. S.

South Carolina. Francis Nicholson Esq^r Captain General
and Governour in Chief of this His Majesty's Province and
Ordinary of the same.

To all to whom these presents shall come. Greeting.
Know ye that on the Eighteenth day of January 1722 the said Madam Sarah Rhett
deceased seven hundred & Twenty Two at Charles City in the Province aforesaid
before me in Council the last Will and Testament of Wm Rhett Esq^r late of
Savannah County in the said Province deceased the Copy whereof is to these presents
Annexed was proved, approved and allowed of the said deceased having whilom he
lived and at the time of his death divers good rights Credits within the Province
aforesaid. By means whereof the approbation and allowing of the Testament

And the power of Granting the Administration of all and singular the Goods, rights, Credits of the said deceased, and also the Auditing the debts, Calculations & Bookkeeping of the said Administration, and the final discharge and discharge from the same, to me is manifestly known to belong, and that the Administration of all & singular the Goods, rights and Credits of the said deceased, and his said Testament and manner of my proceedings was committed unto Mr. Sarah Robett, Widow & Sole Executrix in the said Will & Testament, being first sworn on the Holy Evangelists well and truthfully to administer the same, and to make a full & perfect Inventory of all & singular the Goods, rights & Credits of the said deceased, and to exhibit the same unto the Secretaries Office at Charleston City, on or before the Seventh Day of May next ensuing, and to render a true and just Account, calculation and Bookkeeping thereof upon thereunto required.

Certified to me.

Char: Hart Seiff

Recorded Feb'y 7. 1722

In Testimony whereof I have hereunto set my hand & seal the Seventh day of Feb'y Anno Domini 1722 in the Ninth year of His Majesty's Reign.

Wm. Hart Seiff Jfr. Nicholson

South Carolina By His Excellency Francis Nicholson Esq.
His Majesty's Captain General and Governor in
Chief of this Province, and Ordinary of the same.

These are to Authorize and Impower you whose names are here under written to repair to such parts and places within that part of this Province, that lies upon Cape Fear South and West as you shall be directed unto by Mr. Sarah White, Widow, Sole Executrix of the Last will and Testament of William Robett Esq. one of this Province deceased, wheresoever any of the Goods of the said deceased are or do remain within the said Parts and places which shall be shewn to you by the said Sarah Robett: and there view and appraise all and Every the said Goods being first sworn on the Holy Evangelists to make a full and perfect Inventory and appraisement thereof and to return the same under your hand (Copy of any three of you) into the Secretaries Office at Charleston City on or before the Seventh Day of May next ensuing.

In Testimony whereof I have hereunto set my hand & seal the Seventh day of February Anno Domini 1722 in the Ninth year of His Majesty's Reign.

Jfr. Nicholson

In Testimony whereof I have hereunto set my hand & seal the Seventh day of February Anno Domini 1722 in the Ninth year of His Majesty's Reign.

Recorded Feb'y 7. 1722
Jfr. Nicholson

Dorothy Ogle deceased her last Will and Testament, A.D. 1722

In the Name of God Amen. In the year of our Lord One Thousand Seven hundred and nineteen twenty Dorothy Ogle Widow of Eddeston Island in the Parish of St. Michaels in Barbadoes and of good and perfect Memory thanks be to God, I make this my last Will and Testament in manner and form following. First I will that all such debts as I owe shall be truly paid. Item I give unto my Daughter Hannah some my horse Peter. Item I give unto my daughter Elizabeth Hammelton the House wherein I live with two thousand acres of land with all my wearing cloaths and a Young Mare at St. Michaels Island. Item I give unto my Daughter Martha Hammelton my best Bed with a Ring Cushion and Pillow with a Mare called by name Tanny with a Yearling Cattle with one Indian Child Diana by name. Item I give unto my daughter Dorothy Ogle my Cotton Bed with a Boalster Ring & Sheet with a young horse named Roger. I give my Slaves with all my Chattell, Rings, & Hoops plantation tools, canoes come with the remainder part of my house and Goods to my four daughters aforesaid to each of them a fourth part. Item I make and Ordain my two Sons in Law for my Executors my Son Paul Hammelton and my Son John some of this my last Will & Testament. And I do utterly revoke all former wills and Testaments by me in any wise heretofore made or declared.

In witness whereof Hereunto I have subscribed my name & set my seal in presence of

Dorothy Ogle

James Nettles. Jonathan Thomas. Charles Dringell

Memorandum On this Twenty Eighth day of July 1722 personally came and appeared before me Mr. Jonathan Thomas and Mr. Charles Dringell Two of the Subscribing witnesses to the within written Will and being duly sworn on the Holy Evangelists of Almighty God, declares that they were personally present and did see the within Testator Dorothy Ogle sign seal and deliver the within Instrument of Writing as her last Will and Testament, and at the time of doing thereof she was of sound mind and Memory to the best of their Knowledge, and that they were likewise present and did see the within James Nettles sign his name as a Witness to the same.

sworn to before me the day and year above written
In Council this 28th day of July 1722 Jfr. Nicholson
The Executors within mentioned took the Oath of Execution