

306
Before the Hon^{ble} William Bull
Esq^r: President & Commander in Chief and
Ordinary of the Province of S^c: Carolina

On the thirtieth Day of August 1739 Personally Came &
appeared Joseph Hurst and James Ederston Two of the
Witnesses to the within Instrument of Writing who
being duly sworn on the holy Evangelist of Almighty
God Declared they were Present & saw Thomas Smith
the Testator sign the two first Sheets of the s^d: Instrum^t
& Declare the same to be his last Will & Testament
& also sign Seal & as his Act & Deed Publish & Declare
the first within written Verdict to be part and Parcel
of his last Will & Testament & that he was at the
same Time of sound and disposing mind Memory
and Understanding & that they also saw Charles
Filden & Sarah Filden the other two Witnesses sign
their Names as Witnesses together with them the s^d:
Deponents in Presence of the said Testator And further
the said James Ederston One of the Witnesses to the
second Verdict Declared he was Present & saw the s^d:
Thomas Smith sign Seal Publish & Declare the same
to be Part & Parcel of the said last Will & Testament &
that he was at the same Time of sound & disposing mind
Memory & Understanding & that he also saw Charles Filden
& John Filden the other two Witnesses sign their Names
as Witnesses together with the s^d: Deponents in Presence of the s^d: Testator.
I am before me 20th Dec^r
W^m Bull.

Recorded 16th July 1739

307
In the Name of God amen I John
Barnett of Saint James Parish in Raven County
being indisposed of Body though of sound & perfect
Mind and Memory Praise be therefore given to
Almighty God Do make & Ordain this my last
Will and Testament in manner and form following
That is to say First & Principal I commend my
Soul into the hands of Almighty God hoping thro
the Merits Death and Passion of my Saviour Jesus
Christ to have full & free Pardon & forgiveness of
all my Sins & to inherit Everlasting Life and my
Body I commit to the Earth to be Decently buried
at the Discretion of my Executors hereinafter named
and as Touching and disposing of all my Temporal
Estate as it hath Pleased God to Bless me with I give
and Dispose thereof as followeth First I Will that
all my Debts be Paid by my Executors hereafter named
Item for the good Will & Affection I Do bear unto
Judith my beloved Wife I Do give unto her my said
Wife all my Lands and six Slaves named Dick Isaac
Lisband Alexander Suf & Millspan and to be at her disposing
as she shall think fittest so that all the Lands that I Do
now Possess and the six Slaves above mentioned I Do
unto my said Wife & to her heirs & Assigns for ever
Item I give unto my four Children Judith John
Martha & Eliza the Sum of four Thousand Pounds
Current Money of South Carolina to be Equally
Divided among them that is to say that each of my

Children shall have the Sum of one Thousand Pounds
paid to them by my Executors the Male Children
shall each of them Receive one hundred Pounds as
soon as they are Eighteen Years of Age & then to
be at their own Liberty & Masters of themselves to go
where they Please and do as they shall think fit
to maintain themselves and so every Year they
shall Receive One hundred Pounds which is the
Interest of their Portion till they arrive unto the
Age of Twenty One Years then they shall receive
their Principal which is one Thousand Pounds each
Item I Will and Ordain that my Daughters shall
Receive five hundred Pounds each at the Day of
Marriage and each five hundred Pounds in one
Year after the Day of Marriage if they do not marry
before they are Sixteen Years of Age they shall each
of them have One hundred Pounds paid to them as
soon as they are Sixteen Years of Age & so every
Year till they marry or arrive to the age of Twenty
One Years they shall have one hundred Pounds
paid to them by my Executors hereafter named & at
the Age of Twenty one they shall Receive the principal
Sums if they do not marry before Item I Will and
Order that Judith my Wife shall maintain all
my Children upon only the use of their money
Which I give them & also cause them to be taught
Reading Writing and Cyphering as far as the rule
of Divison perfet all to be Done with the Interest
of their money so that their Principal Sums shall

not be Diminished not so much as one Last thing
Item I Do hereby strictly forbid my Wife & also my
Executors that they do not bind any of my Children
Apprentice unto any Trade or Employment what-
soever for it is my Will that none of my Children
should be bound by any Person or Persons what-
soever, but that they should Live on the Interest
of their money with their Mother while she will
be alive or till they Arrive to the ages hereinbefore
mention'd and in case my Wife should dye
before the Boys are Eighteen and the Girls sixteen
Years of Age that they shall Live with my Executors
and my Executors shall give them Learning &
Maintenance as well as the Interest of their money
can afford but in case my Executors do not act
by my Children in all Receipts according to my will
that they shall all of them have full Power to chuse
Guardians at thirten Years of Age & in case either
of my Children should chuse Guardians and the
Guardian so chosen should not act according to
my Will that them Children shall have Power by
this my Will to chuse other Guardians Item if
it should happen that that my Wife should be
with Child at any Time before my Death that the
said Child equal ~~Share~~ Portion with the four
Children already born & shall have the same
Priviledges & Power as any of them & the same
Maintenance & Learning so that the four

Thousand Pounds shall be Divided in five parts —
 which will be eight hundred Pounds each & then
 the Interest of their money will be but Eighty —
 Pounds each which will for their maintenance
 & Learning And whereas I am bound in a Bond unto
 three of my Children Judith John & Martha I Will
 that what is Due to them in said Bond shall be in
 Part of their Portion & that the Youngest Child shall
 have as much as the Eldest so that with the Bond
 they shall have but four thousand Pounds equally
 Divided among them all as is already mentioned
 and in case that my Wife should marry after
 my Death to a man that should Waste or Destroy
 my Estate plainly to be seen by my Executors —
 herein named in that Case I Do give full Power
 unto my Executors to take my Childrens Estate
 out of his Hands & give my Wife the Interest
 of their money to maintain them & give them
 Learning as is already mentioned & if my
 Wife is Willing to let the Children go & Live
 with my Executors when they take their money
 in hand She may but if not She may keep
 them till the ages above mentioned so be that
 She Doth do by them according to my Will Item
 I give all the Remainder of my Estate to my wife
 & to her heirs & assigns forever so that my
 Children shall have but four thousand Pounds
 of my Estate to be Equally Divided among them
 If any of my Children should Die without heirs

Before they are one & Twenty Years of Age those
 that Live shall Inherit of the Dead Estate equally
 Item I Do nominate appoint Constitute & Ordain
 Isaac Dubose and Lewis Palmaren and Judith my
 Wife Executors of this my Last Will & Testament
 my Wife to be Execution as long as she remains
 my Widow & no Longer except my Executors should
 Die before my Children are of age to Choose Guardians
 then in that Case my Wife shall be Executing till
 they are of age to Choose Guardians or until they
 Do Choose Guardians in witness whereof I do
 acknowledge these three Sheets of Paper annexed
 together to be my last Will & Testament and
 hereunto sets my hand and seal this twentieth
 Day of April in the Year of our Lord one thousand
 Seven hundred and thirty Seven 1737.

Signed sealed in Presence
 of us.

Linneux
 Louis Jacques Bernard
 Moses Dufant
 David Coulett.

John Barnett Es

The Hon^{ble} William Bull Esq^r
President and Ordinary of this
Province.

To Noah Serre Esq^r

I Reposeing Especial Trust & Confidence in the
Fidelity Care and Circumspection of you the said
Noah Serre have and by these Presents Do give
unto you full Power & Authority to examine the
several Witnesses to the last Will & Testament
of John Barnett late of this Province Planter dec^d
as shall be brought before you upon their several
corporat Oaths upon the holy Evangelists before
you to be Taken touching the Execution of the
Same according to the Form of the Statute in
that Case made & Provided and also to administer
the usual Oath to the Executors therein named
And a Due Return of your Doings therein you
are to make me under your hand and Seal for
my Approbation or Disallowance.

Given under my hand & Seal
this 20th Day of January 1737
Wm Bull

South Carolina.

Noah Serre Do hereby Certifie to the
Hon^{ble} William Bull Esq^r President & Ordinary
of this Province That in Pursuance to the within
Decimus I have called before me Francis Limerick
& Moses Dutant two subscribing Witnesses to
the last Will & Testament of John Barnett late
of the Parish of St James Santee in this Province

Deceased hereunto annexed who being this Day
Sworn on the holy Evangelist of Almighty God
Did Declare that they were personally Present
and did see the said John Barnett Sign Seal Publish
and Declare the same to be his last Will & Testament
& that they the said Witnesses & each of them did
Subscribe their Names as Witnesses thereto in
Presence & at the Request of the said Testator &
they Did further severally Depose that they the
said John Barnett was to the best of their Judgment
of sound and Disposing Mind & Memory at the
Time of his Signing Publishing and Declaring of
the said Will Likewise Administered the Oath
according as the Law Directs to the within mentioned
Isaac Dubose Louis Polmarin and Judith Barnett
Executors to the within Will. Witness my hand
and Seal this Fourteen Day of February and in
the Seventh Year of his Majestys Reign Anno
Domini 1737/8.

Noah Serre.

Recorded 10th July 1739.

22^d