

Will and Testaments

Martin Heane

Signified, pronounced, published and Declared in the presence of us (the Words [and] or) are the last and true Will of the said Martin Heane by the Testator at whose Request We Sign Our Names as Witnesses hereunto

Daniel Clark
Lewis Bynon
John Wilson

By The Hon^{ble} William Bull Esq^r President and Commander in Chief in and over his Majesty's Province of South Carolina

To Daniel Pepper & Thomas Smith Esq^{rs} in virtue of the Integrity care and Circumspection of you the said Daniel Pepper & Thomas Smith have and by these presents do give unto you full Power and authority to Examine the several Witnesses to the said Will and Testaments of Martin Heane late of this Province a Merchant and Trader deceased, as shall be brought before you upon their several Corporal Oaths on the Holy Evangelist of Almighty God touching the due Execution of the said Will according to the form of those Statutes in that behalf made and provided and also you are to Return your doing herein under your hand and Seal for my approbation and allowance And you are also to administer the usual Oath to the Executors therein named

Given under my hand and Seal this 10th day of December Anno Domini 1738

The said Court

You swear that you believe this Instrument of Writing to be the last Will and Testament of Martin Heane deceased and that you will well and truly to administer his goods, lands and Credits which appertained and belonged to him at the time of his Death and that you will pay all and singular his Debts

and Legacies as far as his Estate will Stand & the Law shall bind you and that you will make a true and perfect Inventory of his Goods, Rights and Credits and return the same into the Clerk's Office of this Province according to the time prescribed by Law in all things behave your self as an Executor ought to do
So help you God

South Carolina

Personally appeared before me Daniel Pepper

Esq^r One of his Majesty's Justices assigned to keep the Peace for New-England & parts adjacent, Lewis Bynon who made Oath on the Holy Evangelist of Almighty God that he saw Martin Heane deceased sign Seal Publish and Declare the Instrument of Writing hereunto offered to be his last Will & Testament and that at the same time he did sign his name as an Evidence thereto and did likewise at the same time the Daniel Clark & John Wilson sign their names to it as Evidence also And Kennedy Colburn One of the Justices mentioned in the said Will hath this Day taken the Oath of an Executor before all which I certify at New-Camden this 28th Day of October 1738

Daniel Pepper

Recorded this third day of December 1739

John Rivers Esq^r Clerk of the Court

In the Name of God Amen the first day of March in the Year of our Lord 1738/9 I John Rivers of St. Andrews Parish Planter being Sane and of sound Mind and perfect Memory thanks be given unto God for the same Calling unto mind the Mortality of my Body and knowing that it is appointed for all men Once to Die I do make and Ordain this my last Will and Testament that is to say Principally and First of all I give 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 and decent 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

To the Worldly Estate wherewith it hath pleased God to
 Bless me with in this Life I Give devise and dispose of the same
 in the following manner and Form Imprimis I Will that my
 just Debts and Funeral Expenses be discharged. Item I Give
 and Devise unto my Loving Wife Martha One Negro Lench
 named Prag and One Negro to be bought in Luc of her Funds
 of my Real Estate Item I Order & Direct that my Wife Martha
 posses Injoy & improve all my Estate both Real & Personal
 during her Widowhood & that she Render a true & Just Account of
 all the produce of all my Estate to the Executor of this my last Will
 and Testament & that the same be laid out & made Use of at their
 Devotion for the Use & Benefit of my three Children & also for
 her maintenance & that the Executors shall & may cause her to give
 a true just & Reasonable Account of at all times when ever they
 shall think fit to Call her thereunto But in Case she should remain
 a Widow until my Children come to age or Marry that then they
 shall have a Reasonable Share of my Estate as my Executors
 shall think most proper and in Case my Wife should Die or
 should be married and my Children come to age then my
 Reasonable Estate both goods & Chattels shall be equally divided
 among them namely Elizabeth Ann and John to them their
 Heirs and assigns for ever. Item I Give & Bequeath unto
 my Beloved Son John One Tract of Land Contain in g One
 Hundred & Twenty acres in Dudley County in N. Andrew
 Parish joining to Mr. William Miles Land & to Mr. Wm. Clays
 Land to him & to his Heirs & assigns for ever also one Tract of
 Land Contain in g Two hundred & Fifty acres in Colleton County
 near Cumbe River joining to Mr. Woodward & to Christ Church
 Land & to them & to his Heirs & assigns for ever But in Case that
 Land cannot be found at or near Cumbe then I Give the Tract
 of Land that now lies on to my said Son John & to his Heirs
 & assigns for ever with the first mentioned Tract also But in
 Case that Tract of Land Contain in g 600 acres near Cumbe
 can be found to be mine then in such Case I Give & Bequeath
 the Tract that now lies on Contain in g One Hundred & Three

Arrested by me on Sept 10th 1799 Beloved Two Daughters Elizabeth
and Ann to them & their heirs & assigns forever But in Case either
my Children herein mentioned should happen to Die before they come
age or before they have one of Children then their part hereinafter
shall be Divided Between the Other Two but in Case neither Child nor
from all Dies under age or or before lawfully Begotten then
I wish my said Wife & I Desire the same to be equally divided between
the two surviving The issue of her Natural life and after her decease
I give & Devise will hereunto mentioned unto Arthur Tucker son of
Arthur Tucker which is now at this time a Child And to Elizabeth
Perry Daughter of Peter Perry to be Equally divided between them
to their heirs for ever Item I Give and Devise unto my beloved
three Children namely Elizabeth Ann and John all my personal
estate of what so ever to be Equal divided among them Item I Give and
Devise unto my aforesaid three Children all the Part of my Estate
Real Estate and Whatsoever Both Real and Personal as I now
Possess all sort of Stock & whatsoever else to me belonging to be Equally
divided among my Three Children but in Case of the Death of either
of my Children then it shall be divided between the Other Two if in case
they all should Die before they come to age or before they have
the same to my Wife during Life & after her decease I give the same
to Arthur Tucker and to Elizabeth Perry as before mentioned to
be Equally divided between them to them and to their heirs for ever
Item I Give & Bequeath unto Thomas Rivers Twenty shillings
Item Do hereby Recommend and appoint my said Wife to be the
Guardian of my said three Children until their respective ages
or Day of Marriage Item Do hereby Recommend and appoint
Thomas Stock and Silas Wells Executors of the my last Will &
 Testament Jm Withnall Trustee of above named to Henry
and I Seal this day & year for above written
Jm Man
John L. Rivers Seal
Wm Miley
Capt. B. Shummon
Rich Carolina Before me William Dutton Esq. Just of Peace
in Ordinary of the province of North Carolina on the 9th day of
Sept 1799 Personally came and appeared John Man William

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 Bless me with in this Life I Give devise and dispose of the same
 in the following manner and form Imprimis I Give that my
 just Debts and Funeral Expenses be discharged. Item I Give
 and Devise unto my Loving Wife Martha One Negro Lench
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 Land to him & to his Heirs & assigns for ever also one Tract of
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 Land & to them & to his Heirs & assigns for ever But in Case that
 Land cannot be found at or near Cumbe then I Give the Tract
 of Land that now lies on to my said Son John & to his Heirs
 & assigns for ever with the first mentioned Tract also But in
 Case that Tract of Land Contain in g 600 acres near Cumbe
 can be found to be mine then in such Case I Give & Bequeath
 the Tract that now lies on Contain in g One Hundred & Three

Arrested by me on Sept^r 10th my Beloved Two Daughters Elizabeth
and Ann so their V^t figures & Power that in Case either
my Children herein mentioned should happen to Die before they come
age or before they have one of Children then their part share should
be divided between the Other Two but in Case neither Childen -
from all Dies under age or or before lawfully Begotten then
I wish I Give & Devise the same unto said Elizabeth &
Ann the surviving The term of her Natural life and after her decease
I Give & Devise well known mentioned unto Arthur Tucker son of
Arthur Tucker which is now at this time a Child And to Elizabeth
Perry Daughter of Peter Perry to be Equally divided between them
to their heirs for ever Item I Give and Devise unto my Beloved
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Devise unto my aforesaid three Children all the Part of my Estate
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Cattle & all sort of Stock & whatsoever else to me belonging to be Equally
divided among my Three Children but in Case of the Death of either
of my Children then it shall be divided between the Other Two if in case
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the same to my Wife during Life & after her decease I give the same
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Item Do hereby Term make and appoint my said Wife to be the
Guardian of my said three Children until their respective ages
or Day of Marriage Item Do hereby make and appoint
Thomas Stock and Silas Wells Executors of the my last Will &
 Testament Jm Witnejs hereof I have hereunto set my
hand & Seal this Day & Year for above written
Jm Man
John L. Rivers Seal
Wm Miley
Capt. B. Shummon
Rich Carolina Before me William Bull Esq. Just of Peace
in Ordinary of the province of North Carolina on the 9th day of
Feb^y 1709 Personally came and appeared John Man William

Wills and George Simmons the witnesses to the annexed
Instrument of Writing who being duly sworn on the Oath -
Evangelist of Almighty God declared that they were present, and
Saw John Alister Sign Seal Publish and Declare the said Annexed
Instrument of Writing to be his last Will and Testament
and that he was of sound & disposing mind memory & understanding
at the time of doing thereof according to the Best of their knowledge
and Belief and further that they the said Dependents signed their
Names as Witnesses thereto in the presence of the Testator sworn
Before me

Wm Bull

Recorded this 3 day of December 1789

if

John M^r Alister Will (Bund M. M. M. N^o 14)
South Carolina

In the Name of God Amen

The Twentieth day of October in the Eleventh Year of the Reign
of Our Sovereign Lord George the Second by the Grace of God of
Great Britain France & Ireland King Defender of the Faith
And in the Year of Our Lord One thousand seven hundred & Thirty
Eight I John M^r Alister of Colleton County in the Province
of South Carolina Clerk being sick in Body But of sound &
Perfect Mind & Memory (Blessed be God) and knowing that
I am Naturally Born to Die in Order therefore to prepare
for Death Do make & Ordain this my Last Will and Testam
in Manner & Form following, Hereby I make Null & Void
all former Wills & Testaments whatsoever by me made & Declared
And first I Commend my Immortal Soul into the Hands of
Almighty God Assuredly Believing that thro the precious
Death & Merits of Jesus Christ my Saviour & Redeemer
I shall receive the full and free pardon of all my sins and
Inherit Eternal life my frail Body I Commit to the Earth to
be Buried in decent Manner with such Funeral Expenses
As my Executors hereinafter mentioned shall in their discretion
think proper Nothing Doubting of a Glorious Resurrexion

And Reunion of Body & Soul at the Last Day And as such
Willy God & Estate as it shall please God to bestow upon me
I give & bequeath to my beloved & beloved Son
John Alister Funeral Charges be well and truly paid and discharged
all convenient speed after my Decease Item I give and bequeath
all convenient speed after my Decease Item I give and bequeath
Mr. Elizabeth Deane of Sud. my Watch & Gold Chain & a
large piece of Gold which is in my hand & a Decent
of Mourning Item I give and bequeath to Mr. Elizabeth
Deane Senior Forty Pounds Current Money of this Province Item
I give and bequeath to Mr. George Farley's Wife my Gold
Chain & a Decent Item it is my Will that all my Effects be
sold & turned into Money to discharge my just Debts
Charges & Expenss & the things I have bequeathed
I give and bequeath all the Remainder of my Estate
I should have left after my just debts and Funeral Charges
paid to Mr. Elizabeth Deane of Sud. Item I nominate
& appoint Mr. George Farley Mr. Isaac Rayner
Executors of this my last Will and Testament In Witness
Whereof I the said John M^r Alister have signed hand and Seal
Day and Year first Above written

Sealed & Declared
Testator to be his last Will
Testament in the presence of
us at his Request I in the
presence have subscribed Our
Names as Witnesses
Moses Martin
Wm Jackson -
Henry Livingston -
South Carolina

John M^r Alister

By the Hon^{ble} William Bull
Lieutenant Govern^r & Commander in Chief in & Over
Majesty's Province of South Carolina & Chairman of the
Solemnly Sworn
I Repose in Special Trust & Confidence in the
Fidelity Care & Circumspection of you the said Executors & further
By these presents Do give unto you full Power & Authority