

Will of
Mary Gervais

14-Ws

No.44 South Carolina.

In the Name of God Amen. I, Mary Gervais of Charleston in the State aforesaid, do hereby make this my last Will and Testament, in manner and form following, Imprimis, It is my Will and desire that all the just debts of my late Husband John Lewis Gervais be fully discharged as soon as possible after my decease, either by the annual produce of the Plantation lately belonging to him, or by the Sale of the whole, or any part of his late real or personal Estate (the whole of which he has devised and bequeathed to me) at the discretion of my Executor or Executors herein after mentioned; and for this purpose, I do hereby authorize and empower my Son Rawlins Lowndes Gervais, whilst he acts alone as my Executor, and the rest of my Executors who shall qualify with him, after being intituled to act, and the Survivors and Survivors of them, and the majority of such of them as shall qualify and of the Survivors of them, to sell and dispose of the whole or any part of the Said real and personal Estate, either at public or private Sale, upon such terms respecting cash, credit and security as he or they shall think proper, and the proceeds of the same to apply towards the discharge of the said Debts as he or they shall judge adviseable. Item It is my Will and desire that my Executor or Executors shall discharge my own just debts as soon as possible, after my decease. Item I give and bequeath

unto my Daughter Claudia Butler Turnbull, her Executors, Administrators and Assigns, the sum of one thousand pounds, to be paid to her without interest, in such portions and at such periods as my Executor or Executors shall deem convenient, also all bonds and Monies (with the subsequent exception) arising from the Sale of certain lands in the upper parts of this State, late the property of the said John Lewis Gervais, which Bonds and Monies are in the hands of Sinclair David Gervais, or as he was baptized David Sinclair Gervais and amount (after deducting the above exception of about six hundred pounds, part thereof which was applied to the discharge of a debt due to Mr Vanderhorst of England) to the sum of about two thousand two hundred pounds, also respecting the Bonds and Monies in the hands of the said Sinclair David Gervais, it is my will and desire that my Executor or Executors shall not in the least intermeddle in the recovery thereof, but that the means of recovery shall be pursued by my said daughter Claudia Butler Turnbull, my Executor or Executors only assenting to the vesting of the said legacy.

Item I give and bequeath unto my Sons Rawlins Lowndes Gervais, and Paul Trapier Gervais my Slave Cato, a Carpenter by trade, to them, their Executors, Administrators and Assigns as tenants in common. Item, with intent to show that I have not forgotten the said Sinclair David Gervais, I give and bequeath unto him one shilling only; and it is my will and desire, that he shall receive no other part of my Estate, real or personal whatsoever, including as well what was devised and bequeathed unto me by my said Husband, as what I otherwise possess or am intitled to in my own right. Item I give, devise and bequeath

all the rest and residue of my Estate both real and personal, including as well what was devised and bequeathed to me by my said Husband, as what I otherwise possess or am intitled to in my own right (which latter includes two Slaves Prince and Frank of whom I have been possessed more than six years, tho' the bill of Sale of them is in the Name of the said Sinclair David Gervais) unto and between my four Sons Rawlins Lowndes Gervais, Paul Trapier Gervais, John Lewis James Gervais, and Charles Gervais, their Heirs, Executors, Administrators and Assigns as tenants in common, and in case any of them should die under age, and without leaving lawful issue, in such case I give devise and bequeath his or their Shares or Share of the said rest and residue to the Survivors and Survivor of them, their or his Heirs, Executors, Administrators and assigns, if more than one as tenants in common, and so in like manner upon the same event, I give devise and bequeath over, any sub-share or sub-shares of the said residue which he or they may become intitled to by the prior death or deaths of any of them, to the Survivors and Survivor of them, their or his Heirs, Executors, Administrators and Assigns, if more than one as tenants in common. Lastly I hereby nominate constitute and appoint my Son Rawlins Lowndes Gervais Executor, and my Sons Paul Trapier Gervais, John Lewis Gervais and Charles Gervais Executors of this my last Will and Testament, as soon as they shall arrive at the age of twenty one years, hereby revoking all former and other Wills and Testaments by me heretofore made. In witness I have hereunto set my hand and seal this twentieth day of August in the year of our Lord

one thousand eight hundred and five.

Mary Gervais (L S)

Signed, Sealed, Published and declared by the Testatrix as
and for her last Will and Testament, in our presence, who
at her request, in her presence, and in the presence of each
other, have hereunto subscribed our Names as Witnesses -

William Harleston John Smith Bernard Bee

Proved before Charles Lining Esquire O. T. D. December
5, 1806. At same time qualified Rawlins Lowndes Gervais
and Paul Trapier Gervais Executors.

Examined)
10³⁵ Co. Sh.) C. L.

Recorded in Will Book D - 1800- 1807-

Recorded on Page 695.