

Will of Christopher Gadsden

Wills are a great source of information because they provide family and property information. However, they can be difficult to read because of their complex legal language and the rather tedious details of how a person's wealth is to be divided after (s)he died. Gadsden's will is transcribed word for word exactly the way it appears in the archival records. But, in order to help you read through the will, it has been divided into sections with topic headings. In addition, comprehension questions follow each section to promote understanding. You can use these to guide you in taking notes, and then the final questions require you to interpret what you think this will reveals about Gadsden himself.

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14 T^s N^o 14.

I. Introduction

I Christopher Gadsden Citizen of Charleston in the State of South Carolina, now in the 81st Year of my age, and belssed [blessed] be God of sound mind, do make and ordain this as my last Will and Testament, **revoking** and **disannulling** every other last Will and Testament heretofore made. My Soul with humble submission and confidence in the **merits** of my blessed Saviour Jesus Christ, I hope in the last trying moment to resign with chearfulness, to that Almighty and Merciful being who gave it.

II. Burial Preferences

My body I desire may be put into a plain **unornamented** Coffin and **interred** in a **frugal** manner without any plate upon it, excepting of my age and when it is removed from the place that is to know it no more, let it be conveyed to S^t Philips Western Church Yard, to the burial place of my parents, and the Earth be leveled over it immediately.

- *In what manner does Gadsden want to be buried?*
- *Where does he want to be buried and why?*

III. Payment of Debts

My plantation on Black River with my Negroes thereon, my lot in George Town, my lands on Peters Creek and at the Cheraws, may be sold to pay my just debts, these I am persuaded will be full sufficient for that purpose.

IV. Money to Friends

And to give as follows, to the two Grand Children of my last worthy friend George Gabiel Powell Esquire deceased, **viz^t** to M^{rs} Mitchell Widow of the late M^r Mitchell of S^t John's Parish deceased, and to Powell M^cCrae Son of M^r M^ccrae, six hundred **pounds sterling** each, to be paid one hundred pounds sterling each, annually without interest, till the whole is paid,

- *What four people does Gadsden leave money to?*
- *How much money does he leave each person?*
- *How much will be paid each year until the full amount is paid?*

V. How the Rest of Gadsden's Property is to be Divided

Item all my lands, houses, **wharves** and stores in Charleston, or any of them, I would not have disposed of by any means, nor divided in any manner till full seven years after my **decease**, but kept entirely together during that period, but when that time is fully **elaps'd** and gone, then I direct my **Executors** hereafter mentioned to divide

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my **Estate real and personal** as well my Negroes as otherwise into nineteen equal parts or shares, being the exact number of Grand Children I now have, giving to my daughter Mary Morris six shares, to my daughter in law Catharine Gadsden nine shares, and to my late Son Thomas Gadsden's children four shares, **N. B.** to the two former this is given **in trust**.

- *How long does Gadsden want his estate (personal and business property) allowed to operate and earn income before it can be given to his heirs or sold?*
- *Once this period of time has expired, how is the estate to be divided? Explain .*

VI. What is to be Done with the Income Earned by Gadsden's Estate During the Seven Years Before It is Divided

The nett income arising from my whole Estate real and personal, till the seven years before mentioned is expired, and the division takes place, I direct may be annually divided into three parts and the nett amount of one third part paid over to Martha Gadsden my late Son Thomas's Widow for the use of herself children and family.

Item the nett amount of another third part to be paid over to my daughter Mary Morris **in trust for the use of her family, but totally at her own disposal, in no manner subject to any interference of her husband**, and whose receipt the Executors are only to take for the same.

Item, the remaining third part to be paid over to my worthy daughter in law Catherine [spelled Catharine elsewhere] Gadsden the Wife of my Son Philip in trust for the use of her family, but totally at her own disposal, in no manner subject to any interference of her husband, whose receipt the Executors are only to take for the same.

- *Whot does Gadsden want to receive a third of the income his estate generates during the seven year period before it is divided among the whole family?*

VII. Fate of Gadsden's Slaves During the Seven Year Period and After the Estate is Divided

Item in like manner and under the same restrictions I give to my daughter Mary Morris and to my daughter in law Catharine Gadsden in trust all my Town Negroes, male and female, to be divided when the before mentioned division [after the seven year period has expired] is made, **by lot** among my Grand children, excepting my faithful Servants Nanny and George. Nanny I then give to my daughter Mary Morris, and George to my daughter in law Catharine Gadsden.

- *Who receives the labor of Gadsden's town slaves during the seven year waiting period before the division?*
- *When the seven year waiting period is over, what happens to the slaves?*
- *The only exceptions are Nanny and George. What happens to them?*

VIII. Recap of Payment of Debts Before Heirs Get Property

Again at the expiration of the seven years already mentioned [see section III], I then direct my real and personal Estate, remaining after my just debts are paid, to be divided into nineteen equal parts in the manner herein epressd, and after such division is made, the four parts that fall to

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my late Son Thomas's Children to be divided among them equally, and in case of death or deaths where children are left, the children to inherit their parents share accordingly and duly.

- *Before any of the family members get any of Gadsden's estate, what must be paid?*

IX. Money Matters

Item I give to my Son Thomas's Widow, Martha Gadsden, to my daughter Mary Morris, and to my daughter in law Catharine Gadsden two hundred and fifty pounds sterling each **p^r ann.** to **commence** after the **aforsaid** division is made and the seven years expired, and not before, and to continue during each of their lives and no longer.

- *After the seven years has passed and the estate divided, what are Mary Morris and Catharine Gadsden guaranteed? For how long?*

Whatever monies may be advanced by me for my Son Philip and actually accounted for by me (for I am largely accountable for him) **antecedent** to my decease, I **remit** to him and will not have him called upon for, being convinced and satisfied that he has acted in the management of his late Brother Thomas's estate, with all brotherly affection and with the greatest **integrity** and **superlative** generosity, **meriting** every degree of gratitude from his Brothers Widow and Children.

- *Any money Gadsden's son Philip borrowed from his father was forgiven. Why did Gadsden just forgive his son's debts?*

X. Mrs. Ann Gadsden's Share of Her Husband's Estate

Item four of the five lots that have fallen to me from M^r John Wraggs Estate **marked D and painted blue in the Wraggs borough plan** being the four the most Westward, after the expiration of fifteen years I give to my Wife Ann Gadsden and to her heirs forever, to dispose of after that time, to any of the relations of the said John Wragg as she may think proper reserving to by [my?] Estate, the most Easterly lot marked also D **bounding** to the Southward on Chappel Street together with all the Marsh **annexed** to said lot and fronting it on both Sides of a Creek, adjoining it.

- *To whom does Gadsden leave the lots he inherited from John Wraggs?*
- *After fifteen years, Gadsden's wife may do what with four of the five lots?*
- *Which of the five lots must remain in the Gadsden family?*

Item I also give to my said Wife four hundred pounds sterling to be paid her in **quarterly payments** of one hundred pounds sterling **pr** quarter during her natural life and no longer, these **two gifts** are given as full and **compleat** satisfaction for her **dowry** and all claims and demands for and concerning all the **Bonds particularis'd** in a **Marriage settlement** a little **antecedent** to our Marriage in April 1776

- *What money does Gadsden provide for his wife?*
- *Other than his tender feelings for his wife, what reason does he offer for the gift of five plats of land and the quarterly payments of money?*

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she well knowing that any and every part of those bonds received by me was in **extreme low appreciated money**, and that one of those bonds of considerable amount is now on hand not worth a farthing.

- *Gadsden provides this money for his wife despite a problem with her dowry. What was the problem?*

Item I give to my said Wife during her natural life and no longer, the use of the house and land whereon we now live, butting and bounding to the Westward on Front Street about one hundred

and seventy feet, to the Southward on Washington Street two hundred feet to the Northward on other lands of my Estate two hundred feet, and to the Eastward on Water Street about one hundred and seventy feet, but on the decease of my said Wife, the said house and land to return immediately to my Estate and to the care and charge of my Executors herein after mentioned as part thereof.

- *What does his wife get to use the rest of her life, but afterward it must be returned to Gadsden's estate and his family?*

Item I give to my said Wife the use of my Negroes Molly and Charlotte and Charlottes two daughters and my Negro Joe during her natural life and no longer.

- *What is the fate of some of Gadsden's slaves - Molly, Charlotte and her daughters, and Joe?*

Item I give to my said Wife all my house furniture and liquors, my cows, my grey horse and chair.

- *What else does he give his wife?*

XI. Gift to Brother

Item I give to my dear and kind Brother James Gadsden of London Fifty pounds sterling which I hope he will accept to lay out in some Memorandum of his affectionate Brother.

- *What does Gadsden give to his brother and what does he hope he does with it?*

XII. Gadsden's Nephews

Item I also give to my three Nephews James William Gadsden, Thomas Gadsden and James Hasell a handsome ring which I wish their Acceptance of.

- *What does Gadsden want to give to his nephews?*

Item all my books and pamphlets in Hebrew Greek and Latin I give to be divided among my Grand Sons Christopher Edwards John and James Gadsden, togher [together] with the proper books of **Gram^r & ^c appertaining thereto**. Item all my English books I give to my Grand Sons Christopher, Thomas and James Morris.

- *How does Gadsden want his personal library divided?*

XIII. Miscellaneous

Item I give to M^{rs} Ferguson her **note of hand** dated 1st August 1796, for five hundred pounds sterling. I conjure my children not to forget the faithful services of the descendents of old Nanny and Elsy, Nanny's offspring to the fifth generation are now with me, having never parted with one,

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Ned the Son of old Betty is a faithful Servant and deserves regard, so does old helpfels Strephon.

- *What does Gadsden return to Mrs. Ferguson?*
- *Which of Gadsden's slaves does he want to be especially treated well?*

XIV. The Executors of Gadsden's Estate

I leave my Son in law Thomas Morris, and my Son Philip Gadsden, M^r William Drayton and my Grand Son Christopher Gadsden Junior true and lawful Executors to this my last Will and Testament, as also my Grand Sons Christopher Edwards Gadsden and Christopher Gadsden Morris when they shall attain the Age of twenty one years.

her family, but totally at her own disposal, in no manner subject to any interference of her husband –

In other words, the third of the profits from Gadsden's businesses and plantation that she receives is to be used for her family and is not controlled by her husband.

by lot – slaves were to be divided up by some method based on pure chance like a lottery, drawing names out of a hat, or dice.

p^r ann – per annum – once a year

commence - begin

aforsaid – the previously mentioned division of Gadsden's estate after 7 years

antecedent - before

remit – forgiven; Gadsden is canceling the debts his son Philip owes him

integrity - honesty

superlative - excessive

meriting - deserving

marked D and painted blue in the Wraggs borough plan – The 5 lots are marked D in blue ink on the official map.

bounding – next to

annexed - added

adjoining – next to

quarterly payments – once every three months

pr - per

two gifts – the land from Wragg's estate (mentioned in the preceding paragraph) and the 400 pounds sterling paid each year.

compleat - complete

dowry – the money, goods, and estate that a bride brings with her into a marriage.

Bonds – a certificate that signifies a loan to another person or organization, which will be paid back with interest after a set period of time.

particularis'd – particularized or specified

Marriage settlement – a prenuptial agreement or contract

antecedent - before

extreme low appreciated money

Gram^r & ^c appertaining thereto – grammar and language books

note of hand – some type of IOU or bond that Gadsden is returning to her

All definitions are either quoted or based upon *Webster's Ninth Collegiate Dictionary*. Springfield, MA: Merriam-Webster, 1986.

Final Questions

- What does the will reveal about the members of Gadsden's family?
- What does the will imply about Gadsden's relationship with specific members of his family?
- What do we learn about his slaves?