No 2

and perfect Inventory of all the goods and chattles which were the said William Smiths within this Province at the time of his Decease and to make a true and perfect accompt of the same when she should be demanded thereunto.

22 March 1637

Cecilius Lord Baron &c To all Christian people to whome these presents shall come greeting Whereas William Blisard Late of the Isle of Kent Planter being weak in body but of perfect sense and memory did make his last will and Testament nuncupative in manner and form following. that is to say being asked by Henry Crawley of the same Island Planter and at that time the master copartner of the said William Blissard in all his personal Estate whatsoever he did intend to take for the disposing of his Estate and who should have in case God called him by death. The said William Blisard answered in these words, who should have it but you (meaning the said Henry Crawley) and being again demanded whether he were in good remembrance of what he said he answered again yes I praise God, and all that I have I give to you meaning the said Henry Crawley, as is deposed both by the oath of the said Henry Crawley taken before the said Henry Crawley taken before the Secretary of our Province and by the severall oaths of Richard Parliament and Mathew Price of the same Island Planters taken in the said Island by our Lieutenant Generall of our Province Knowye therefore that we do hereby approve the said Last Will and Testament of the said William Blisard and do admitt and appoint the said Henry Crawley to be full and sole Executor of the said last will and Testament of the said William Blisard and to do and receive all things which unto an Executor do belong of comon Right.

Given at St Marys

Henry Crawley sworn to the words above mentioned.

August 25th 1638.

John Medealf Genl Deposeth that comeing to John Smithston Late of St Maries Planter Decd Lying then very sick he asked the said John Smithston how he would Dispose of his Estate in case God should call him in that sickness and the said John Smithston answered this Deponent in these words. all that ever I have (meaning in this province shall comeing out of England I freely give to my Wife

John Mitcalf



No 3 Eod die.

William Lewis planter deposeth that comeing to John Smithston aforesaid the day afore he died the said John Smithston among other Discourse complained to this Deponent that he should leave his wife a poor widow to which this Deponent answering that in Grace of God he would leave her well enough to Live the said John Smithston replied in these words. all that I have I leave her and if I had more she should enjoy it. William Lewis

Upon these depositions of John Metcalf and William Lewis the Judge did approve the said Last Will and Testament of the said John Smithston

Cecilius &c Whereas John Smithston Late of St Marys planter Decd being in perfect sense and memory did make his last will & Testament nuncupative, and therein did give and bequeath unto his New wife Anne all that ever he had within this Province and whatsoever he should have come out of England. Knowye therefore that we do hereby approve the said Last Will and Testament of the said Smithston and do admitt the said Anne to be full and sole Executrix of the same given 27th day August 1638.

13th October 1638.

This day came Thomas Hebden Planter and alledged an against the Probate of any Will of James Petches Late of St Marys servant deed for that by a mutual contract between the said James and Thomas the said James had obliged himself to the said Thomas and like wise the said Thomas to the said James that their Estates wt they had in this Province should be to used and neither of them have Property in severall and a part from the other in the Estates so Joined or any part thereof, unless it should be severed again upon such terms as in the said contract was agreed, and therefore that neither of them without the others consent should have power to dispose of any part of the said Estate so Joined Either by wills or otherwise but the Survivor of them was to enjoy and sett in the whole. And he desired that this might be entred and offered himself ready to prove the said allegation wherever it should be thereunto called.

Memorandum, that the above named Thomas Hebden acknowledgeth himself to owe unto Thomas Cornwaleys by the weight of 7 barrels in case he shall not appear (upon monition) to prove his said allegation or shall not pay to the said Thomas Cornwaleys such